

1989/90
3 TRESPASS
CASES

DELOYD SATTERTHWAITE Tresspass cases:

Satterthwaite is manager of Ellison Ranching Co., He was replaced by Steven Fulstone on the State Wild Horse Commission.

First Case:

On Andrae (?) Allotment, East Pasture - nine horses & three cows with LH/LS brand (?) for total of 17 AUMS.

Ellison is allowed nine cattle from 7/1/89 to 9/30/89 and 33 horses from 5/1/89 to 10/31/89.

From a 7/11/89 Certificate of Livestock County reported by Paul Sladish: ???BUT THERE IS NO SETTLEMENT LISTED AND THIS CASE WAS NOT LISTED ON THE FY 88 Register????)

Case 2:

Paid 4/19/90 for 1,215 sheep in Jake's Creek Allotment from 4/16- to 4/18/90 in an area 89% federal for a total of 21 AUMs for \$182.70 (thus the non-willful rate)

In 4/18/90 Certificate of Livestock County Sladish counted 627 ewes (since each would have a lamb, presumably, the herd was about double that) The herder said he had 1,515 sheep. The trespass consisted of 1,215 sheep X 3 days divided by 30.14666X 89% divided by five (for sheep AUMs = 21 AUMS X 8.70 = \$182.70.

Report from Matt Rendace, 4/19/90: Satterthwaite called them and reported his own transgression on 4/19: said "that his sheepherder inadvertently started trailing sheep on the wrong side of the hill (the north side into Little Humboldt Allotment and a BIGHORN SHEEP USE AREA) and he will get back on the correct trail (south side of the hill in the Rock Creek Allotment. I recommended that he get the sheep out of the wrong area as soon as possible due to potential danger to the bighorn sheep. I thanked him for letting us know ahead of time and for taking action to correct the problem.

Third case (and second within a month this year

T-NV-010-0-3-010

Three days, 168 sheep, at 100% (public land) X 2 (willful rate = 3 AUMs at \$52.20, WILLFUL.

5/4/90 - 168 ewes, counted by Paul E. Sladish, range con. in the Little Humboldt Allotment near Rock Creek and Midas Creek
Sweeney wrote a memo on the report: "This violation is clearly a willful act and is to be settled accordingly."

168 sheep X 3 days divided by 30.1466 = 3 AUMs X 3 (FOR REPEATED VIOLATIONS) for \$52.20 " for value of forage consumed."

5/7/90 Grazing trespass report Deloyd contacted in care of Tuscarora; Matt Rendace says he admitted trespass to him and that livestock were his.

Sattethwaite tile - 2

"The trespass appears to be willful for the following reasons:

1. The trespasser was previously notified that sheep grazing was not authorized in the allotment where the trespass was committed.
2. The herder was present and aware that a trespass was being committed. He took no action to stop it.

3. Grazing sheep near the allotment boundary fence was not necessary because there is adequate forage in other portions of the Rock Creek Allotment which the trespasser was authorized to graze. Paul Sladish, investigating officer and range conservationist with Rendace and Kimberly Hackett, range cons, witnesses.

May 7 memo by Hackett: She and Matt Rendace, on May 4 ran into Deloyd on their way back from counting trespassed sheep. His response: that "they have a chronic problem with the sheep in that area and they have trouble keeping the ewes and lambs together." He also said he would rather go into the Eleven Mile Allotment instead of Rock Creek.

Received the form letter: Unauthorized Use Notice and Order to Remove," May 4 1990, signed by H. Shane on 5/5
Settlement includes such conditions as keeping salt licks one-fourth mile from springs and all riparian areas enclosed.

Elko Dist

5/20/85



STATE OF NEVADA
DEPARTMENT OF WILDLIFE

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(702) 789-0500

RICHARD H. BRYAN
Governor

WILLIAM A. MOLINI
Director

May 20, 1985

John Walker, Coordinator
State Clearinghouse
Office of Community Services
1100 E. William, Suite 109
Carson City, NV 89710

Dear John:

We appreciate the opportunity to review and comment upon BLM's EA for a wild horse capture plan for Cherry Creek, Goshute and Antelope Valley in Elko and White Pine counties (SAI NV #85300068). Our regional personnel have reviewed the document and offer the following comments.

We do not foresee any problems with the physical aspects of the proposed gathering. The trapping will not be within 1/4-mile of water and will probably be done in September. Trapping should not, therefore, have any significant impact on wildlife.

We are concerned that horse removal will not necessarily have a positive impact on wildlife. Removal of 544 horses will free-up about 6,500 AUM's of forage annually. This forage could have a positive effect on wildlife, if livestock numbers are not increased to take advantage of it. However, we are concerned that removal of the horses may encourage some permittees to go to active preference which would, in all likelihood, more than negate the forage gains for wildlife.

If we can provide any additional comments or answer any questions, please let me know.

Sincerely,

William A. Molini

William A. Molini
Director

FRK:DE:pw

cc: Region II
Dawn Lappin ✓

TRESPASS CASES: Elko BLM District

FY 1990 (as of June 7, 1990)

(Dates are "action dates" - reported/verified/confirmed; all areas refer to grazing allotments unless otherwise noted)

- 1. Russell Ranches - Double Mountain Allotment - 12/19/89-1/9/90 - \$7,708.92 (settled 1/9/90) # 3-001
- 2. DEAN RHOADS - 25 allotment (early turn-out of cattle) - 3/13/90 - pending - #002 ...SEE NOTES AND COPIES OF FILE DOCUMENTS
- 3. Winecup Inc. - Little Goose Creek - 4/3/90 - \$113 - (5/18/90) - #003
- 4. ELLISON Ranching Co. - Jakes Creek - 4/18/90-4/19/90 - \$182.70 (4/19/90) - #004.....SEE NOTES FROM FILE
- 5. H & R Livestock Co. - Leppy Hills (Wells Resource Area) - 4/19/90 - - #005
- 6. Zeda Inc. - Horseshoe Allotment - 4/26/90 - #006
- 7. Horace Smith - Cottonwood Allotment - 5/1/90 - Cancelled: were not Smith's livestock - 007
- 8. Ray Beoke, Winecup Ranch - Little Goose Creek - 5/1/90 - - #008
- 9. DEAN RHOADS - Tuscarora Allotment - 5/3/90-5/4/90 - - 009
SEE NOTES AND COPIES OF DOCUMENTS FROM FILE
- 10. ELLISON RANCHING CO. - Midas & Little Humboldt Allotments - 5/4/90 - \$52.50 (5/31/90) - #010
SEE NOTES FROM FILE
- 11. GLASER LAND & LIVESTOCK CO. - Tule seeding/North Fork Allotment - 6/4-6/5 - SEE NOTES FROM FILE - 011
- 12. Rather Farms - Lindsay Creek Allotment - 6/4/90 - 012
- 13. Zunino Ranch - Little Porter Allotment - 6/4/90 - #01

FY 1989

- 1. Ed Tomera -Tonka Allotment - 9/29/88 - \$152.88 (1/20/89)
- 2. Demar (sic) Dahl - Big Springs - 10/26-10/27/88 - \$449.97 (11/9/88)
- 3. Ray Schurtz - Blue Basin - 11/4-11/7/88 - \$604
- 4. Tim Puckett - Deeth (John Casy's starving cattle) - 3/1/89 - \$1,507.93

(4/18/89)

5. Randy Stowell - Currie Allotment - 4/4-4/5/89 - \$76.41 (7/12/89)
6. Lands of Sierra (Sierra Pacific Power Co.) - Pilot Valley - 4/12/89 - \$93.39 (7/13/89)
7. Jack Christenson - Pilot Valley - 4/12/89 - \$16.89 (6/27/89)
8. Larry Lednicky - Ryndon, North Fork Allotment - 4/21-4/24/89 - No Charge (May 1989)
9. Frank Hooper - Kennedy Jug - 6/5-6/6/89 - \$772.59 (6/30/89)
10. Farnes Egbert - Antelope Allotment - 6/12-6/16/89 - No trespass/no charge (6/16/89)
11. WILLIS PACKER - Tuscarora Allotment - 6/19/89 - dropped/no charge 6/3/89
12. DEAN RHOADS - Tuscarora Allotment - 6/19/89 - No charge (6/23/89)
13. Betts Bear - White Rock allotment - 6/19/89 - no charge (7/11/89)
14. Sam Layton - - "misunderstanding"/ no charge (6/23/89)
15. Steven Tibbs - BIA: Taylor Creek Allotment - "Lands Case is on ALMRS"
16. Adobe Hills Ranch - Adobe Hills Allotment - 6/30/89 - No Charge (7/11/89)
17. Peavey Sims - Westside Allotment - 7/5-7/6/89 - \$144.33 (7/24/89)
18. WILLIS PACKER - Laylor Canyon Allotment - 7/18-19/89 - Notice sent 8/11/89 - DROPPED/no trespass
19. Zunino Ranches - - 7/25/89 - \$125 (8/24/89)
20. Frank Hooper - - 8/30/89 - No Charge/no trespass (9/19/89)
21. Sam Layton - Adobe Hills Allotment - 9/12/89 - \$33.96 (10/11/89)
22. Ray Schurtz - Adobe Hills - 9/18-25/89 - \$16.98 (4/3/90)

FY 1988

- 88-3-010 - WILLIS PACKER - Tuscarora Allotment - 4/6-4/12/88) - \$113.25 (4/27/88)
- 011 - Horace Smith - \$45.30
- 012 - WILLIS PACKER - 013 - H&R Livestock - Starvation Canyon Allotment - 4/20-21/88 - \$22.65 (5/12/88)

017 - WILLIS PACKER - Trenbath Natural Area - 5/26 - 6/9/88 - \$43.30
(6/27/88)

018 - Peavey Sims Partnership - Westside Seeding - 6/17/88 - \$181.80
(6/17/88)

019 - King Goat Ranch - 6/29/88 - \$15.10 (8/26/88)

FY 1987U

87-025 PACKER RANCHES - Tuscarora Allotment - 6/19/87 - \$32.40 (6/15/87)

FY 86

6-005 - Sierra Pacific Power Co. (sic: Lands of Sierra) - 11/7/86 -
\$25 (5/8/87)

5-006 - Lands of Sierra 6-7/86 - \$396 (3/10/87)

FY85

003 - WILLIS PACKER - 10/29/85 - DROPPPPED (1/3/86)

FY 85

85-3-006 - WILLIS PACKER/DEAN & SHARON RHOADS - 11/21-22/85 - \$67.20
(12/27/85)

Ed Tomera - 10/18/85 - "Case will not be pursued"

3-008 - Saval Ranches 4/8/85 - \$8,000 May 1987

Note: Since 1985 Dean Rhoads has been involved in four cases and Willis Packer nine times, including one jointly with Rhoads: 85-3-006. Packer is Rhoads' father-in-law.