



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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Lakewood, Colorado 80215-7076

AUG 6 1993

In Reply Refer To:  
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Dear Friend:

Enclosed is a copy of the Bureau of Land Management's *Ninth Report to Congress on the Administration of the Wild Free-Roaming Horse and Burro Act*. Additional copies are available for distribution to your friends or group.

If you have a need for additional copies, would like to volunteer to help in the Wild Horse and Burro program, or would like more information, please call Kris Eshelman at 303/239-3719.

Sincerely,

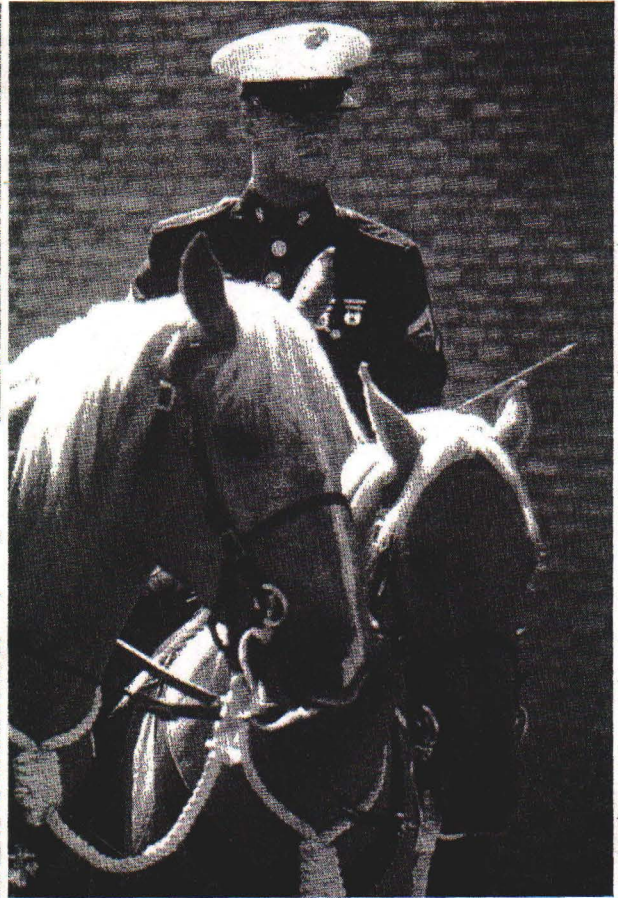
David H. Strunk  
Deputy State Director  
Lands and Renewable Resources

Enclosure

1993 ~~8/16/93~~

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# **Ninth Report to Congress on the Administration of the Wild Free-Roaming Horse and Burro Act**



**United States Department of the Interior  
Bureau of Land Management**

**United States Department of Agriculture  
Forest Service**

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**Ninth Report to Congress  
on the Administration of the  
Wild Free-Roaming Horse  
and Burro Act**

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# Executive Summary

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The Wild Free-Roaming Horse and Burro Act of 1971, as amended, calls for the protection, management, and control of wild horses and burros on the public lands at population levels that assure a thriving natural ecological balance and multiple-use relationship on the range.

Fiscal Years (FY) 1990 and 1991 mark the turning point for the Wild Horse and Burro Program to address population increases in wild horse herds and the effectiveness of the Adopt-A-Horse or Burro Program to place excess animals in good homes. Recommendations were made by the Wild Horse and Burro Advisory Board, and internal reviews were conducted. These recommendations and findings resulted in major changes in all facets of the program. We began 1992 with the development of policies and procedures to ensure new and positive program thrusts.

In 1990 and 1991, the Secretary of Agriculture and the Secretary of the Interior, recommended policy initiatives for evaluating the program and for achieving the purposes of the Wild Free-Roaming Horse and Burro Act. These initiatives are now the foundation for resolving the natural resource management issues presently challenging the BLM.

To further facilitate the implementation of these new initiatives less emphasis was placed on some less essential portions of the adoption program and more effort was placed on herd and habitat management. As a result of this new emphasis, funding for herd and habitat management and for removal was increased by 20 percent and 19 percent respectively during FY 1990/91, and adoption costs were reduced by 26 percent from funding levels during the previous 2-year period.

During the 2-year period, a total of 12,054 wild horses and burros were removed from the public lands. In spite of the increased funding for removals in FY 1990 and 1991, the population of wild horses and burros on public lands administered by the BLM increased from 46,550 at the end of FY 1989 to nearly 50,700 at the end of FY 1991. Wild horse and burro populations declined to approximately 2,100 animals on areas administered by the Forest Service (FS). The wild horse and burro population on BLM and FS administered areas is about 21,400 animals above the level estimated to be appropriate.

Almost 10,200 wild horses and burros were adopted in FY 1990 and 1991. The remaining 1,800 animals were older unadoptable animals shipped to sanctuaries in South Dakota and Oklahoma, or were being trained in prison training facilities, or died of age, injury or disease. During the 2-year period the two sanctuaries provided care for between 3,000 and 3,700 wild horses and the prison program provided over 2,000 trained animals for the adoption program.

It is the objective of both the BLM and FS to place wild horses and burros with individuals who will provide proper care to the adopted animals. To assure that adopted animals are receiving humane care, we visited over 1,500 adopters and inspected their adopted animals in FY 1990 and 1991.

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## External Oversight

In 1990 and 1991, the Bureau of Land Management's (BLM) wild horse and burro program was the object of oversight activities to identify areas where improvements were needed. Three outside groups examined the program: the General Accounting Office (GAO), the Wild Horse and Burro Advisory Board, and the Senate Appropriations Subcommittee on Interior.



- The GAO reviewed the BLM's wild horse and burro program in 1988 and 1989, and issued a final report in August 1990. The GAO made recommendations to the Secretary of the Interior for changes in three major areas: removal decisions, fee waiver adoptions, and training/maintenance situations such as prisons and sanctuaries. The DOI responded to the appropriate congressional committees on October 24, 1990. The BLM responded positively to the GAO report and issued guidance to enact recommendations.
- The Wild Horse and Burro Advisory Board was chartered in May 1990. In October, the Secretaries of Interior and Agriculture appointed nine individuals to two-year terms. The Board met for the first time in December 1990 in Reno, Nevada, and held two more meetings in Fiscal Year (FY) 1991, one in Las Vegas, Nevada, in February and one in Pueblo, Colorado, in May. The Board considered a broad array of issues and sent subcommittees to various sites to examine matters of interest, such as sanctuaries, prisons, and preparation centers. At the end of FY 1991, the Board was preparing for an October meeting in Denver and a meeting in Washington, D.C., in January 1992, where they planned to make recommendations to both Secretaries. (See Appendix A.)
- On June 20, 1991, Senator Harry Reid chaired an oversight hearing of the Senate Appropriations Subcommittee on Interior, on the wild horse and burro program. In opening remarks the Senator mentioned growing wild horse populations, insufficient number of animals being adopted at BLM facilities, potential closure of the South Dakota sanctuary and prison training programs, and lack of credible data on numbers of horses, forage, and fertility control techniques.

Four panels testified at the hearing. The topics included Specific Program Management, Science, Conservation, and Policy. Panel members included BLM Director Jamison and others representing a wide range of expertise and views.

At the end of the hearing, Senator Reid stated that neither Congress nor the Administration had done its jobs in the wild horse and burro program. In closing, Senator Reid indicated his intention to direct FY 1992 funding toward fertility control research, population modeling, census and monitoring, and continuation of the South Dakota sanctuary.

# Chapter 1

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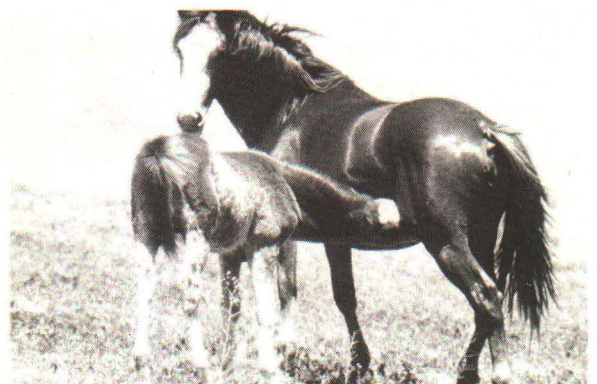
## Internal Management Actions

In addition to oversight from external entities, the BLM took several internal management actions to improve program management. These actions included program guidance and review, as well as three new regulations.

- In October 1989, the BLM issued guidance to the field to assure that removal decisions conformed to a June 1989 ruling by the Interior Board of Land Appeals (IBLA). The IBLA required the BLM to base its removal decisions on current data indicating that removals are necessary for "restoring the range to a thriving natural ecological balance and protecting the range from deterioration." The BLM guidance set forth the conclusions, findings, and interpretations of the IBLA decision and issued policy changes.
- Early in 1990, BLM Director Jamison established a Wild Horse and Burro Steering Committee to focus on critical issues in the administration of the Wild Free-Roaming Horse and Burro Act. The Steering Committee consists of five BLM State Directors (Eastern States, Montana, Nevada, New Mexico, and Wyoming) whose States encompass a cross section of major program concerns. The Forest Service is also represented on the Steering Committee. Policy issues examined in FY's 1990 and 1991 included strategic plan development, sanctuaries, fertility control, coordination of removals and adoptions, and use of aircraft in wild horse and burro management.
- In March 1991, the BLM issued a new policy of returning to the range all excess animals older than 9 years of age that are captured in future roundups. With the two sanctuaries near capacity, the BLM issued this policy to limit the number of unadoptable animals gathered from the range.
- The BLM examined one specific aspect of the wild horse and burro program through an Alternative Management Control Review. The focus of the review was the wild horse and burro prison training program. The BLM evaluated prison training programs in the following States: Colorado, New Mexico, and Wyoming.

An evaluation team visited each BLM State Office, District Office, and prison facility in the above States between March 4-15, 1991. The evaluation included a review of the entire program operations including recordkeeping, facilities, nutrition, animal care, veterinary care training, safety, and adoption. A written report was filed with each of the BLM State Offices involved, and changes are being implemented.

- Wild horse and burro program leaders met in Reno, Nevada, in May 1991, to maximize the opportunity for exchange of information and ideas among interested parties, including members of the Wild Horse and Burro Advisory Board. The meeting was scheduled immediately after a wild horse research symposium sponsored by the Nevada



# Program Management

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**Commission for the Preservation of Wild Horses and Wild Horse Organized Assistance.** The program leaders meeting was in turn followed by a meeting of the Steering Committee.

- Among the recommendations of the Steering Committee in May 1991 were calls for two program meetings annually, one near the start of the year to coordinate removals and adoptions and one near midyear to make adjustments and prepare for the upcoming year. The first such meeting was held in Denver in September 1991.
- Director Jamison appointed two wild horse and burro task forces in July 1991. The first task force was asked to identify and draft field guidance necessary to integrate fertility control and population modeling into the management of wild horses. The second was charged with development of a wild horse and burro strategic plan.
- As a result of an Incident Investigation Board's report on an aircraft accident, the BLM Director formed a committee to establish standard operating policies and procedures in the use of aircraft to manage wild horses and burros and to also identify field training needs.
- The BLM issued handbooks on adoption (December 1989) and prison training (September 1991). Handbooks provide detailed instructions on proper procedures to implement requirements imposed by law, regulation, and policy.

In addition to program guidance, the BLM adopted or proposed **three new rules** in FY's 1990 and 1991.

- In response to a recommendation of the GAO, the BLM published a proposed rule in September 1990 limiting the use of power of attorney in the adoption program. The final rule prohibits the use of power of attorney to adopt wild horses or burros when the adoption would result in the maintenance of more than four untitled wild horses or burros in one place. The purpose of the rule is to prohibit an individual from gaining control of more than four wild horses or burros through the use of one or more powers of attorney. The rule significantly reduces the likelihood of adoption for commercial purposes.
- In January 1991, the BLM published an interim final rule allowing decisions to repossess adopted animals to be placed in full force and effect. This rule increases the BLM's ability to act quickly to protect adopted wild horses and burros from inhumane treatment or improper care. The regulation is scheduled for publication as a final rule in 1992.
- The BLM published a proposed rule in July 1991 allowing decisions to remove excess wild horses and burros from the range to be placed in full force and effect, while still maintaining the right of the public to appeal a decision after it has been implemented. The existing regulations have resulted in removal actions being delayed for up to two years pending a ruling from the Interior Board of Land Appeals. The purpose of this rulemaking is to allow the BLM to expeditiously capture and remove excess wild horses and burros, to prevent injury or death to the animals, to reduce damage to soil, vegetation, and water resources on the public lands, and to reduce the future cost of removing and placing wild horses and burros. The BLM expects to issue the final rule in the summer of 1992.



## Chapter 2

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The Wild Free-Roaming Horse and Burro Act requires the Secretary of the Interior and the Secretary of Agriculture to manage wild horse and burro herds at population levels that allow preservation and maintenance of "a thriving natural ecological balance and multiple-use relationship in that area."

The land use planning process determines whether areas identified as habitat for wild horses and burros in 1971, when the law was passed, are suitable for management of wild horses and burros. The BLM and the Forest Service make decisions concerning the preferred mix of multiple uses in a given planning area through the planning process, which has many opportunities for public participation. Once a herd management area (HMA) or territory, in the case of the Forest Service, has been decided on, the Agencies consider wild horses and burros in the HMA or territory as one of the uses to be managed in the planning area.



In both the BLM and the Forest Service, the planning process plays a central part in determining what constitutes the correct population level needed for each herd area to establish or maintain a thriving natural ecological balance. This population number is known as the appropriate management level (AML).

In addition to the AML, management objectives for the herd and the habitat are generally included in the resource management plan. More specific management actions are developed subsequently in a herd management area plan (HMAP). In FY 1991, one HMAP was signed in Nevada, bringing the number completed to 91 Bureauwide.

Reports from BLM field offices at the end of FY 1991 listed 269 herd areas, with decisions made to manage wild horses and burros on 196 areas and not to manage on 72. One herd area in Arizona has no decision as yet. The Forest Service lists 36 territories of which 29 are managed for wild horses or burros. Of the remaining 7 Forest Service territories, land use plan decisions require all wild horses and burros to be removed from 3 and no decision has yet been reached on the other 4 territories.

Appendix B provides herd area data for the BLM, including population numbers, and Appendix C gives similar information for the Forest Service. Figure 1 graphs Agency population estimates reflecting historical populations as well as herd size as of October 1, 1991. Population estimates by State are provided in Appendixes D and E.

The BLM conducts a census of each of the approximately 200 HMA's on a rotating basis, usually every three years. The BLM census techniques are based on research conducted by the University of Minnesota in the early 1980's under the auspices of the National Academy of Sciences (NAS). The year for the most recent census on each BLM herd area is shown in Appendix B.

## Appropriate Management Level

The law requires both Secretaries to remove excess wild horses and burros once the determination has been made that an overpopulation exists on a given area. This determination must be based on current data.

Removals in FY 1990 and FY 1991 are shown below:

### REMOVALS

	FY 1990		FY 1991
Horses	4,451	Horses	6,395
Burros	595	Burros	613
<b>TOTAL</b>	<b>5,046</b>	<b>TOTAL</b>	<b>7,008</b>

According to BLM policy, only wild horses younger than 10 years of age were to be removed from the range after March 1991.

The Wild Free-Roaming Horse and Burro Act directs the Secretaries to achieve AML's by removals, destruction\* of excess animals, or other options, including sterilization. In FY 1985, Congress appropriated funds for wild horse and burro research. The BLM and the NAS Committee on Wild Horse and Burro Research decided on fertility control in wild horses as the major research need.

The University of Minnesota completed the 5-year wild horse and burro fertility control study and provided a final report to the BLM in November 1990. As part of a contract with the BLM, the Committee on Wild Horse and Burro Research, Board on Agriculture and National Research Council (NRC), published a review and interpretation of the Minnesota research, entitled *Wild Horse Populations: Field Studies in Genetics and Fertility* (National Academy Press, Washington, D.C., 1991). The NRC concluded that fertility control "research to date shows some promise for controlling the wild and free-roaming horse population, and at reduced cost and need for adoption."

The Wild Horse and Burro Advisory Board supported fertility control as a possible tool for improving on-the-ground management in an effective and humane way. The BLM planned to initiate a pilot fertility control effort in Nevada in FY 1992 on a few herd management areas.

*\*The BLM and the Forest Service voluntarily placed a moratorium on destruction of healthy wild horses and burros in 1982. Every year since FY 1988, Congress has included a prohibition on destruction of healthy animals in the annual Department of the Interior Appropriations Act.*

## Chapter 3

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During FY's 1990 and 1991, the BLM placed more than 10,000 wild horses and burros in private care. The table below shows adoptions by year and by species.

### ADOPTIONS

	<i>FY 1990</i>		<i>FY 1991</i>
Horses	3,587	Horses	5,307
Burros	627	Burros	660
<b><i>TOTAL</i></b>	<b>4,214</b>	<b><i>TOTAL</i></b>	<b>5,967</b>

Most adoptions took place at temporary adoption sites held throughout the United States. Forty-four adoption events were held in FY 1990 and 62 events were held in FY 1991 at temporary sites. The BLM Eastern States, led the way, holding 38 adoption events during the 2-year period.

Wild horses and burros also were offered for adoption at BLM preparation facilities in the West; a BLM adoption center in Lindsay, Oklahoma; three contract adoption centers in the East (Cross Plains, Tennessee; London, Ohio; and Lewisberry, Pennsylvania); and at prison training centers. Towards the end of FY 1991, the BLM instituted a new approach to contracting private sector help with adoptions. Instead of contracting for an adoption center, the Agency awarded a mobile adoption contract that calls for the contractors to carry out temporary adoption events only. For more detailed information about adoptions and other aspects of the wild horse and burros program, see Chapter 7, "From the Field," Eastern States.

The prison training program provides a service to the BLM and positive work experience to inmates in four States—California, Colorado, New Mexico, and Wyoming. From the various BLM preparation centers, the BLM transports horses between the ages of 5 and 9 to the prisons to be partially gentled before the animals are offered for adoption. In FY 1991, a reduction in the number of participating prisons in New Mexico changed from three to two and the other three States have one wild horse training facility each.

To improve the prison training program and respond to recommendations in the GAO audit report, the BLM developed a series of training videotapes in 1991, as well as a training handbook. These materials provide guidance and promote a consistent and humane approach throughout the prison training program. In FY 1990, the prisons gentled 1,045 animals; in FY 1991 the number was 937.

## Placement of Excess Wild Horses and Burros

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Beginning in FY 1988, older, hard-to-adopt excess wild horses were placed on sanctuaries where they could live out their lives on pastureland. The first sanctuary was established in South Dakota in August 1988. This facility was operated under a cooperative agreement among the private sector, the State of South Dakota, a community development organization, and the BLM. A second sanctuary, located in Oklahoma, was chosen through a competitive procurement process in September 1989. The Oklahoma sanctuary can hold up to 2,000 wild horses. The South Dakota sanctuary had the capacity to maintain about 2,000 wild horses at two separate units, one in the Black Hills and one in south-central South Dakota, near the Nebraska border.

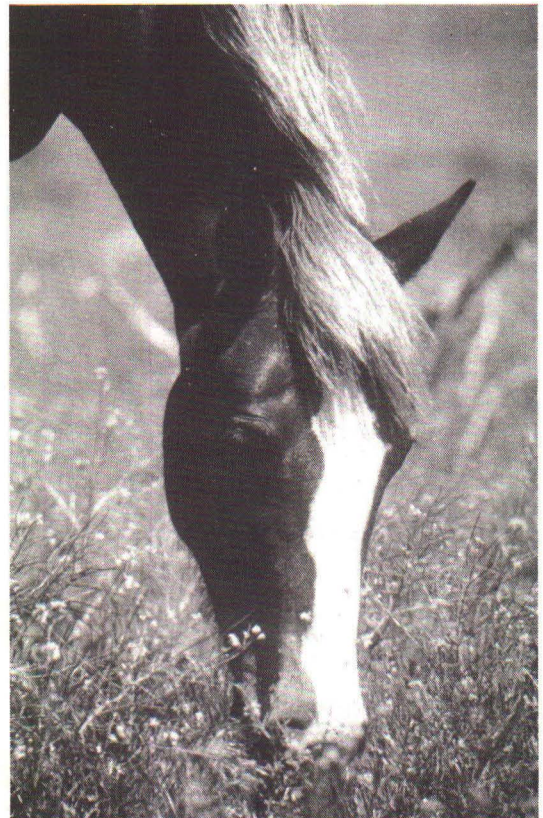
The BLM agreed to fund each sanctuary for 3 years. During that time, the sanctuary operators were to raise funds to become financially self-sufficient. At the end of 3 years, Federal funding would cease.

The South Dakota sanctuary did not raise sufficient funds in the time allowed. In August 1991, when the 3-year period of Federal funding was ending, the BLM signed two agreements for continued maintenance of wild horses at the two units that comprised the South Dakota sanctuary. These agreements expire on September 30, 1992. The Oklahoma sanctuary agreement also expires in September 1992.

As FY 1991 came to a close, the BLM requested the help of wild horse and burro interest groups and humane organizations in finding adopters for many of the sanctuary horses in 1992. Other placement choices must be found for sanctuary horses that are unsuitable for adoption; some may be returned to herd areas on the public lands.

For the future, the BLM's March 1991 decision to remove only adoptable horses under the age of 10 will virtually eliminate the need for long-term holding facilities of any kind. Although this policy increases the cost of removing animals, an overall reduction in program costs should result.

It is expected that some animals will die in the process of removal, preparation, and maintenance of excess wild horses and burros. Also, some animals die as a result of accidents or natural causes. Others must be humanely destroyed because they are old, sick, or lame. Euthanasia is performed using methods found acceptable by the American Veterinary Medical Association Panel on Euthanasia. The BLM State Offices reported a total of 429 deaths in FY 1990 and 533 in FY 1991.



## Chapter 4

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The BLM and the Forest Service are responsible for protecting wild free-roaming horses and burros on the range and adopted animals as well. The Wild Free-Roaming Horse and Burro Act provides for "a fine of not more than \$2,000, or imprisonment for not more than one year, or both" for violations of the Act.

In FY's 1990 and 1991, violations of the Act on the range included two separate incidents of wild horse shootings in Nevada. In the Granite Range Herd Management Area, 46 horses were killed, and in Red Rock National Conservation Area, 5 horses were shot. Both of these cases remained open at the end of FY 1991. Another open case involved the shooting of more than 50 burros in Arizona.



Most compliance work during the reporting period involved adopted wild horses and burros. In attempting to protect adopted wild horses and burros in FY's 1990 and 1991, the BLM conducted inspections of about 2,000 horses and 200 burros in the care of nearly 1,500 adopters. In some cases, these inspections revealed problems that required either administrative or legal action. The BLM's primary concern is to remedy any undesirable situation as quickly as possible and to assure the welfare of the adopted animals.

The BLM State Offices pursued 23 cases which, in the judgment of BLM officials, merited significant legal action in FY 1990 and 1991. The California BLM investigated four cases affecting nine animals. Two cases are pending: one in which an adopted animal died and one where five adopted animals were allegedly sold illegally. A third case was dismissed for lack of evidence to prosecute the charge of illegal transfer of an adopted animal. The BLM seized two adopted animals in another case, charging mistreatment of the animals. The adopter has appealed the repossession to the Interior Board of Land Appeals (IBLA), which had not ruled as of the end of FY 1991.

The BLM Eastern States (ES) charged 16 adopters with a variety of violations, including sale, attempted sale, or illegal transfer of adopted wild horses or burros; cruelty and inhumane treatment; shooting; and abandonment. The U.S. Attorney's Office declined to prosecute in 13 cases. One conviction was obtained on a Federal charge of inhumane treatment of horses. Another prosecution succeeded in a case where the U.S. Attorney deferred to the State, which obtained a conviction for animal cruelty. The 16 cases developed by the ES involved incidents in 10 separate States.

Montana had a single case of an adopter selling an untitled wild horse. The U.S. Attorney declined to prosecute.

The BLM New Mexico State Office had two cases involving a total of 19 animals. In the first incident, six individuals were charged with abusing 12 wild burros and 6 wild horses. The BLM repossessed the animals, and the adopters appealed the repossession to the IBLA. The matter was still pending at the end of FY 1991. Another case before the IBLA is the repossession of one adopted wild horse that, according to the BLM, was abused.

## Compliance and Enforcement

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Most inspections are the result of complaints from private citizens or humane groups. The BLM policy also requires regular inspections for untitled adopted animals maintained in groups of five or more at one location.

A significant step in increasing compliance activities was the BLM's signing of a Memorandum of Understanding (MOU) with the International Society for the Protection of Mustangs and Burros (ISPMB) in December 1989. This national level MOU will allow the ISPMB to expand compliance work ongoing for the past 4 years in cooperation with the BLM in Arizona. The ISPMB provides trained volunteers to make compliance visits and report any negative findings to the BLM for follow-up.



## Chapter 5

Funds for BLM's management of wild horses and burros are provided through; (1) a direct annual appropriation, the Management of Lands and Resources (MLR) account, and (2) by an indefinite appropriation derived from adoption receipts through the Service Charges, Deposits, and Forfeitures account. Appropriations for BLM's Wild Horse and Burro Management subactivity in the MLR account and the corresponding FS appropriation levels for FY's 1990 and 1991 are shown below. Funding levels for the wild horse program since 1972 are provided in Appendix G.

### Wild Horse and Burro Management

<i>Fiscal Year</i>	<i>Appropriated Amount</i>	
	<i>FS</i>	<i>BLM</i>
1990	\$183,000	\$13,598,000
1991	\$220,000	\$14,341,000

The Adopt-A-Horse (or Burro) funds in the BLM Service Charge account which are collected but not expended in one year may be carried over for use in following years. Receipts and obligations for FY's 1989, 1990, and 1991 are shown below. (FY 1989 figures are shown for comparison.)

### Adopt A Horse

	<i>Fiscal Years</i>		
	<i>1989</i>	<i>1990</i> <i>(\$000's)</i>	<i>1991</i>
Receipts	\$ 557	\$ 446	\$ 555
Obligations	578	17	452

The average fee collected for each animal adopted was \$104 in FY 1990 and \$93 in FY 1991, compared with \$106 in FY 1987. The decrease in the average receipt in FY 1991 reflects the adoption of nearly 500 animals at reduced fees that were removed under emergency conditions from the Nevada, Nellis Air Force Base Wild Horse Range. The FY 1990 receipts reflect the adoption of virtually all wild horses and wild burros at the normal fee of \$125 and \$75 respectively.

The BLM obligations of funds for Wild Horse and Burro Management for FY's 1990 and 1991 are shown in the table below, with FY 1989 figures included for comparison. Expenditures for the 2-year period are also displayed in Figure 2. Because of some changes in the description of a few program components and initiation in a few offices of a pilot productivity project under which costs are not

## Funding and Expenditures

charged to specific program components, the costs for FY 1990 and FY 1991 are not always comparable to the figures for FY 1989 and those published in the Seventh Report to Congress. (Where they existed, the pilot productivity projects promoted innovative solutions to resource management problems and involved less structured reporting on the use of appropriated funds in a number of BLM programs, not just the wild horse and burro program.)

Program Component	Obligations by Fiscal Year (\$000's)		
	1989	1990	1991
Program Management	\$2,832	\$2,645	\$3,050
Research	42	40	35
Management Plans	235	349	244
Project Development	143	93	209
Inventory	180	128	226
Monitoring	820	948	1,243
Long-Term Maintenance of Excess Animals	2,417	2,623	2,716
Removal of Excess Animals	1,123	1,402	1,826
Adoption of Excess Animals*	4,698	4,766	4,865
Compliance and Enforcement	388	352	316
Pilot Productivity Project **	1,407	6	0
<b>Total Program Costs:</b>	<b>\$14,285</b>	<b>\$13,352</b>	<b>\$14,730</b>

\* Includes both Wild Horse and Burro Management and Adopt-A-Horse (or Burro) program costs.

\*\* The Pilot Productivity Project was designed to promote greater efficiency in expenditure of program resources and did not require costs in some field offices to be placed in the categories outlined above. Because the program ended in FY 1990, no further costs will appear in this category.

The costs displayed above reflect some major changes in the program since FY 1989. As a result of the October 1989 IBLA decision requiring the BLM to base its removal decisions on current data, expenditures for monitoring increased by over \$400,000 since FY 1989. In addition, as more monitoring data was collected supporting the need to remove excess animals, annual expenditures for removing wild horses and burros increased by over \$700,000 during the 2 year period. While some program costs have changed significantly, overall wild horse and burro program expenditures have remained relatively stable since FY 1989.



Two suits were resolved during FY's 1990 and 1991. Both suits arose from fee waiver adoptions. In each case, the BLM refused to title repossessed adopted wild horses on the grounds that the adopters intended to sell the horses to slaughter after receiving title. The BLM's action was consistent with a 1987 ruling by the U.S. District Court for Nevada enjoining the BLM from adopting animals or transferring titles to adopters who expressed an intent to use the animals for commercial purposes upon receipt of title. The adopters sought money damages from the BLM in the U.S. Claims Court. Both cases were dismissed. (See Appendix I for more detailed summaries of litigation referred to in this chapter.)

Two other cases, which were resolved prior to FY 1990 but were not included in previous reports, are listed in Appendix I.

Pending litigation includes a water rights case originally filed in 1986 and now before the Ninth Circuit Court of Appeals. There are also two additional suits involving repossession of wild horses adopted under fee waivers.



### Bureau of Land Management

#### Arizona \_\_\_\_\_



#### HIGHLIGHTS

- \* In recognition of the 20th anniversary of the Wild Free-Roaming Horse and Burro Act, Arizona showed BLM pack burros, Mineshaft Mike and Honest John at the Mohave and Graham County fairs and parades. The burros were also taken to Helldorado Days in Tombstone, Arizona, the Dixie Roundup (rodeo and parade) in St. George Utah, and Adopt-a-Shoreline/Public Lands Appreciation Day near Lake Havasu, Arizona. Both wild horses and pack burros were on display during the dedication of the Eagletails Wilderness Area in April 1991.
- \* The Arizona, BLM formed a tri-agency task group composed of the BLM Phoenix District, Arizona Game and Fish, and the National Park Service to respond to management responsibilities in the Black Mountains as a biological unit rather than agency responsibilities within jurisdictional boundaries.

#### CHALLENGES

- \* To resolve of management responsibility for wild burros that cross back and forth over BLM and National Park Service boundaries in the Lake Mead area.
- \* To determine the existence and extent of conflicts between wild burros and desert tortoise.

#### California \_\_\_\_\_

#### HIGHLIGHTS

- \* Excellent cooperative efforts continue with the Modoc and Klamath National Forests and the China Lake Naval Weapon Center.
- \* Four burros, including Bumper, who was returned to the BLM when Disneyland closed the Big Thunder Ranch in 1990, have been trained as a team to pull a surrey in parades and other promotional events.
- \* An adoption and a horse show featuring all formerly wild horses and burros were held in Lancaster to commemorate the 20th anniversary of the Wild Free-Roaming Horse and Burro Act. The event, a cooperative effort with the Southern California Chapter of the American Mustang and Burro Association, was a great success.

# Chapter 7

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- \* The September 1991 issue of BLM California's newsletter **Newsbeat**, was dedicated to the 20th anniversary, featuring 12 pages of text and pictures. **Newsbeat** is published monthly and is mailed to approximately 10,000 people and organizations.
- \* A special 20th anniversary banner was displayed at satellite adoptions, fairs, and parades throughout the State.
- \* The horse training program at the Susanville, California, Correctional Center remains successful, with horses being gentled for use by the Forest Service and the BLM, as well as for enhanced adoptability.
- \* Volunteers continue to play an important role in the adoption program, putting in many hours at temporary adoptions, telling their success stories, and winning awards at equestrian events throughout the West.

## CHALLENGES

- \* To continue efforts with interest groups to hold adoptions at private facilities throughout the State to cut the length of time that animals are held in BLM corral facilities.
- \* To develop new promotional materials and videos, to enhance publicity on availability of animals at satellites, to get enough media coverage to increase adoption numbers to approximately 100 animals per event.

## Colorado

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### HIGHLIGHTS

- \* One meeting each year of Colorado's Wild Horse and Burro (WH&B) interest groups. Hosted national WH&B Advisory Board in Pueblo in May 1991.
- \* WH&B booth at National Western Livestock Show with a drawing for four horses (1990) and three horses, one burro (1991).
- \* Third and Fourth Annual Wild Horse Gymkhana - Phantom Riders Club.
- \* Westfest (Copper Mountain, Colorado) - resistance-free training by Richard Shrake.
- \* Friends of the Mustangs, Grand Junction, Colorado, volunteer group:
  - a. Celebrated 20th anniversary of the WH&B Act by riding in two parades and staffing a booth in two fairs.
  - b. Repaired five miles of trail, maintained nine springs, reseeded 90 acres.
  - c. Hosted Parker Elizabeth Riding Club for a 2-day tour of Little Bookcliffs HMA.



## CHALLENGES

- \* To conduct a quality program while severely underfunded.
- \* To increase volunteerism.
- \* To maintain the Wild Horse Inmate program at Canon City.



## Eastern States

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### HIGHLIGHTS

#### *Special Events*

- \* America's living legends found the lush blue-green pastures of Kentucky quite a contrast to the dry semi-arid desert of Nevada—and they liked it. Through the cooperative efforts of BLM's Eastern States, the Kentucky Horse Park, and Breyer Animal Creations, Inc., producers of collectible model animals, wild horses and burros have indeed achieved a place of distinction among the most prominent horse breeds in the country.
- \* The Kentucky Horse Park in Lexington included an adopted mustang in its Parade of Breeds attraction in 1991. Recognition of the mustang's historic significance at one of the country's foremost equestrian facilities did much to elevate the esteem afforded the American mustang, and to increase the public's awareness of the Adopt-A-Horse-and-Burro Program.
- \* Scores of adopters from as far as New York and Wisconsin brought their adopted animals to Kentucky in 1990 and 1991. A competitive horse and burro show held in July 1990 featured the versatility and trainability of adopted animals with events such as pleasure riding, trail, flag racing, and costume classes. In August 1991, adopters demonstrated the intelligence of their animals through group and individual presentations and skits.
- \* Mustangs and burros fresh from the West stole the show in Lexington. During the 1990 event, 120 horses and burros were placed in foster homes during a 2-day adoption operation. Two of the burros remained at the Horse Park to feast on its thick sweet grasses. Although burros were not available for adoption for the 1991 Wild Horse and Burro Expo, 89 horses were adopted during the temporary operation.

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## *Contract Adoption Centers*

- \* The Southeast contract adoption center closed in 1990 when the contract expired. A new contract was awarded in mid-1991 to Randall and Paula Carr of Cross Plains, Tennessee, who had conducted adoption operations in previous years. Their facility, expanded to hold 170 animals, reopened in 1991.
- \* To meet the demands of the entire northern region, which had been served by the London, Ohio, and Lewisberry, Pennsylvania, permanent centers, until their contracts expired in early 1991, officials devised a plan to utilize a mobile crew and portable pens.

The adoption crew meets the horses at a designated location, such as a State or county fair grounds, and with assistance from Eastern States personnel about 150 wild horses are placed into foster homes. The portable pens give Eastern States the freedom to locate adoption sites in fairgrounds and arenas, making it more convenient for prospective adopters to obtain a wild horse.

The 3-year contract for the mobile wild horse and burro adoption operation was awarded in 1991 to James and Laura Rowell of Elba, Alabama. Some of the temporary adoption sites scheduled for 1992 include Des Moines, Iowa; Canton, Mississippi; Carrollton, Georgia; and Nashville, Arkansas.

**District Accomplishments.** Eastern States' District Offices in Jackson, Mississippi, and Milwaukee, Wisconsin, conducted unprecedented adoption events in 1991, finding homes for nearly 2,400 animals through 20 temporary adoption events.

## *Volunteers:*

- \* Members of the American Mustang and Burro Association helped BLM find foster homes for 100 percent of the animals brought to the Jackson District's North Carolina, Arkansas, Georgia, and South Carolina adoption events.
- \* Jackson's volunteers assisted with program promotion at the Southern Horse Fair in North Carolina and the Southern Horse Celebration at Clemson University in South Carolina.
- \* In the Milwaukee District, the Missouri Humane Society has for the past several years provided both volunteer workers and a location for an adoption event in Union, Missouri, for the past several years.
- \* Milwaukee's volunteers also promoted the Adopt-A-Horse program and exhibited their animals at the American Royale Horse Fair in Kansas City and at the Minnesota Horse Expo in St. Paul. Combined attendance at these events was more than half a million people.

- \* East Coast volunteers have gone the extra mile to provide educational materials about the Adopt-A-Horse-or-Burro Program to local schools, county fairs, and youth organizations.

### *Outreach*

- \* Expanding their efforts to increase the awareness of the Agency in areas where the BLM has little presence, ES participated in the annual conference of the Outdoor Writers Association of America and hosted a field trip for writers to a temporary adoption event in Lockport, New York. Writers were given an up-close and personal glimpse of the adoption program. They enjoyed photographing and interviewing prospective adopters as they carefully selected their horses and past adopters as they proudly exhibited their tamed steeds.
- \* More than a million people visited the "Big E," New England's annual State Fair held in West Springfield, Massachusetts, where ES promoted the adoption program by showing films, distributing brochures, and just talking "horse sense."
- \* Outreach booths staffed by both employees and volunteers were set up at the Arkansas Horse Council, the Mississippi State Fair, and the Alabama State Fair.
- \* A newsletter featuring articles about the Adopt-A-Horse-or-Burro community has been distributed quarterly to about 10,000 adopters and equine interest groups.

### *Rangers*

- \* ES welcomed two law enforcement rangers to the District Office Staffs. The rangers will investigate reports of inhumane treatment of untitled adopted animals, conduct random compliance checks, and provide a uniformed presence at temporary adoption events.

### CHALLENGES

- \* To explore new methods to reach the public, adopters, owners and managers of livestock facilities and to inform them about the Wild Free-Roaming Horse and Burro Act in an effort to prevent harassment, exploitation, and destruction of these animals.
- \* To encourage and increase cooperation and participation of volunteers. To provide training for volunteers working with the Adopt-A-Horse-and-Burro Program.



# Chapter 7

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## Idaho

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### HIGHLIGHTS

- \* The Idaho BLM conducted a successful gathering in both the Salmon and Boise Districts.
- \* The Salmon District kept two wild horses, a gelding and a mare. The horses are being trained by volunteers from the community and were ridden in the Fourth of July parade. Local school children helped name the horses, Centennial Beauty and Centennial Spirit.
- \* Naomi Tyler, the 1990 National Middleweight Endurance Champion, continues to promote the adoption program. Tyler and her adopted horse, Mustang Lady, appeared at schools, several horse shows, county fairs, and other events on behalf of BLM. In 1991, she finished fourth in the Tevis Cup Race, improving her 1990 time by 1 hour. She won the 180-mile Race of Champions solo event division in July.
- \* The Idaho adoption program and Tyler received national publicity from **The West** television program, National Public Radio, Public Broadcasting Service, Associated Press, **Equus**, **Western Horseman**, and other media outlets.
- \* The Idaho BLM has worked closely with wild horse interest groups in the area to resolve concerns about gathering and adoption procedures.

### CHALLENGES

- \* To determine the amount and types of monitoring data needed for deciding when roundups are necessary.
- \* To respond positively to increased scrutiny of the wild horse and burro program in Idaho.

## Montana

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### HIGHLIGHTS

- \* The Pryor Mountain Wild Horse Association and the BLM held "Mustang Days" in late June 1991. The 20th anniversary of the Wild Horse and Burro Act was commemorated, and the Association adopted a horse and placed it with a qualified person via a drawing.

### CHALLENGES

- \* To find a viable solution to the disposition of the horses on the South Dakota sanctuary.

## Nevada

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### HIGHLIGHTS

- \* On May 3, 1991, Nevada dedicated the Marietta Wild Burro Range, the Nation's first Wild Burro Range, is home to approximately 85 burros and includes nearly 66,500 acres of public land and about 1,500 acres of private lands. The range is managed principally for burros under a formal designation made by the Director of the BLM.
- \* The manager of Nevada's Palomino Valley Center conducted two seminars on the training of wild horses. During the September, 1991 training session, over 270 people attended a lecture and demonstrations on getting acquainted with and gentling wild horses using resistance-free methods.
- \* Nevada celebrated the 20th anniversary of the Wild Free Roaming Horse and Burro Act by participating in the Great Reno Balloon Race on September 5-8, 1991. Nevada BLM cooperated with the Commission for the Preservation of Wild Horses and Wild Horse Organized Assistance (WHOA!) in providing a balloon draped with a banner promoting the 20th anniversary of America's Living Legends. Dignitaries on hand to participate in the celebration included Sen. Richard Bryan, Gov. Bob Miller, Major Juan Figueroa of the United States Marine Corps Mounted Color Guard, and Michael Blake, author of *Dances With Wolves*.
- \* The Nevada BLM presented the Marine Corps Mounted Color Guard with three all-black wild horses removed from Nevada's rangeland. In the past, the Marine Color Guard rode palomino horses, however, the black horses will be trained and used for parades and special events.
- \* The third annual tri-state wild horse and burro adoption and title presentation ceremony was held in Las Vegas. The adoption is a cooperative effort among Arizona, California, and Nevada BLM, and numerous wild horse protection groups and corporate sponsors.
- \* Palomino Valley Center hosted an adoption event in which over 400 animals were adopted in one weekend. The adoption was in response to the Nellis Air Force Range emergency removal required due to the severe drought in 1991.

### CHALLENGES

- \* To implement a long-range strategy to integrate fertility control as part of wild horse management.
- \* To implement an all-inclusive public affairs program to assist in the increased adoption of excess wild horses and to build public support and understanding of the program. Public education on all aspects of wild horse and burro management should include ways, aside from adopting, for the public to become involved with the program.



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- \* To develop cooperative agreements with affected interest groups to assist with the adoption of wild horses and burros.

### New Mexico \_\_\_\_\_

#### HIGHLIGHTS

- \* New Mexico's second wild horse and burro show was held September 17, 1991, at the New Mexico State Fair. The theme for the show was the 20th anniversary of the Act. This year's show was sponsored by the BLM and the ISPMB. Twenty-one adopters showed their horses, and one wild burro appeared in the burro halter class.

#### CHALLENGES

- \* To start Mustang shows at the Oklahoma and Texas State Fairs.
- \* To increase adoption numbers and hold down adoption cost per head.

### Oregon/Washington \_\_\_\_\_

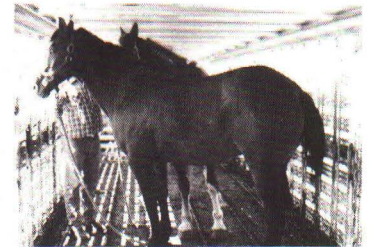
#### HIGHLIGHTS

- \* Because of the considerable demand for Kiger mustangs, lottery adoptions began in 1990 at the Burns District Wild Horse Corrals. The event was well attended.
- \* The Oregon State Office and Prineville, Burns, and Vale Districts were assisted by the American Mustang and Burro Association and Breyer Company in the celebration of the 20th anniversary of the Wild Horse and Burro Act. The celebration and wild horse adoption were held in Redmond, Oregon.
- \* The Third Infantry Division, U.S. Army, of Fort Myers, Virginia, came to Burns, Oregon, and adopted Casperina, an albino filly, which will be used in the National White Horse Ceremonial Unit.
- \* Burns District BLM participated in the Kiger Mesteno Association's first Kiger Mustang Show held at the Harney County Fairgrounds in eastern Oregon.
- \* The Vale District initiated the adoption of seven wild horses by the Eagle Cap Ranger District, Wallowa-Whitman National Forest. Burns assisted the Forest Service in selecting the horses and arranged for BLM's Susanville District to have them trained at the Susanville, California, State Prison. Employees from the Eagle Cap Ranger District were pleased with the trained animals.

- \* The Burns District arranged the adoption of 13 horses to three Ranger Districts that are part of the Bridger-Teton National Forest. The animals are now being trained at the Wyoming State Prison in Riverton, Wyoming.
- \* In June 1991, Steve Amen and Todd Sonflieth of **Oregon Field Guide**, Oregon Public Broadcasting, visited the Kiger HMA where they obtained video footage of the Kiger mustangs for a television program that aired in November 1991 and was well received by the public.
- \* Positive articles on the Kiger Mustangs appeared in three major West Coast equine magazines.
- \* Mr. Bobby Ingersoll, 3 time National Reined Cow Horse Champion, demonstrated Kiger Cougar's reining and cow horse abilities at the National Finals Reined Cow Horse Futurity in September 1991. Cougar was a real crowd pleaser.

### CHALLENGES

- \* To increase wild horse adoptions by increasing public affairs outreach programs.
- \* To place greater emphasis on wild horse herd management techniques.
- \* To assist in developing a more positive image for the national wild horse and burro program.



### Utah

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#### HIGHLIGHTS

- \* In the Salt Lake District, two horse rides for the public to view wild horses were held in the Cedar Mountain HMA, located about 60 miles west of Salt Lake City. Both rides were very successful, and interest has been expressed that they continue next year.
- \* The Cedar City District presented a certificate of appreciation to the National Mustang Association for their cooperation in habitat improvement projects within the Sulphur HMA. They contributed both dollars and labor to develop two springs and help complete one vegetation manipulation project. The group also helped install a sign at the Mountain Home seeding, which was a cooperative reseeding in the Sulphur HMA to benefit both wild horses and wildlife. The Utah Division of Wildlife Resources was also a contributor to the seeding project.
- \* In the Salt Lake District, a private corporation donated \$2,000 to help redevelop a critical wild horse watering area in the Cedar Mountain HMA.

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- \* The 20th anniversary of the passage of the Wild Free-Roaming Horse and Burro Act was celebrated by the most successful adoption ever held in Utah. Fifty-two wild horses were taken to the Ogden county fair grounds to the satellite adoption; in about 2 hours all were adopted. Other activities at the event included a horse training exhibition and previously adopted horses shown by their owners. About 20 volunteers were involved in this activity. The local newspaper publicized the adoption extensively and is working on follow-up stories on adopters. Season-long media coverage of roundups, adoption events, and follow-up stories kept wild horses in the public eye. The media coverage is one reason for the good results in summer 1991.
- \* A consultation was completed on an allotment in the Price River Resource Area with the Utah Department of Agriculture and the grazing permittee. This allotment also has all the wild horses in the Range Creek HMA. The consultation resulted in revision of the monitoring plan to improve monitoring of the resources, including wild horses.

### CHALLENGES

- \* To promote the development of recreational opportunities for wild horse viewing of the herds in close proximity to Salt Lake City.

## Wyoming

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### HIGHLIGHTS

- \* Completed a land exchange in the 15 Mile HMA to convert 1,517 acres of private land in the HMA to public land. Total acreage of the HMA remained the same.
- \* Cowboy poet Bud Paine adopted several pack-trained horses from the Wyoming Honor Farm and is riding across the U.S. with them.
- \* The Wyoming Honor Farm participated with the Rock Springs District in an anniversary celebration at the Sweetwater County Fair. Two Honor Farm trained horses were displayed in a pen on the midway. Honor Farm residents also rode these horses in the indoor arena.



### CHALLENGES

- \* To complete additional land exchanges in the 15 Mile HMA to remove the remaining private acres from the HMA.
- \* To determine how to deal with unadoptable horses (i.e. over 10 years old)

### BLM Field Office Major Concerns:

- \* The continuing drought has resulted in wild horses and burros moving outside designated HMA's in search of food and water, some becoming problems on private lands and along unfenced highways, requiring emergency removal actions.
- \* Investigations are continuing into the reports of harassment and possibly illegal capture of horses in many HMA's. Information has been reported to the law enforcement rangers, and more frequent visits are being made to the HMA's throughout the west. Offices have also investigated numerous incidents of shooting both wild horses and burros.
- \* The numbers of wild horses are increasing and so are the problems with wild horses impacting range resources on private lands. Complaints are increasing because of the expansion of wild horses into previously unused areas. Some grazing operators complain that horse numbers are up and horses are using more forage than the amount allocated to them.
- \* An increase of project developments is needed on many HMA's, such as water supplies and boundary fencing. Habitat and vegetative monitoring techniques should be developed jointly with other range users.
- \* This program is unique to the BLM and FS and requires a more centralized approach than other natural resource management programs.

# Chapter 7

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## Forest Service

### California

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#### HIGHLIGHTS

- \* The San Bernadino National Forest has developed cooperative agreements with special interest groups to gain public support for burro removals from the Big Bear Burro territory.
- \* The Las Padres National Forest revised and constructed two water systems within the Black Mountain Wild Horse territory. The Santa Lucia Ranger District also constructed a wild horse facility to process captured horses and conduct public adoptions.
- \* The Modoc National Forest is working closely with the BLM Susanville District, to tailor capture guidelines and policies for the Devil's Garden Plateau wild horse territory to that of the BLM's guidelines.
- \* On the Devil's Garden Plateau wild horse territory, the Modoc National Forest is undertaking a pilot project to map and describe potential and existing vegetation, develop a habitat classification system, and resource value ratings. 40,000 acres were mapped in FY 91. This information will be utilized in the update of the territory management plan, and the development of allotment management plans for the domestic livestock allotments within the territory.
- \* On the Inyo National Forest, the Montgomery Pass wild horse territory is administered through an interagency cooperative agreement involving the Forest Service, BLM, California Department of Fish and Game, and a steering committee, which consists of agency members and representatives of various interest groups and private landowners.
- \* On the Montgomery Pass wild horse territory, Dr. John Turner of the University of Ohio is conducting a study of the reproduction and predatorial effects of mountain lions on the wild horse population. Preliminary findings indicate the population has remained relatively constant due to foal predation.

#### CHALLENGES

- \* There are problems with burros of the Big Bear territory wandering into residential areas. Forest Service personnel have difficulty in conveying to local residents the problems of feeding and watering the burros in town.
- \* The small band of horses within the Black Mountain territory of the Los Padres National Forest exhibit signs of inbreeding and are difficult to adopt.

- \* Coordinated guidelines for cattle allotments within the Montgomery Pass territory need to be jointly established between the Forest Service and BLM. The monitoring of range condition and trend needs to be initiated.
- \* There is a need for additional research on herd genetics, reproduction, and predation relationships.
- \* The White Mountain territory within the Inyo National Forest needs to be inventoried on a more consistent basis to allow better tracking of herd populations, health, and habitat conditions. Current funding levels do not provide adequately for these needs.

### Nevada

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#### HIGHLIGHTS

- \* An interagency agreement has been drafted among the Las Vegas Ranger District, Toiyabe National Forest, and the Stateline Resource Area, BLM. On the Toiyabe NF volunteers completed a protection fence at the mouth of Lee Canyon to keep wild horses off the ski slopes.
- \* The Toiyabe National Forest hosted the National Wild Horse and Burros Advisory board's field trip. The Toiyabe National Forest has prepared a 3- year study proposal to gather base line data to develop territory management plans. The proposal would be multi-funded by the Forest Service, BLM, wild horse groups, Rocky Mountain Elk Foundation, and the Nevada Department of Wildlife.
- \* The Humboldt National Forest initiated development of a territory plan for the Cherry Springs wild horse territory. The Humboldt Forest has hosted several tours with grazing permittees, interest groups, university personnel, and the news media. Target date for completion of the territory plan is the spring of 1992.

#### CHALLENGES

- \* There are on going differences between the Forest Service and BLM as to what constitutes a healthy horse herd, a healthy ecosystem, and proper forage utilization standards. Progress is being made in this regard through field trips and on-going communications.
- \* There is a need for monitoring, wild horse and livestock use, better information gathering, and more accurate censusing in order to develop updated wild horse territory plans, and to do a better job of planning when removal activities will be needed.
- \* There is a need to work more closely with public interest groups through field trips and education.

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## NEW MEXICO \_\_\_\_\_

### HIGHLIGHTS

- \* Eighteen horses were removed from the Jarita Mesa herd on the Carson National Forest and transferred to the BLM facility in Santa Fe where inmates of the New Mexico State penitentiary (under agreement with BLM) later processed the animals for adoption. All 18 were successfully adopted.
- \* Forty-four horses were captured from the Jicarilla territory and transferred to the BLM for processing at the New Mexico State Penitentiary.

## OREGON \_\_\_\_\_

### HIGHLIGHTS

- \* The Bear Valley Ranger District of the Malheur National Forest receives superior support from District personnel in reporting wild horse sightings for the Murderers Creek Territory. Instructions and reporting forms are given to all field going personnel. The reporting form contains important information on horse characteristics and location of sightings.
- \* The Bear Valley District is creating a database to track different horse bands and keep track of the herd and band demographics. In cooperation with the BLM, the Malheur National Forest participated in presenting a class for the Pacific Northwest Field Seminars entitled "Wild Horse, Range, and Wildlife Management".



## UTAH \_\_\_\_\_

### HIGHLIGHTS

- \* A speaker from a wild horse/mustang association gave a presentation on wild horses at the Utah Section, Society for Range Management summer tour.

### CHALLENGES

- \* Additional monitoring is needed to determine band-size, age, structure, productivity, mortality, population growth, sex ratios, habits and movements, and animal health.
- \* Maintenance of existing range improvements is needed including fences, spring developments and reservoirs.

- \* Monitoring is needed to determine compliance with Forest Plan standard and guidelines and desired future conditions.
- \* New structural range improvements, such as permanent year-round water developments, are needed to improve distribution of animals especially during periods of below normal precipitation.

### **Forest Service Field Office Major Concerns:**

- \* National Forest wild horse and burro territories adjacent to urban areas present unique management concerns. The San Bernadino National Forest had a total of 14 burros killed in collisions with vehicles within the past two years. The Las Padres National Forest is preparing an EIS on trail management relative to the compatibility of motorcycle use and conflicts with wild horses.
- \* Continued drought in the states of California and Nevada are causing a number of management concerns including the following: severely reduced forage production causing use outside of designated territories; excessive use of vegetation within both upland and riparian areas; growing competition between wild horses, wildlife, and permitted livestock; animal stress and poor foal survival; and long travel distances to water.
- \* There was an outbreak of strangles and a secondary virus resulting in the death of 20 horses captured from the Devils Garden Plateau territory within the Modoc National Forest in California.
- \* There is a concern with the infusion of domestic stock in the bloodline of wild horses within the McGavin Peak territory in the Klamath National Forest in California. Domestic horses from adjoining private lands are mixing with wild horses.
- \* In New Mexico the Cochiti Pueblo has fenced off 30,000 acres of land which in the past has been used by wild horses from the Caja territory of the Santa Fe National Forest. The Pueblo is not interested in a cooperative agreement and prefers to eliminate all horses from Pueblo lands.
- \* In New Mexico there is a need for better coordination between the Forest Service and the BLM. The Jicarilla wild horse territory adjoins a BLM territory. Acoordinated plan needs to be developed for more efficient management of the horses which utilize both territories.
- \* On the Malheur National Forest in Oregon, there is concern for the effects of wild horses on big game habitat within the Murderers Creek Wildlife area owned by the Oregon Department of Fish and Wildlife. The BLM, Oregon Department of Fish and Wildlife and grazing permittees have also expressed concern over the Malheur National Forest census data and population estimates.



The Secretary of the Interior and the Secretary of Agriculture will continue to work toward effective administration of the Wild Free-Roaming Horse and Burro Act.

- Effective administration means healthy herds of wild horses and burros will roam on the public lands in numbers compatible with preservation of a thriving natural ecological balance.
- It means population growth will be controlled through periodic removals of excess wild horses and burros and through efficacious and humane fertility control.
- It means healthy excess wild horses and burros will be placed in private care as soon as possible after removal from the range.

In short, effective administration means that the intent of the Act will be carried out in a humane and cost-effective way. With implementation of the BLM's long-term strategic plan and the Forest Service's management of wild horses and burros, the Secretaries intend to achieve a more balanced wild horse and burro program by the turn of the century.



## WILD HORSE AND BURRO ADVISORY BOARD RECOMMENDATIONS JANUARY 30, 1992

### WILD HORSE AND BURRO MANAGEMENT: A CONCEPTUAL MODEL

Whereas: the 1971 Wild Horse and Burro Act directs the Secretaries to protect and manage wild horses and burros on public lands as an integral part of the natural system and in a thriving natural ecological balance with the range and other multiple uses; and whereas the management of wild horses and burros has been largely characterized by conflicts, public and agency disillusionment, and ecological crises; therefore, the Wild Horse and Burro Advisory Board recommends the wild horse and burro program be restructured on the following conceptual model:

To protect free-roaming wild horses and burros, the program should be designed to:

1. Reduce public and agency disillusionment, distrust, and conflict regarding wild horses and burros by implementing responsible on-the-ground management of wild horses and burros.
2. Enhance public and agency awareness and appreciation of wild horses and burros.

To responsibly manage free-roaming wild horses and burros within herd management areas on public lands, the program should:

1. Identify and manage wild horse and burro habitats in a manner that:
  - a) Considers the natural behavior and biological needs of wild horses and burros.
  - b) Considers the ecosystem's other diverse components and their relationships.
2. Implement optimum herd population levels (appropriate management levels) which are in harmony with the range ecosystem by:
  - a) Integrating the impacts of wild horse and burro herds and all other major forage consumers so that the combined demand is within the range capacity and represents a thriving natural ecological balance.
  - b) Setting initial appropriate management levels in terms of minimum and maximum herd size so that the minimum level is sufficient to maintain herd integrity\* and the maximum level is in harmony with the range system.



## APPENDIX

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- c) Balancing the total population of wild horses and burros so that the annual production of excess young is within the outlet capacity for these excess animals.
3. Maintain herd integrity and stability while assessing long-term impacts to the rangeland ecosystem by:
  - a) Maintaining on the range aged animals and allowing recruitment of sufficient young animals into the base herds to offset mortality, without regard to economic value or population aesthetic criteria.
  - b) Stabilizing and maintaining herd population levels within the minimum/maximum herd size through periodic removal of excess young animals.
4. Appropriate management levels for wild horse and burro herds along with other major forage consumers should be established through the respective agencies' planning processes. Levels should be based on and continually verified by habitat monitoring. Monitor habitat impacts of the established base herds and the other major forage consumers to assure that the combined habitat impacts are within the rangeland capacity and represent a thriving natural ecological balance. When environmental analysis of monitoring information suggests that herbivore impacts are leading to an ecological imbalance, appropriate adjustments in herbivore grazing and browsing pressures should be implemented in a manner that averts or prevents a crisis situation for the habitat and/or the herbivores.

### **WILD HORSE AND BURRO PROGRAM: FOCUS AND GOALS**

Whereas the Wild Horse and Burro Act directs the Secretaries to protect, manage, and control wild horses and burros on public lands, the Advisory Board believes that the need for prison programs and sanctuaries is not integral to a quality management program for wild horses and burros; therefore, this Board recommends that future program emphasis and funding be directed toward management of the animals on the public range.

- \* Herd integrity is the unique genetic characteristics and collective herd behavioral wisdom that contributes to the herd's adaptability.

### **PLANNING, MONITORING, AND INVENTORYING POPULATIONS AND HABITAT**

We recommend to the Secretaries of Agriculture and Interior that the BLM and Forest Service implement consistent inventorying and monitoring procedures. These procedures will provide information to determine wild horse and burro populations, herbivore impacts to achieve habitat objectives, and desired plant communities as described in the following guidelines.

## Planning and Monitoring Populations

That wild horses and burros are an integral part of public lands and must be managed under the principle of multiple use with integrated, coordinated decision making.

That multiple-use, sustained yield management objectives must be stated in Resource Management Plans (RMP's) and focus on achieving, maintaining or restoring a thriving range condition that contributes to species diversity.



Objectives must be based on public input, existing resource conditions and issues, and must be measurable, attainable, and realistic.

That population and habitat are so intertwined that planning and monitoring must include the following:

- a. Behavioral observations of wild horses, burros, and other herbivores.
- b. Map spatial overlap information for the purpose of showing where competition occurs in juxtaposition to damaged areas; map 1 to include seasonal movement and distribution of wild horses and burros; map 2 to include distribution of livestock; map 3 to include the use pattern map of vegetation; map 4 to include seasonal movements and distribution of major wildlife species.
- c. Collection of consistent census data on a regular basis, using the most appropriate wild life censusing methods for the habitat and situation.
- d. Determination of minimum population levels to serve as a threshold (based on viable gene pools, herd integrity, and population dynamics information) below which the population in a given area cannot be removed.
- e. Age structure and sex ratio information which would assist in making determinations for population adjustments. The information should not only determine what to take off but, more importantly, what should be left behind.
- f. Update land-use plans as needed based on current monitoring data.

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## Monitoring and Inventorying Habitat

That the purpose of monitoring is to measure the impacts of wild horses and burros and other grazers on rangelands in order to provide information that allows sound management decisions.

That habitat must be managed as an ecosystem which takes into account all components, and the vegetation is to be managed not only for its forage value but its values as watershed protection and fish-and-wildlife habitat.

That BLM field manuals and program guidance be reviewed for compliance with actions set forth by IBLA.

That habitat monitoring must include the following:

- a. Assess utilization by each herbivore species in terms of area of use and seasons of use.
- b. Collect quantifiable data which will determine where and when competition occurs.
- c. Collect technical data which will identify range conflicts and areas of actual competition and initiate a coordinated, integrated management approach.
- d. Establish timeframes for evaluating monitoring data that results in multiple-use decision making, planning, and management.
- e. Categorize objectives, moving from broad objectives (goals) to quantifiable objectives. Monitoring requires sound objectives and management constraints, which must be expressed in the RMP, quantified objectives in the AMP, and all management practices in the field manual.
- f. Develop species-specific habitat evaluation standards and practices handbook agency-wide.

## HORSE HANDLING

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that the BLM and the Forest Service further investigate and implement the safest, cost-effective, and least stressful horse and burro handling methods that will meet each herd management area's goals and objectives.



### **FERTILITY CONTROL**

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that the BLM and the Forest Service develop criteria and methods for fertility control.

### **ADOPTION FEE FOR BURROS**

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that they increase the adoption fee for wild burros from \$75 to \$125 to match the fee for wild horses.

### **NEVADA WILD HORSE CENTER**

The Wild Horse and Burro Advisory Board recommends to the Secretaries of the Interior and Agriculture that they investigate the need to develop a National Wild Horse and Burro Center in Nevada.

### **PRISON TRAINING PROGRAMS**

The Board recommends to the Secretary of the Interior that the BLM give consideration to the Crabtree Correctional Facility wild horse training program. Furthermore, it recommends that criteria and guidelines be established for all prison horse programs and a quality assurance program be implemented with oversight, direction, and review.

### **DISPERSAL OF EXCESS WILD HORSES, INCLUDING SANCTUARIES**

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that BLM and the Forest Service implement a responsible dispersal plan for excess wild horses, including sanctuary horses, that engages cooperative marketing assistance from interest groups.

### **PROFESSIONALISM IN THE WILD HORSE AND BURRO PROGRAM**

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that they:

- a. Strengthen the internal training, orientation, leadership, and career programs within the BLM and the Forest Service for wild horse and burro personnel.
- b. Petition the Office of Personnel Management to develop a Technical Series and Professional Series for wild horse and burro personnel.
- c. Require all contractors operating in the wild horse and burro program to have appropriate certification demonstrating professional expertise in performing their wild horse and burro function.

## PUBLIC EDUCATION AND MARKETING

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that public education and marketing be implemented as a part of the wild horse and burro program, and that wild horse and burro protection and management become an integral part of any environmental education program. Also, the Board recommends there be a full-time Public Affairs staff person in the BLM for the wild horse and burro program.



## RESEARCH

We recommend that the agencies evaluate research priorities with concern for addressing critical management issues.

## AGENCY ACCOUNTABILITY

The Wild Horse and Burro Advisory Board recommends to the Secretary of the Interior and the Secretary of Agriculture that they direct the Director of the Bureau of Land Management and the Chief of the Forest Service to:

- a. Adopt a strategic plan.
- b. Review existing wild horse and burro program policies and procedures with regard to their improvement.
- c. Hold appropriate managers accountable for achieving established wild horse and burro program goals and objectives.

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>ARIZONA</b>									
ALAMO	238,000	68,000	HERD MGT AREA	0	0	307	200	79	91
BIG HORN MTNS	116,000	8,000	REMOVE ANIMALS	0	0	125	0	—	—
BIG SANDY	181,000	71,000	HERD MGT AREA	0	0	300	140	82	86
BLACK MTN	544,000	725,000	HERD MGT AREA	0	0	1,228	400	81	91
CERBAT MTN	51,700	21,600	HERD MGT AREA	130	20	0	0	—	87
CIBOLA-TRIG	250,000	581,000	HERD MGT AREA	76	113	359	165	80	89
HAVASU	312,000	152,000	HERD MGT AREA	0	0	212	315	79	89
LAKE PLEASANT	57,800	31,900	HERD MGT AREA	0	0	200	75	—	90
LITTLE HARQUAHALA MTNS	53,000	14,000	REMOVE ANIMALS	0	0	75	0	—	—
PAINTED ROCK	178,000	37,000	NO DECISION	0	0	25	—	—	—
TASSI-GOLD BUTTE	52,000	50,000	HERD MGT AREA	0	0	187	100	82	85
<b>TOTALS:</b>	<b>2,033,500</b>	<b>1,759,500</b>		<b>206</b>	<b>133</b>	<b>3,018</b>	<b>1,395</b>		

ARIZONA HERD AREA ACREAGE: 3,793,000    ARIZONA WH&B POP: 3,224    ARIZONA WH&B AML: 1,528    ARIZONA EXCESS WH&B'S: 1,696



## APPENDIX

B.

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>CALIFORNIA</b>									
BITNER	43,550	7,110	HERD MGT AREA	23	20	0	0	85	89
BUCKHORN	62,320	3,320	HERD MGT AREA	84	63	0	0	84	90
CARTER RESERVOIR	21,880	1,320	HERD MGT AREA	27	25	0	0	85	89
CENTENNIAL	184,000	736,000	HERD MGT AREA	283	168	18	0	76	90
CHEMEHUEVI	332,400	58,600	HERD MGT AREA	0	0	370	150	84	89
CHICAGO VALLEY	262,200	13,800	HERD MGT AREA	30	28	20	28	84	90
CHOCOLATE-MULES	249,800	83,200	HERD MGT AREA	0	0	305	22	84	89
CIMA DOME	69,000	0	HERD MGT AREA	0	0	123	55	85	88
CLARK	173,100	0	HERD MGT AREA	0	0	132	44	85	88
COPPERSMITH	63,020	7,740	HERD MGT AREA	80	63	0	0	84	90
COYOTE CANYON	4,100	16,600	REMOVE ANIMALS	0	0	0	0	—	90
DEAD MTN	29,200	19,400	REMOVE ANIMALS	0	0	0	0	84	86
FORT SAGE	12,509	160	HERD MGT AREA	55	60	4	0	85	90
FOX HOG	94,080	5,480	HERD MGT AREA	79	63	0	0	84	90
GRANITE-PROVIDENCE MTN	136,500	0	REMOVE ANIMALS	0	0	30	0	85	88
HIGH ROCK	114,447	653	HERD MGT AREA	118	85	0	0	85	91
KRAMER	8,300	5,500	REMOVE ANIMALS	0	0	0	0	—	89
LAVA BEDS	178,500	0	HERD MGT AREA	0	0	72	75	85	88
LEE FLAT-SALINE VALLEY	115,000	0	HERD MGT AREA	0	0	27	30	86	86
MASSACRE LAKES	39,959	471	HERD MGT AREA	20	15	0	0	85	89
MORONGO	25,400	13,700	REMOVE ANIMALS	0	0	5	0	85	88
NEW RAVENDALE	18,500	9,060	HERD MGT AREA	24	15	0	15	85	89
NUT MTN	38,840	1,840	HERD MGT AREA	52	43	0	0	85	89

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>CALIFORNIA</b>									
PALM CANYON	600	10,900	HERD MGT AREA	0	6	0	0	—	86
PANAMINT	425,500	425,500	REMOVE ANIMALS	0	0	49	0	86	86
PICACHO	38,000	2,000	HERD MGT AREA	56	42	0	0	84	89
PIPER MTN	69,000	0	HERD MGT AREA	20	17	43	82	76	86
PIUTE MTN	30,100	0	REMOVE ANIMALS	0	0	12	0	85	86
RED ROCK LAKES	12,475	4,420	HERD MGT AREA	16	2	0	0	85	91
SAND SPRING-LAST CHANCE	230,000	0	REMOVE ANIMALS	0	0	36	0	76	86
SLATE RANGE	78,200	312,800	REMOVE ANIMALS	0	0	24	0	76	87
TWIN PEAKS	653,905	139,727	HERD MGT AREA	984	725	213	132	85	88
WALL CANYON	47,877	1,400	HERD MGT AREA	34	20	0	0	85	89
WAUCOBA-HUNTER MTN	598,000	0	HERD MGT AREA	0	0	201	357	86	86
WOODS-HACKBERRY	19,700	19,700	HERD MGT AREA	26	6	24	0	85	88
<b>TOTALS:</b>	<b>4,479,962</b>	<b>1,900,401</b>		<b>2,011</b>	<b>1,485</b>	<b>1,708</b>	<b>990</b>		

CALIFORNIA HERD AREA ACREAGE: 6,380,363    CALIFORNIA WH&B POP: 3,719    CALIFORNIA WH&B AML: 2,475  
 CALIFORNIA EXCESS WH&B'S: 1244

## APPENDIX

B.

### WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>COLORADO</b>									
LITTLE BOOKCLIFFS	30,261	816	HERD MGT AREA	112	125	0	0	84	91
NATURITA	19,700	5,640	REMOVE ANIMALS	0	0	0	0	—	—
NORTH PICEANCE	120,214	10,705	REMOVE ANIMALS	106	0	0	0	—	91
PICEANCE-EAST									
DOUGLAS CREEK	148,153	16,559	HERD MGT AREA	319	95	0	0	84	91
SANDWASH	154,540	4,880	HERD MGT AREA	140	160	0	0	84	91
SPRING CREEK	14,835	1,620	HERD MGT AREA	42	50	0	0	86	91
WEST DOUGLAS CREEK	274,019	28,272	REMOVE ANIMALS	91	0	0	0	—	91
<b>TOTALS:</b>	<b>761,722</b>	<b>68,492</b>		<b>810</b>	<b>430</b>	<b>0</b>	<b>0</b>		

COLORADO HERD AREA ACREAGE: 830,214    COLORADO WH&B POP: 810    COLORADO WH&B AML: 430    COLORADO EXCESS WH&B'S: 380

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>IDAHO</b>									
BLACK MOUNTAIN	35,000	0	HERD MGT AREA	30	30	0	0	78	91
CHALLIS	154,150	10,570	HERD MGT AREA	272	185	1	0	79	91
HARD TRIGGER	70,000	0	HERD MGT AREA	69	66	0	0	78	91
MORGAN CREEK	17,952	0	REMOVE ANIMALS	0	0	0	0	—	—
SANDS BASIN	15,000	0	HERD MGT AREA	22	22	0	0	78	91
SAYLOR CREEK	50,000	0	HERD MGT AREA	42	50	0	0	—	91
SHEEP MOUNTAIN	4,000	10,000	REMOVE ANIMALS	0	0	0	0	—	—
WEST CRANE CREEK	10,000	0	REMOVE ANIMALS	0	0	0	0	—	—
WILLOW RIDGE	90,000	0	HERD MGT AREA	9	20	0	0	—	—
<hr/>									
<b>TOTALS:</b>	<b>446,102</b>	<b>20,570</b>		<b>444</b>	<b>373</b>	<b>1</b>	<b>0</b>		

IDAHO HERD AREA ACREAGE: 466,672    IDAHO WH&B POP: 445    IDAHO WH&B AML: 373    IDAHO EXCESS WH&B'S: 72

# APPENDIX

# B.

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>MONTANA</b>									
ERVIN RIDGE	14,720	560	REMOVE ANIMALS	0	0	0	0	—	87
PRYOR MTN	30,093	16,718	HERD MGT AREA	121	121	0	0	84	89
<b>TOTALS:</b>	<b>44,813</b>	<b>17,278</b>		<b>121</b>	<b>121</b>	<b>0</b>	<b>0</b>		

MONTANA HERD AREA ACREAGE: 62,091    MONTANA WH&B POP: 121    MONTANA WH&B AML: 121    MONTANA EXCESS WH&B'S: 0

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
AMARGOSA VALLEY	10,000	13,000	HERD MGT AREA	0	19	0	1	—	91
ANTELOPE	390,363	9,782	HERD MGT AREA	391	303	1	0	87	91
ANTELOPE RANGE	83,009	48,751	REMOVE ANIMALS	141	0	0	0	—	89
ANTELOPE VALLEY	400,000	1,500	HERD MGT AREA	432	164	0	0	—	91

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
APPLEWHITE	27,814	0	HERD MGT AREA	23	12	0	0	—	89
ASH MEADOWS	200,000	20,000	REMOVE ANIMALS	73	0	20	0	—	91
AUGUSTA MTNS	210,000	6,000	HERD MGT AREA	532	684	0	0	—	91
BALD MTN	120,000	0	HERD MGT AREA	387	362	0	0	—	91
BLACK ROCK RANGE EAST	91,300	3,804	HERD MGT AREA	660	59	0	0	—	90
BLACK ROCK RANGE WEST	92,543	8,047	HERD MGT AREA	478	424	0	0	—	90
BLOODY RUNS	43,991	31,856	REMOVE ANIMALS	0	0	0	0	—	—
BLUE NOSE PEAK	86,695	0	HERD MGT AREA	24	1	0	0	—	88
BLUE WING MTNS	17,913	0	HERD MGT AREA	37	50	30	39	87	89
BUCK-BALD	613,950	13,080	HERD MGT AREA	1,228	700	0	0	—	91
BUFFALO HILLS	123,141	9,269	HERD MGT AREA	368	272	0	0	—	90
BULLFROG	126,900	700	HERD MGT AREA	0	12	251	218	—	90
BUTTE	143,065	0	HERD MGT AREA	505	60	3	0	—	91
CALICO MTN	155,594	1,572	HERD MGT AREA	1,093	514	0	0	—	89
CALLAGHAN	153,000	0	HERD MGT AREA	916	577	0	0	—	91
CHERRY CREEK	44,269	0	HERD MGT AREA	0	11	0	0	—	91
CHERRY CREEK NORTH	138,000	3,000	HERD MGT AREA	188	64	0	0	—	91
CLAN ALPINES	320,000	2,800	HERD MGT AREA	1,764	1,575	0	0	—	89
CLOVER CREEK	33,653	0	HERD MGT AREA	45	9	0	0	—	88
CLOVER MTNS	175,717	0	HERD MGT AREA	145	55	0	0	—	88
DEER LODGE CANYON	106,607	0	HERD MGT AREA	9	10	0	0	—	89
DELAMAR	190,234	1,336	HERD MGT AREA	120	95	0	0	82	89
DESATOYAS	124,000	0	HERD MGT AREA	258	217	0	0	—	91
DIAMOND	122,000	0	HERD MGT AREA	193	205	0	0	—	91

## APPENDIX

B.

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
DIAMOND HILLS NORTH	70,000	0	HERD MGT AREA	101	50	0	0	—	91
DIAMOND HILLS SOUTH	10,500	0	HERD MGT AREA	414	36	0	0	—	91
DOGSKIN MTN	7,600	0	HERD MGT AREA	46	19	0	0	—	92
DRY LAKE	496,500	0	HERD MGT AREA	326	82	0	0	—	91
EAST RANGE	310,605	120,790	REMOVE ANIMALS	0	0	0	0	—	—
ELDORADO MTNS	22,734	81,210	HERD MGT AREA	0	0	100	—	—	88
EUGENE MTNS	39,540	37,989	REMOVE ANIMALS	10	0	0	0	—	89
FISH CREEK	275,000	0	HERD MGT AREA	310	446	1	0	—	91
FISH LAKE VALLEY	10,000	10	HERD MGT AREA	7	62	0	12	—	89
FLANIGAN	16,260	1,000	HERD MGT AREA	122	104	0	0	91	92
FOX-LAKE RANGE	171,956	5,307	HERD MGT AREA	627	434	1	1	—	90
GARFIELD FLAT	146,800	3,200	HERD MGT AREA	86	364	0	0	—	90
GOLD BUTTE	176,878	96,890	HERD MGT AREA	0	0	254	498	—	91
GOLD MTN	92,000	50	HERD MGT AREA	8	19	0	0	—	90
GOLDFIELD	62,000	0	HERD MGT AREA	225	227	98	71	—	90
GOSHUTE	266,800	16,600	HERD MGT AREA	277	120	0	0	—	90
GRANITE PEAK	4,800	0	HERD MGT AREA	48	17	0	0	—	92
GRANITE RANGE	88,436	13,214	HERD MGT AREA	956	176	0	0	—	89
HIGHLAND PEAK	137,776	1,849	HERD MGT AREA	50	50	54	0	87	89
HORSE MTN	53,000	160	HERD MGT AREA	153	63	0	0	—	91
HORSE SPRING	18,000	12,000	REMOVE ANIMALS	0	0	0	0	—	—
HOT CREEK	40,476	35,584	HERD MGT AREA	129	89	0	0	—	91
HOT SPRING MTNS	49,324	21,139	REMOVE ANIMALS	0	0	0	0	—	—
HUMBOLDT	243,046	198,886	REMOVE ANIMALS	67	0	0	0	—	91

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
JACKSON MTNS	274,510	8,490	HERD MGT AREA	435	215	0	0	—	89
JAKES WASH	67,045	0	HERD MGT AREA	46	20	0	0	—	90
KAMMA MTNS	54,573	2,872	HERD MGT AREA	10	50	0	0	87	89
KRUM HILLS	30,780	23,220	REMOVE ANIMALS	0	0	0	0	—	—
LAHONTAN	10,500	1,000	HERD MGT AREA	95	42	0	0	—	92
LAST CHANCE	78,895	3,342	HERD MGT AREA	35	0	70	12	—	88
LAVA BEDS	231,744	0	HERD MGT AREA	354	375	68	40	87	89
LITTLE FISH LAKE	26,420	83,488	HERD MGT AREA	29	33	0	0	—	91
LITTLE HUMBOLDT	64,075	8,406	HERD MGT AREA	174	107	0	0	—	91
LITTLE MTN	54,148	410	HERD MGT AREA	56	29	0	0	84	89
LITTLE OWYHEE	398,160	16,560	HERD MGT AREA	856	200	0	0	87	91
MARIETTA	66,500	1,550	HERD MGT AREA	0	0	70	85	—	90
MAVERICK-MEDICINE	207,000	500	HERD MGT AREA	507	244	0	0	—	91
MCGEE MTN	50,000	0	HERD MGT AREA	0	0	5	41	—	91
MEADOW VALLEY MTNS	94,966	0	HERD MGT AREA	37	33	0	0	—	89
MILLER FLAT	90,901	280	HERD MGT AREA	123	50	0	0	82	88
MONTE CRISTO	155,330	73,610	HERD MGT AREA	725	96	0	0	77	91
MONTEZUMA PEAK	57,000	30	HERD MGT AREA	189	161	1	0	—	90
MORIAH	83,673	0	HERD MGT AREA	42	0	0	0	—	90
MORMON MTNS	175,423	0	HERD MGT AREA	139	27	0	0	—	89
MT STIRLING	30,855	27,634	HERD MGT AREA	55	54	90	77	—	88
MUDDY MTNS	61,226	79,590	HERD MGT AREA	26	02	81	22	—	88
NEVADA WILD HORSE RANGE	394,500	0	HERD MGT AREA	5,219	2,000	182	0	85	91
NEW PASS-RAVENSWOOD	225,000	0	HERD MGT AREA	415	476	3	0	—	91



## APPENDIX

B.

### WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
NIGHTENGALE MTNS	72,218	3,80	HERD MGT AREA	377	87	0	0	87	89
NORTH STILLWATER	131,104	1,325	HERD MGT AREA	152	82	0	0	—	91
OSGOOD MTNS	68,273	53,643	REMOVE ANIMALS	0	0	0	0	—	—
OWYHEE	371,000	3,234	HERD MGT AREA	86	57	0	0	—	90
PAH RAH	8,000	18,000	REMOVE ANIMALS	0	0	0	0	—	—
PALMETTO	71,000	200	HERD MGT AREA	66	184	0	0	—	89
PAYMASTER-LONE MTN	85,000	0	HERD MGT AREA	355	48	0	0	—	90
PILOT MTN	495,000	800	HERD MGT AREA	627	466	0	0	—	90
PINE NUT	216,000	72,000	HERD MGT AREA	414	387	0	0	—	90
RATTLESNAKE	75,461	0	HERD MGT AREA	11	25	0	0	—	89
REVEILLE	125,400	920	HERD MGT AREA	145	165	0	0	—	92
ROBERTS MTN	132,000	0	HERD MGT AREA	213	127	0	0	—	91
ROCK CREEK	115,500	38,500	HERD MGT AREA	392	119	0	0	—	91
ROCKY HILLS	124,000	0	HERD MGT AREA	205	135	0	0	—	91
SAND SPRINGS EAST	386,776	0	HERD MGT AREA	936	494	0	0	—	91
SAND SPRINGS WEST	203,868	35	HERD MGT AREA	193	129	0	0	—	91
SEAMAN	340,100	0	HERD MGT AREA	288	84	0	0	—	91
SELENITE RANGE	126,186	3,903	REMOVE ANIMALS	33	0	29	0	—	89
SEVEN MILE	80,936	7,492	HERD MGT AREA	100	105	0	0	—	90
SEVEN TROUGHS	130,161	17,749	HERD MGT AREA	248	215	112	64	87	89
SHAWAVE MTNS	88,927	18,214	HERD MGT AREA	380	100	21	0	87	89
SILVER PEAK	186,000	12,000	HERD MGT AREA	182	307	0	0	—	91
SLUMBERING HILLS	64,962	14,585	REMOVE ANIMALS	0	0	0	0	—	—

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEVADA</b>									
SNOWSTORM MTNS	133,138	12,400	HERD MGT AREA	140	50	0	0	87	89
SONOMA RANGE	148,799	60,779	REMOVE ANIMALS	0	0	0	0	—	—
SOUTH SHOSHONE	180,000	0	HERD MGT AREA	203	85	0	0	—	91
SOUTH SLUMBERING HILLS	15,181	14,585	REMOVE ANIMALS	0	0	0	0	—	—
SOUTH STILLWATER	7,600	0	HERD MGT AREA	22	25	0	0	—	89
SPRING MTN	297,653	278,232	HERD MGT AREA	293	—	254	—	—	91
SPRUCE-PEQUOP	172,000	34,500	HERD MGT AREA	193	80	0	0	—	91
STONE CABIN	392,176	12,205	HERD MGT AREA	268	364	0	0	82	91
STONEWALL	21,800	0	HERD MGT AREA	94	13	11	34	—	90
TOANO	57,500	57,500	HERD MGT AREA	30	20	0	0	—	89
TOBIN RANGE	185,322	9,754	HERD MGT AREA	33	19	0	0	—	91
TRINITY RANGE	89,712	46,215	REMOVE ANIMALS	4	0	2	0	—	91
TRUCKEE RANGE	91,664	78,084	REMOVE ANIMALS	0	0	0	0	—	—
WARM SPRINGS CANYON	82,305	831	HERD MGT AREA	648	294	24	10	—	89
WASSUK	60,000	20,000	HERD MGT AREA	205	151	0	0	—	89
WHISTLER MTN	60,000	0	HERD MGT AREA	75	28	0	0	—	90
WHITE RIVER	98,534	0	HERD MGT AREA	157	20	0	0	—	91
WILSON CREEK	689,246	0	HERD MGT AREA	343	181	1	0	—	91
<b>TOTALS:</b>	<b>16,617,515</b>	<b>2,042,843</b>		<b>31,650</b>	<b>17,670</b>	<b>1,784</b>	<b>1,325</b>		

NEVADA HERD AREA ACREAGE: 18,660,358    NEVADA WH&B POP: 33,434    NEVADA WH&B AML: 18,995    NEVADA EXCESS WH&B'S: 14,439

## APPENDIX

B.

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**


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STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>NEW MEXICO</b>									
BORDO ATRAVESADO	16,493	3,113	HERD MGT AREA	29	32	0	0	80	89
GODFREY HILLS	27,746	14,517	REMOVE ANIMALS	0	0	0	0	—	—
PUNCHE VALLEY	50,733	30,531	REMOVE ANIMALS	0	0	0	0	—	—
<hr/>									
<b>TOTALS:</b>	<b>94,972</b>	<b>48,161</b>		<b>29</b>	<b>32</b>	<b>0</b>	<b>0</b>		

NEW MEXICO HERD AREA ACREAGE: 143,133    NEW MEXICO WH&B POP: 29    NEW MEXICO WH&B AML: 32  
NEW MEXICO EXCESS WH&B'S: 0

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>OREGON</b>									
ALVORD-TULE SPRINGS	121,323	41,040	HERD MGT AREA	51	107	0	0	85	91
ATTURBURY	5,985	1,183	REMOVE ANIMALS	0	0	0	0	—	—
BASQUE	8,616	707	REMOVE ANIMALS	0	0	0	0	—	—
BEATYS BUTTE	396,520	40,600	HERD MGT AREA	250	175	0	0	—	91
CHERRY CREEK	29,000	120,000	REMOVE ANIMALS	0	0	0	0	—	—
COLD SPRINGS	27,363	800	HERD MGT AREA	75	113	0	0	76	91
COTTONWOOD BASIN	7,763	226	REMOVE ANIMALS	0	0	0	0	—	—
COTTONWOOD CREEK	25,135	1,406	REMOVE ANIMALS	0	0	0	0	—	—
COYOTE LAKE	173,370	29,731	HERD MGT AREA	91	188	0	0	—	91
DIAMOND CRATERS	48,077	750	REMOVE ANIMALS	0	0	0	0	—	—
EAST WAGONTIRE	158,048	41,146	REMOVE ANIMALS	0	0	0	0	—	—
HEATH CREEK-SHEEPSHEAD	64,539	8,261	HERD MGT AREA	24	82	0	0	—	88
HOG CREEK	23,817	236	HERD MGT AREA	85	40	0	0	81	91
JACKIES BUTTE	56,062	42	HERD MGT AREA	144	113	0	0	75	91
KIGER	36,618	3,042	HERD MGT AREA	73	67	0	0	74	89
LAKERIDGE	2,720	0	REMOVE ANIMALS	0	0	0	0	—	—
LIGGETT TABLE	25,000	460	HERD MGT AREA	14	35	0	0	—	88
MIDDLE FORK	37,885	3,349	REMOVE ANIMALS	0	0	0	0	—	—
MORGER	170	17,102	REMOVE ANIMALS	0	0	0	0	—	—
PAISLEY DESERT	324,600	5,960	HERD MGT AREA	169	85	0	0	—	91
PALOMINO BUTTES	84,697	13,799	HERD MGT AREA	36	48	0	0	80	91
POKEGAMA	16,486	64,400	HERD MGT AREA	60	38	0	0	79	91
POTHOLES	8,619	787	REMOVE ANIMALS	0	0	0	0	—	89
PUEBLO-LONE MTN	274,061	33,209	REMOVE ANIMALS	0	0	0	0	—	—

## APPENDIX

B.

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>OREGON</b>									
RHODES CANYON	13,000	33,000	REMOVE ANIMALS	0	0	0	0	—	—
RIDDLE MTN	74,155	11,830	HERD MGT AREA	48	45	0	0	75	89
SAND SPRINGS	194,846	6,466	HERD MGT AREA	258	150	0	0	—	91
SECOND FLAT	8,281	1,921	REMOVE ANIMALS	0	0	0	0	—	—
SHEEPSHEAD	116,122	424	HERD MGT AREA	206	150	0	0	—	91
SOUTH CATLOW	63,120	38,600	REMOVE ANIMALS	0	0	0	0	—	89
SOUTH STEENS	175,605	76,630	HERD MGT AREA	178	232	0	0	80	90
STINKING WATER	79,631	12,224	HERD MGT AREA	80	60	0	0	77	89
STOCKADE	16,801	10,065	REMOVE ANIMALS	0	0	0	0	—	—
THREE FINGERS	65,322	5,546	HERD MGT AREA	85	113	0	0	75	91
WARM SPRINGS	456,855	51,536	HERD MGT AREA	79	157	6	25	80	91
<b>TOTALS:</b>	<b>3,220,212</b>	<b>676,478</b>		<b>2,006</b>	<b>1,998</b>	<b>6</b>	<b>25</b>		

OREGON HERD AREA ACREAGE: 3,896,690    OREGON WH&B POP: 2,012    OREGON WH&B AML: 2,023    OREGON EXCESS WH&B'S: 0

## WILD HORSE AND BURRO HERD AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>UTAH</b>									
BIBLE SPRING	50,160	7,280	HERD MGT AREA	23	25	0	0	—	91
BLAWN WASH	37,110	4,170	HERD MGT AREA	46	17	0	0	—	91
BONANZA	101,160	16,430	REMOVE ANIMALS	60	34	0	0	—	91
BURBANK	59,240	6,400	REMOVE ANIMALS	0	0	0	0	—	89
CANYON LANDS	16,000	52,680	HERD MGT AREA	0	0	40	20	—	91
CEDAR MTN	117,540	65,184	HERD MGT AREA	385	85	0	0	85	91
CHLORIDE CANYON	8,855	4,120	HERD MGT AREA	30	30	0	0	—	90
CHOKE CHERRY	31,130	3,840	HERD MGT AREA	43	29	0	0	—	89
CONFUSION	235,005	27,285	HERD MGT AREA	100	70	0	0	—	91
CONGER	139,920	14,080	HERD MGT AREA	80	60	0	0	—	91
FOUR MILE	23,380	4,160	HERD MGT AREA	53	25	0	0	—	89
FRISCO	26,680	6,660	HERD MGT AREA	64	16	0	0	—	91
HARVEYS FEAR	23,040	0	REMOVE ANIMALS	0	0	0	0	—	89
HILL CREEK	118,532	20,622	HERD MGT AREA	507	195	0	0	—	91
KINGTOP	134,847	14,720	HERD MGT AREA	50	3	0	0	—	91
MOODY-WAGON BOX MESA	38,231	0	REMOVE ANIMALS	0	0	0	0	—	87
MT ELINOR	31,600	6,480	HERD MGT AREA	47	15	0	0	—	88
MUDDY CREEK	137,110	17,480	HERD MGT AREA	72	55	0	0	—	91
NORTH HILLS	35,573	35,422	HERD MGT AREA	77	65	0	0	77	90
ONAQUI MTN	34,495	9,385	HERD MGT AREA	250	45	0	0	86	91
OQUIRRH MT	71,730	0	REMOVE ANIMALS	0	0	0	0	—	—
RANGE CREEK	69,000	6,380	HERD MGT AREA	120	100	0	0	—	91
ROBBERS ROOST	120,970	15,180	HERD MGT AREA	20	10	0	0	—	91
SINBAD	217,600	25,450	HERD MGT AREA	80	35	60	50	—	91

## APPENDIX

B.

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>UTAH</b>									
SULPHUR	142,800	16,460	HERD MGT AREA	260	155	0	0	87	91
SWASEY	120,113	16,200	HERD MGT AREA	95	60	0	0	—	91
TILLY CREEK	26,480	5,520	HERD MGT AREA	56	21	0	0	—	87
WINTER RIDGE	15,000	0	REMOVE ANIMALS	5	5	0	0	—	90
<b>TOTALS:</b>	<b>2,183,301</b>	<b>401,588</b>		<b>2,523</b>	<b>1,155</b>	<b>100</b>	<b>70</b>		

UTAH HERD AREA ACREAGE: 2,584,889    UTAH WH&B POP: 2,623    UTAH WH&B AML: 1,225    UTAH EXCESS WH&B'S: 1398

**WILD HORSE AND BURRO HERD AREAS  
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE HERD AREA NAME	ACREAGE		HERD AREA MANAGEMENT STATUS	HORSE POP.	HORSE AML.	BURRO POP.	BURRO AML.	FY HMAP	FY LAST CENSUS
	BLM	OTHER*							
<b>WYOMING</b>									
ADOBE TOWN	386,600	27,700	HERD MGT AREA	780	500	0	0	83	91
ALKALI-SPRING CREEK	3,000	1,500	REMOVE ANIMALS	0	0	0	0	—	—
CARTER	118,114	139,199	REMOVE ANIMALS	0	0	0	0	—	—
CUMBERLAND	266,144	193,158	REMOVE ANIMALS	0	0	0	0	—	—
DEER CREEK	9,750	55,250	REMOVE ANIMALS	0	0	0	0	—	—
DIVIDE BASIN	562,702	216,213	HERD MGT AREA	386	500	0	0	81	91
FIFTEENMILE	69,273	13,418	HERD MGT AREA	246	100	0	0	85	91
FLAT TOP	218,400	27,500	HERD MGT AREA	128	70	0	0	84	91
FOSTER GULCH-DRY CREEK	116,500	6,400	REMOVE ANIMALS	0	0	0	0	—	—
LABARGE	154,800	52,220	REMOVE ANIMALS	0	0	0	0	—	—
LANDER	323,700	42,000	HERD MGT AREA	1,184	615	0	0	84	91
MCCULLOUGH PEAKS	86,160	24,260	HERD MGT AREA	362	100	0	0	85	91
NORTH GRANGER	248,107	274,138	REMOVE ANIMALS	0	0	0	0	—	—
NORTH SHOSHONE	18,980	2,720	REMOVE ANIMALS	0	0	0	0	—	—
SALT WELLS CREEK	584,077	397,883	HERD MGT AREA	410	365	0	0	82	91
SAND DRAW	9,560	640	REMOVE ANIMALS	0	0	0	0	—	—
SEVEN LAKES	297,100	38,300	HERD MGT AREA	368	95	0	0	81	91
SLATE CREEK	229,365	41,805	REMOVE ANIMALS	0	0	0	0	—	—
SOUTH DESERT-FIGURE FOUR	150,975	4,389	REMOVE ANIMALS	126	0	0	0	83	91
SOUTH GRANGER	107,500	108,320	REMOVE ANIMALS	0	0	0	0	—	—
WHITE MTN	240,416	52,233	HERD MGT AREA	290	250	0	0	83	91
ZIMMERMAN	9,580	720	REMOVE ANIMALS	0	0	0	0	—	—
<b>TOTALS:</b>	<b>4,210,803</b>	<b>1,719,966</b>		<b>4,280</b>	<b>2,595</b>	<b>0</b>	<b>0</b>		

WYOMING HERD AREA ACREAGE: 5,930,769 WYOMING WH&B POP: 4,280 WYOMING WH&B AML: 2,595 WYOMING EXCESS WH&B'S: 1685



## BLM WILD HORSE AND BURRO HERD AREAS SUMMARY

<i>HERD AREA ACREAGE HERD</i>		<i>AREA MANAGEMENT STATUS</i>		<i>SIGNED HMAP'S</i>
BLM:	34,092,902	HMA:	196	91
OTHER:	8,655,277	REMOVE WH&B'S:	72	
TOTAL	42,748,179	NO DECISION:	1	
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<i>WH&amp;B POPULATION AS OF 10/01/91</i>		<i>APPROPRIATE MANAGEMENT LEVEL</i>		<i>EXCESS WH&amp;B'S</i>
HORSES:	44,080	HORSES	25,992	HORSES: 18,088
BURROS:	6,617	BURROS:	3,805	BURROS: 2,812
TOT. WH&B POP.	50,697	TOT. WH&B AML:	29,797	TOT. EXCESS WH&B'S: 20,900

**WILD HORSE AND BURRO TERRITORIES  
ADMINISTERED BY THE USDA FOREST SERVICE**

FS REGION	STATE	TERRITORY NAME	FS	ACREAGE BLM	OTHER	TERRITORY PLAN FY COMPLETED	DESIRED POP. HORSE	BURRO	CURRENT POP. HORSE	BURRO	FY LAST CENSUS
REGION 1											
MONTANA											
(No Wild Horse and Burro Territories Administered by U.S. Forest Service)											
REGION 2											
(No Wild Horse and Burro Territories)											
REGION 3											
ARIZONA											
		DOUBLE A	29,766	0	0	84	0	20	0	26	—
		HEBER	14,000	0	0	—	—	0	5	0	—
		SAGUARO LAKE	27,092	0	0	87	0	15	0	18	—
NEW MEXICO											
		CAJA	12,928	0	0	89	48	0	48	0	88
		DOME	2,000	0	0	—	0	—	0	0	—
		JARITA MESA	19,483	0	0	82	14	0	20	0	—
		JICARILLA	75,000	0	0	78	40	0	85	0	91
		YESO-MONTOSA MESA	2,400	0	0	—	—	0	—	0	—
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R-3	TOTALS		182,669	0	0		102	35	158	44	

## APPENDIX

C.

## WILD HORSE AND BURRO TERRITORIES ADMINISTERED BY THE USDA FOREST SERVICE

FS REGION STATE TERRITORY NAME	FS	ACREAGE		TERRITORY PLAN FY COMPLETED	DESIRED POP.		CURRENT POP.		FY LAST CENSUS
		BLM	OTHER		HORSE	BURRO	HORSE	BURRO	
REGION 4									
NEVADA									
BURRO	23,700	22,000	0	79	0	15	0	10	83
BUTLER BASIN	51,834	9,000	0	—	12	0	19	0	90
CHERRY SPRINGS	63,696	0	0	77	58	0	200	0	91
DOBBIN SUMMIT	51,740	90,000	0	—	4	0	9	0	90
ELLSWORTH	18,000	0	0	—	8	0	8	0	83
HOT CREEK	35,024	40,476	0	—	21	0	75	0	—
KELLY CREEK	19,600	35,000	0	88	11	0	15	0	83
L. FISHLAKE VALLEY	76,079	28,157	0	—	—	—	108	0	89
MONITOR	384,000	140,065	0	79	280	0	277	0	79
NORTHUMBERLAND	12,800	0	0	88	8	0	8	0	83
PARADISE PEAK	17,920	0	0	—	8	0	0	0	83
POWELL MOUNTAIN	111,185	14,240	7,375	79	29	0	25	0	87
QUINN	26,661	0	0	—	0	0	0	0	—
SHOSHONE	26,430	83,014	0	79	25	0	25	0	83
TIERNEY	61,463	0	0	88	0	0	0	0	75
TOYAIBE	74,000	0	0	—	0	0	0	0	71
TOQUIMA	135,000	0	0	—	35	0	19	0	71
UTAH									
BIG CREEK	7,680	0	0	79	25	0	25	0	90
R-4	TOTALS	1,196,812	461,952	7,375		524	15	813	10

**WILD HORSE AND BURRO TERRITORIES  
ADMINISTERED BY THE USDA FOREST SERVICE**

FS REGION		FS	ACREAGE		TERRITORY PLAN FY COMPLETED	DESIRED POP.		CURRENT POP.		FY LAST CENSUS
STATE TERRITORY NAME	BLM		OTHER	HORSE		BURRO	HORSE	BURRO		
<b>REGION 5</b>										
<b>CALIFORNIA</b>										
	BIG BEAR	35,000	0	0	82	0	60	0	110	90
	BLACK MOUNTAIN	13,215	0	635	80	20	0	13	0	92
	BRUSHY MOUNTAIN	2,311	0	600	—	70	0	8	0	91
	DEVIL'S GARD. PLAT	228,320	7,680	0	80	305	0	400	0	90
	McGAVIN PEAK	3,860	1,860	10,325	75	15	0	24	0	89
	MONTGOMERY PASS	146,100	70,400	3,020	88	200	0	204	0	91
	THREE SISTERS	35,000	0	1,000	74	10	0	27	0	89
	WHITE MOUNTAIN	136,000	80,000	4,000	77	75	0	55	0	—
<b>R-5</b>	<b>TOTALS</b>	<b>599,806</b>	<b>159,940</b>	<b>19,580</b>		<b>695</b>	<b>60</b>	<b>731</b>	<b>110</b>	

## APPENDIX

C.

**WILD HORSE AND BURRO TERRITORIES  
ADMINISTERED BY THE USDA FOREST SERVICE**


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FS REGION	STATE	TERRITORY NAME	FS	ACREAGE		TERRITORY PLAN	DESIRED POP.		CURRENT POP.		FY LAST
				BLM	OTHER	FY COMPLETED	HORSE	BURRO	HORSE	BURRO	CENSUS
REGION 6											
OREGON											
		BIG SUMMIT	27,300	80	160	75	60	0	70	0	91
		MURDERERS CREEK	73,629	34,261	35,240	84	100	0	180	0	91
<hr/>											
R-6		<b>TOTALS</b>	<b>100,929</b>	<b>34,341</b>	<b>35,400</b>		<b>160</b>	<b>0</b>	<b>250</b>	<b>0</b>	

FS WILD HORSE AND BURRO TERRITORY AREAS SUMMARY

<i>TERRITORY ACREAGE</i>		<i>TERRITORY MANAGEMENT STATUS</i>	
FS:	2,080,216	TERRITORIES:	36
OTHER:	718,588	TERRITORIES w/PLANS:	23
TOTAL	2,798,804		

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<i>WH&amp;B POPULATION AS OF 10/01/91</i>		<i>DERIRED POPULATION LEVELS</i>		<i>EXCESS WH&amp;B'S</i>	
HORSES:	1,952	HORSES	1,481	HORSES:	471
BURROS:	164	BURROS:	110	BURROS:	54
TOT. WH&B POP.	2,116	TOT. WH&B AML:	1,591	TOT. EXCESS WH&B'S:	525

## APPENDIX

D.

**BIENNIAL POPULATION ESTIMATES BY STATE FOR WILD HORSES  
AND BURROS ON LANDS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992
<i>(Number of animals at start of FY)</i>										
<b>WILD HORSES</b>										
Arizona	115	107	70	125	150	115	115	204	225	206
California	3,000	4,230	3,700	2,897	3,320	4,106	2,354	1,755	1,745	2,011
Colorado	500	1,035	990	1,229	650	675	414	569	605	810
Idaho	500	874	1,200	935	880	881	706	449	354	444
Montana	325	257	300	232	200	141	157	128	121	121
Nevada	20,000	22,258	31,800	31,260	26,050	29,642	29,853	27,015	30,798	31,650
New Mexico	7,550	6,420	70	76	80	165	70	70	29	29
Oregon	5,265	7,493	4,050	3,458	3,270	3,748	3,149	2,549	1,891	2,006
Utah	1,000	1,803	2,150	1,714	1,330	1,636	1,254	1,319	1,884	2,523
Wyoming	4,411	8,833	9,700	10,448	9,000	7,959	4,684	3,764	4,115	4,280
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<b>TOTALS</b>	<b>42,666</b>	<b>53,310</b>	<b>54,030</b>	<b>52,374</b>	<b>44,930</b>	<b>48,998</b>	<b>42,756</b>	<b>37,822</b>	<b>41,774</b>	<b>44,080</b>

**BIENNIAL POPULATION ESTIMATES BY STATE FOR WILD HORSES AND  
BURROS ON LANDS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT**

STATE	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992
<i>(Number of animals at start of FY)</i>										
<b>WILD BURROS</b>										
Arizona	10,000	2,668	3,780	5,000	5,600	3,625	3,625	2,465	2,075	3,018
California <sup>a</sup>	3,200	3,072	3,845	6,152	4,850	5,900	2,765	1,369	1,708	1,708
Colorado	0	0	0	0	0	0	0	0	0	0
Idaho	8	9	10	16	20	0	0	1	1	1
Montana	0	0	0	0	0	0	0	0	0	0
Nevada	1,000	842	1,420	939	1,330	1,744	1,202	1,518	1,269	1,784
New Mexico	80	104	25	31	30	14	14	0	0	0
Oregon	16	25	0	20	20	25	25	25	6	6
Utah	50	70	80	13	20	50	34	86	91	100
Wyoming	20	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>14,374</b>	<b>6,790</b>	<b>9,160</b>	<b>12,171</b>	<b>11,870</b>	<b>11,358</b>	<b>7,665</b>	<b>5,464</b>	<b>4,775</b>	<b>6,617</b>

<sup>a</sup> Because several burro herds roam freely between BLM-administered lands and lands under the jurisdiction of the National Park Service or Department of Defense, population estimates through 1984 had included some animals whose status was uncertain. This discrepancy was resolved in the figure reported for 1986, due in part to an aggressive removal program by the Park Service and the Defense Department.



## APPENDIX

E.

**BIENNIAL POPULATION ESTIMATES BY STATE  
FOR WILD HORSES AND BURROS ON NATIONAL FOREST LAND**

STATE	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992
<i>(Number of animals at start of FY)</i>										
<b>WILD HORSES</b>										
Arizona	7	5	3	8	5	7	5	5	5	5
California	828	1,037	1,381	1,397	1,006	496 <sup>a,b</sup>	581	500	475	612
Colorado	0	0	0	0	0	0	0	0	0	0
Idaho	34	5	0	7	7	3	4	0	6	0
Montana	8	9	8	8	8	20	0	10	12	35
Nevada	1,174	1,305	1,042	951	1,139	490 <sup>b,c</sup>	571	560	1,552 <sup>d</sup>	1,240
New Mexico	207	279	420	230	170	119	129	158	176	153
Oregon	215	295	215	225	485	205 <sup>a,c</sup>	180	170	135	162
Utah	45	90	103	121	74	47	55	50	49	58
Wyoming	23	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>2,541</b>	<b>3,025</b>	<b>3,172</b>	<b>2,947</b>	<b>2,894</b>	<b>1,387</b>	<b>1,525</b>	<b>1,453</b>	<b>2,410</b>	<b>2,265</b>

**BIENNIAL POPULATION ESTIMATES BY STATE  
FOR WILD HORSES AND BURROS ON NATIONAL FOREST LAND**

STATE	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992
<i>(Number of animals at start of FY)</i>										
<b>WILD BURROS</b>										
Arizona	36	24	14	4	16	166 <sup>c</sup>	76	48	46	44
California	209	252	312	143	325	77 <sup>a,b</sup>	232	90	92	140
Colorado	0	0	0	0	0	0	0	0	0	0
Idaho	6	5	6	6	3	0	0	0	0	0
Montana	0	0	0	0	0	0	0	0	0	0
Nevada	13	15	28	16	40	15	17	15	269 <sup>d</sup>	70
New Mexico	5	15	30	35	32	25	25	25	25	0
Oregon	0	0	0	0	0	0	0	0	0	0
Utah	13	0	0	0	0	0	0	0	0	0
Wyoming	0	0	0	0	0	0	0	0	0	0
<hr/>										
<b>TOTALS</b>	<b>282</b>	<b>311</b>	<b>390</b>	<b>204</b>	<b>416</b>	<b>283</b>	<b>350</b>	<b>178</b>	<b>432</b>	<b>254</b>

Reasons for significant differences between 1982 and 1984 population estimates:

- a An aggressive capture program to bring population in line with management plan level.
- b Elimination of duplicate counting by BLM and FS on overlapping territories.
- c Improved census techniques.
- d Population increases due to land being transferred from BLM to FS administration.

## APPENDIX

F.

**BUREAU OF LAND MANAGEMENT WILD HORSE  
AND BURRO PROGRAM ACCOMPLISHMENTS FOR FISCAL YEARS 1990 AND 1991**
**Fiscal Year 1990**

STATE	Herd Areas Monitored	Removals		Adoptions		Compliance Inspections (No. Adopters)	Titles	
		Horses	Burros	Horses	Burros		Horses	Burros
AK	0	0	0	5	0	0	1	0
AZ	8	19	366	83	24	98	113	33
CA	8	456	132	309	75	91	315	83
CO	7	48	0	96	5	10	74	0
ES	0	0	0	2,060	346	43	2,450	461
ID	6	35	0	76	0	2	17	7
MT	2	3	0	58	67	11	61	76
NV	126	2,934	89	72	20	138	110	33
NM	1	1	0	506	65	45	748	114
OR	7	357	0	101	2	71	96	21
UT	11	205	13	58	9	24	58	5
WY	9	393	0	163	14	8	129	28
<b>SUBTOTALS</b>		<b>4,451</b>	<b>595</b>	<b>3,587</b>	<b>627</b>		<b>4,172</b>	<b>861</b>
<b>TOTALS</b>		<b>185</b>	<b>5,054</b>	<b>4,214</b>		<b>541</b>	<b>5,033</b>	

**BUREAU OF LAND MANAGEMENT WILD HORSE AND BURRO  
PROGRAM ACCOMPLISHMENTS FOR FISCAL YEARS 1990 AND 1991 (Concluded)**

**Fiscal Year 1991**

STATE	Herd Areas Monitored	Removals		Adoptions		Compliance Inspections (No. Adopters)	Titles	
		Horses	Burros	Horses	Burros		Horses	Burros
AK	0	0	0	4	1	0	0	0
AZ	9	0	122	55	29	105	71	23
CA	14	611	234	511	114	174	261	67
CO	7	72	0	155	8	13	100	5
ES	0	0	0	2,842	382	59	1,585	305
ID	8	80	0	77	0	4	79	2
MT	0	17	0	35	60	13	13	45
NV	102	3,912	256	697	39	405	49	15
NM	0	0	0	334	16	57	250	30
OR	17	526	1	225	6	71	103	11
UT	18	370	0	189	1	29	44	4
WY	8	807	0	183	4	15	147	14
<b>SUBTOTALS</b>		<b>6,395</b>	<b>613</b>	<b>5,307</b>	<b>660</b>		<b>2,702</b>	<b>521</b>
<b>TOTALS</b>		<b>183</b>	<b>7,008</b>	<b>5,967</b>		<b>946</b>	<b>3,223</b>	

## APPENDIX

G.

**FOREST SERVICE WILD HORSE AND BURRO  
PROGRAM ACCOMPLISHMENTS FOR FISCAL YEARS 1990 AND 1991**

STATE	Territories		Management Plans Complete			1990-1991	
	No. <sup>a</sup>	Acres <sup>b</sup>	Prior to 1990	1990-1991	Total	Removals <sup>c</sup>	Adoptions
AZ	3	70,858	2	0	2	0	0
CA	9	604,927	8	0	8	255	0
MT	1	3,800	1	0	1	0	0
NV	23	1,553,304	10	0	10	5	0
NM	5	111,811	3	0	3	62	1
OR	2	100,929	2	0	2	0	0
UT	2	32,396	2	0	2	0	0
<b>TOTALS</b>	<b>45</b>	<b>2,478,025</b>	<b>28</b>	<b>0</b>	<b>28</b>	<b>322</b>	<b>1 <sup>d</sup></b>

<sup>a</sup> Includes all territories with National Forest System Lands

<sup>b</sup> Includes all National Forest System Lands within territories

<sup>c</sup> Includes only removal from territories where the Forest Service is the Lead Agency

<sup>d</sup> Includes only those animals adopted by the Forest Service independently of the BLM Adopt-A-Horse Program

## WILD HORSE AND BURRO PROGRAM APPROPRIATIONS - 1972-1989

*Appropriated Amount*

Fiscal Year	Forest Service	Bureau of Land Management
1972		0
1973		400,000
1974		687,000
1975		1,314,000
1976		1,272,000
1977		2,679,000
1978		4,025,000
1979	\$435,000	4,250,000
1980	450,000	4,582,000
1981	400,000	5,704,000
1982	310,000	5,418,000
1983	570,000	4,877,000
1984	293,000	5,766,000
1985	175,000	17,039,000
1986	262,000	16,234,000
1987	280,000	17,936,000
1988	286,000	14,774,000
1989	181,000	14,560,000
1990	183,000	13,598,000
1991	220,000	14,341,000

# APPENDIX

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## LITIGATION SUMMARIES

The following summaries give the status of wild horse and burro litigation in FY's 1990 and 1991.

### RESOLVED

Cases 3 and 4 below were resolved prior to the period covered by this report; they are listed here because their final disposition was not included in earlier reports.

1. A&B Horse Farms v. United States, Cl. Ct. No. 664-88-C (filed November 21, 1988).

*Issue:* Plaintiff sought money damages related to the care and feeding of 600 wild horses which were undergoing adoption pursuant to the Wild Free-Roaming Horse and Burro Act.

On October 21, 1986, A&B Farms acquired 600 horses and thereafter maintained those horses for about 1 year under the terms of Private Maintenance and Care Agreements entered into between plaintiff's principals (the 150 individual adopters) and the BLM. At the end of 1 year, the plaintiff contacted BLM officials regarding transfer of title to the horses as provided by 16 U.S.C. 1333(c). In November 1987, the BLM repossessed the subject horses and declined to transfer title of them to plaintiff after receiving information that A&B Horse Farms was allegedly adopting the horses with an intent to sell them for slaughter once title passed.

Plaintiff then filed this action in the U.S. Claims Court to recover damages of \$440,000 for the reasonable value of the care and maintenance of the horses or, alternatively, \$173,329.22, which represents the fair value of the horses, transportation costs, and attorney's fees.

*Status:* On October 4, 1989, the Claims Court granted the United States' motion to dismiss, concluding that the plaintiff had failed to state a claim within the court's jurisdiction. Plaintiff did not appeal.

2. M.E. Eddleman v. United States, Cl. Ct. No. 90-3853-L (filed October 12, 1990.)

*Issue:* Plaintiff sought almost \$2.5 million for the care, feeding, and value of 613 wild horses which were undergoing adoption pursuant to the Wild Free-Roaming Horse and Burro Act.

In October or November 1988 about 613 wild horses were delivered to plaintiff pursuant to Powers of Attorney obtained by plaintiff. Plaintiff alleged that he fed and cared for the horses until May 1988. In May 1988, the BLM repossessed the subject horses and declined to transfer title of them to plaintiff after receiving information alleging that he might have intended to sell the horses for slaughter after title had passed.



This suit sought the same relief as *Eddleman v. United States*, CV-88-276-BLG-JFB (D. MT.), which was dismissed for lack of subject matter jurisdiction on September 19, 1989.

*Status:* On March 28, 1991, the Claims Court dismissed this action without prejudice.

3. *William Hein v. M. E. Eddleman, Donald Hodel, et al.*, CV88-135-BLG-JFB (D. MT., filed June 1988).



*Issue:* Plaintiff requested issuance of an order enjoining and restraining defendants from removing wild horses from his ranch. The application for preliminary injunction and temporary restraining order was made on the grounds that plaintiff had an Agister's Lien on the horses for costs associated with the care and feeding of the animals from November 11, 1987, to April 15, 1988.

Plaintiff owns and operates a ranch near Worden, Montana. On November 11, 1987, at the request of M. E. Eddleman, he began to care for approximately 600 wild horses at his ranch. Eddleman held power of attorney for adopters of these horses, which he could no longer care for adequately on his property.

The Bureau of Land Management had notified Eddleman, on or about October 21, 1987, shortly before the wild horses would have been eligible for titling, that title would be withheld because BLM had determined that Eddleman intended to commercially exploit the horses. Withholding of title was consistent with the ruling of Judge Howard B. McKibben of the U.S. District Court for Nevada in *Animal Protection Institute of America, Inc., and the Fund for Animals, Inc. v. Hodel et al.* CV-R-85-365-HDM.

The compensation sought by plaintiff is for the period of November 11, 1987, to April 15, 1988. The BLM agreed to assume the costs associated with caring for the horses beginning on or about April 15, 1988, through a contractual arrangement with the plaintiff.

*Status:* On June 13, 1988, plaintiff submitted a memorandum in support of application for preliminary injunction and in opposition to motion to dismiss. On June 14, 1988, Federal Judge James Battin denied the motion for an injunction, ruling that Federal law did not give him jurisdiction in plaintiff's debt action against the Government. The law requires that the plaintiff submit his bill to the Court of Claims in Washington, D.C. Judge Battin approved a BLM plan to remove the horses after paying the plaintiff an agreed amount for feeding since April 1988. The animals were gathered and shipped to South Dakota by rancher Melvin Delzer, who has power of attorney for a group of adopters. On July 8, 1988, Judge Battin granted defendants' motion to dismiss. No appeal was filed.



# APPENDIX

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4. Bright-Holland Company et al. v. Watt, Civil No. R-82-153-BRT (D. Nev., filed April 1982).

*Issue:* Plaintiffs sought a ruling requiring the BLM to remove wild free-roaming horses and burros from their private lands. They alleged the presence of wild horses had caused permanent damage to their lands and asked for compensation in the amount of \$2,500,000, as well as a daily payment for each wild horse and burro remaining on their property.

*Status:* Plaintiffs filed a motion for summary judgment, arguing that there was no genuine issue of material fact, and they were entitled to judgment as a matter of law since (1) defendants were under a mandatory duty to arrange for the removal of wild horses on plaintiffs' private property, and (2) the diminution in value to their property as a result of the forage consumed by the wild horses was compensable under the Fifth Amendment.

Defendants filed a motion in opposition to summary judgment, arguing in part that a genuine issue of material fact existed as to the presence of wild horses on plaintiffs' property. Defendants also filed a motion to dismiss the compensation claim, arguing that the district court lacked subject matter jurisdiction over claims in excess of \$10,000 founded on a constitutional taking. Both parties filed new memorandums.

In April 1983, the district court denied plaintiffs' motion for summary judgment, holding that a genuine issue of material fact did exist as to the presence of wild horses on plaintiffs' property. The court also dismissed plaintiff's claim for damages. The case was closed by the court's docket in August 1983. No appeal was filed.

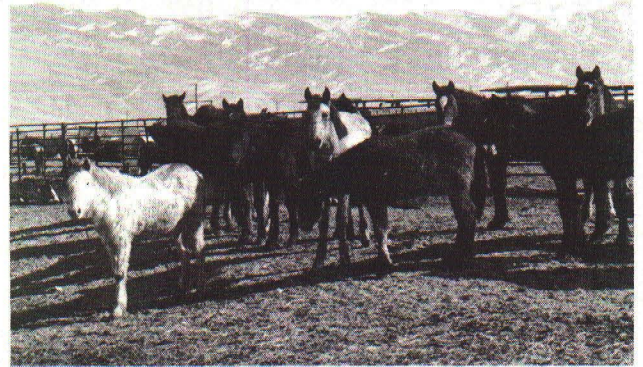
## PENDING

1. Joe B. Fallini, Jr., Susan Fallini, and Helen Fallini v. Donald P. Hodel, Robert F. Burford, and Edward F. Spang, CV-S-86-645-RDF (Filed July 1986).

*Issue:* In the spring of 1984, plaintiffs modified several range improvements (wells), that had been authorized by range improvement permits in 1966, without seeking or obtaining authorization from BLM. The modifications consisted of sections of highway guardrail installed across gates to the waters at a height that allowed cattle to pass but excluded wild horses. On May 3, 1984, the Battle Mountain District Manager issued a decision canceling the permits for the affected wells, citing unauthorized modification of the improvements. The permittee removed the guardrail from all the improvements except Deep Well, and appealed the decision as it pertained to that project. On September 27, 1984, an administrative law judge reversed the District Manager's decision in a ruling from the bench, and extended the ruling to the other well projects that had not been included in the appeal, directing the BLM to issue the required authorizations. The BLM appealed the decision to the IBLA. On June 12, 1986, the IBLA reversed the decision and remanded it to the BLM for appropriate action. The plaintiffs initiated this complaint for judicial review on July 2, 1986.

On November 16, 1989, the U.S. District Court for Nevada set aside the Interior Board of Land Appeals decision and concluded in part that "the BLM actions effected a regulatory taking of Fallinis' water rights at Deep Well contrary to the dictates of the constitution."

*Status:* The Department of Justice filed a notice of appeal on January 12, 1990, appealing the district court's adverse decision to the U.S. Court of Appeals for the Ninth Circuit. All briefs have been filed in this case, and it is currently pending before the Ninth Circuit. (90-15124 and 90-15125.)



2. Alfred Haberman et. al., d/b/a&B Horse Farms v. United States, Cl.Ct. No. 90-3891-C (filed October 30, 1990).

*Issue:* Plaintiffs seek the sum (unspecified) equal to the reasonable value of 600 repossessed wild horses or, alternatively, a sum (unspecified) equal to the reasonable value of the care and maintenance of the 600 horses which were undergoing adoption pursuant to the Wild Free-roaming Horse and Burro Act.

On October 21, 1986, A&B Farms acquired 600 horses and thereafter maintained those horses for about 1 year under the terms of Private Maintenance and Care Agreements entered into between plaintiff's principals (the 150 individual adopters) and BLM. At the end of 1 year, the plaintiff contacted BLM officials regarding transfer of title to the horses as provided by 16 U.S.C. 1333(c). In November 1987, the BLM repossessed the subject horses and declined to transfer title of them to plaintiff after receiving information that A&B Horse Farms was allegedly adopting the horses with an intent to sell them for slaughter once title passed.

On November 21, 1988, plaintiffs filed suit in A&B Horse Farms v. United States, Cl. Ct. No. 664-88-C. The 1988 suit was dismissed by the Claims Court on October 4, 1989, concluding the plaintiffs lacked jurisdiction.

*Status:* The current action was filed in October 1990. In March 1991, the Department of Justice filed a motion to dismiss on the grounds that the Claims Court lacks jurisdiction to entertain plaintiffs' claim and that the court may not grant certain of the relief sought by plaintiffs. All briefs have been filed, and the matter is pending before the Claims Court.

3. M.E. Eddleman v. United States, Cl. Ct. No. 91-1572-C (filed November 7, 1991).

*Issue:* Plaintiff seeks almost \$2.5 million for the care, feeding, and value of 613 wild horses which were undergoing adoption pursuant to the Wild Free-Roaming Horse and Burro Act.

In October or November 1988 about 613 wild horses were delivered to plaintiff pursuant to Powers of Attorney obtained by plaintiff. Plaintiff alleged that he fed and cared for the horses until May 1988. In May 1988, the BLM repossessed the subject horses and declined to transfer title of them to plaintiff after receiving information alleging that he might have intended to sell the horses for slaughter after title had passed.

This suit seeks the same relief as Eddleman v. United States, CV-88-276-BLG-JFB (D. MT.), which was dismissed for lack of subject matter jurisdiction on September 19, 1989, and Eddleman v. United States, No. 90-3853-L (Cl. Ct.), which was dismissed on March 28, 1991, without prejudice.

*Status:* The Department of Justice filed a motion to dismiss on January 7, 1991.

