

Gila Livestock Growers Association

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Dear Members,

It is fall newsletter time and a lot has been happening in our industry not to mention our area, including but not limited to lawsuits, predator issues, marketing issues.

Legal end:

Mexican Wolf: Ranchers and county leaders are trying to shut down the Blue Range Mexican Gray Wolf reintroduction project pending hybrid wolf evaluation and new data being incorporated into the Nepa analysis by suing the U.S. Fish and Wildlife Service. We are a part of that suit and helped collect the testimony to initiate it.

The Coalition of the Arizona and New Mexico Counties Executive Director Howard Hutchinson said that individual ranchers and cattle groups joined forces to file a lawsuit to remove the wolves from the wild. The preliminary injunction that was filed about two weeks ago includes testimony from local ranchers in the Mexican Wolf reintroduction area over the real livestock death numbers and the human encounters that have happened in the past several years. In general things you do not see in the Mexican wolf teams official update.

Jaguar News

On another endangered species front, the Center For Biological Diversity has sued the Interior Department to force them to declare critical habitat and all that goes with it for Jaguars in what appears to be the whole southern half of New Mexico. The intervention has been filed and GLGA has been involved as well as many neighboring county and ranching organizations.

Grazing Permits:

In late October 2003 a federal district judge in Arizona issued a ruling on a case filed by the Forest Guardians. That much of what has been printed and distributed is true, but that is about where the truth ends.

New Mexico Cattle Growers' Association (NMCGA) attorney Karen Budd-Falen, who had the following to say, has analyzed the ruling:

"How the Forest Guardians can claim an immediate elimination of grazing based upon the language in the court's Order is beyond me! While the Court order did invalidate the grazing permits, it did ONLY until ESA section 7 consultation is started. Once ESA consultation is initiated, ESA section 7(d) kicks in and so does the court's analysis in the 666/2562 case wherein the 9th circuit did NOT agree that the elimination of grazing was automatic in these cases. Of course, the Forest Service could fail to start section 7 consultation, or find that for an individual grazing allotment, based upon individual circumstances, section 7(d) does not apply, but contrary to the claims in the Forest Guardians' press release, there is no automatic injunction eliminating grazing from these allotments ordered by this court. Assuming that the Forest Service immediately initiates section 7 consultation and section 7(d) applies, grazing can continue."

Karen Budd-Falen, November 6, 2003

Research indicates that the vast majority of the allotments listed in the order, and Gila Livestock Growers has members that were, have had section 7 consultation take place during the duration of the case and that there will be only a very small number of allotments that will even require consultation initiated.

Allotment owners concerned about the status of their individual allotments should contact their local district rangers to determine what action should be taken next. If consultation is necessary, they should request that it begin immediately. If consultation is to take place, individual allotment owners should request applicant status to participate in the consultation.

(Info by Caren Cowan NMCGA)

This isn't the first time the green groups have distorted the meaning of the actual decision in suits they have filed and apparently they feel it helps their anti grazing cause to put out false information to the media over these issues.

Good news: Roy and Shelly Walker, former permittee's will be filing a suit in the US Court of claims and this option will soon be available to anyone who has lost grazing rights to arbitrary and capricious USFS Decisions. They are currently in the process of showing a chain of title to the rights they own on federal land. I hope to have them at our next meeting for an update on how it is going.

Chain of Title Research:

For those of you who wish to file on property rights associated with surface estates and water owned on federal grazing allotments but who do not have the slightest idea on how to begin. We will have a publication available shortly published by the extension service at NMSU and authored by Angus Mackintosh. The how to, books will be made available for free or very inexpensively depending on publishing costs, and sent to anyone who wishes to file on their rights. At this time we have some interest in funding the printing fees by another organization that we have membership in.

Diamond Bar Allotment:

Kit and Sherry Laney are still running cattle on the Diamond Bar and Laney allotments; with luck they will be there for years to come. At this time the USFS have asked the 10th circuit court to find them in contempt of the 1997 ruling that required them to remove all their livestock from the Diamond bar. The courts have asked the Laney's to show cause why they are not in contempt and the Laney's have presented them a document that explains the procedure they followed to ensure they were on the ranch legally. They are claiming the USFS has no more jurisdictions over the ranch and the administration

of the allotment. Now we wait and see what the 10th circuit court thinks about all this. Meanwhile rangenet, the anti grazing propaganda machine has pulled out all the stops to try and portray the Laney's as criminals in the hopes of having them arrested. They have hosted a website on the diamond bar with photographs of water lots and tanks claiming that they are representative of the entire allotment. We will be posting a counter site soon in defense of the grazing practices of the Laney's showing the good shape of the entire allotment not just the subjective photographs seen on rangenet.

Meetings: The Joint Stockman's meeting will be held December 4,5,6,7 2003. Please try to attend if you can it has gotten pretty expensive but if you are a member you can sign up before Nov. 21 and get \$30 per person off the fee. If you can only make one meeting please make the General Session Dec 5, 8 am to 9 am. Most issues that affect federal lands ranchers will be aired and voted on there. Remember if we do not show up we do not affect the votes. NMCGA works hard for us but participation is key to the direction they take on our issues.

For more info and registration forms and fees see your November Stockman magazine or look online at www.nmagriculture.org .

On a nice note, for me anyway:

The Paragon Foundation has just hired Al Schneberger to lead the staff into the future. Al is of course the former executive director of the NMCGA, former NMDA employee and well known to many of us. It isn't a good time to be green in NM with Al back in position on the front line.

Of course Al is my brother in law and it is good to have him available for family parties again too.

You can reach him at.

winsomelosesome@starband.com or 505-535-4176

Need Prayers:

Those of you involved in our association for some time know and love Dick Manning. Dick has carried all of us on his shoulders for years in the

fight for our rights on these lands. He is very ill with cancer and needs our prayers right now. Dick has been a savior to many of our members and friends and has helped people in any way he can during the worst times of their lives. Let's all pull together and pray for his health.

Jay Walley P.R. man extraordinaire and editor and writer for the Paragon Foundation's monthly paper had a stroke last week as well. He and his lovely wife Sara also need our prayers. Both these men have been involved up to their eyeballs to make ranchers lives worthwhile and they both deserve our respect and our help at this difficult time.

Thanks to those of you who have caught up on your dues every little bit helps in our legal costs and meeting attendance bills. If you aren't paid up, please consider joining.

Membership: 100 head or less: \$30.00
More than 100: \$50.00

If you want to sign up for our email alerts please send you email address to the GLGA email at the top of the letter. For those of you looking for Christmas presents, we have available T-shirts Books and CD's that benefit our legal fund.
Rope a wolf T-shirt \$15.00 Cowboy roping a Mexican wolf on gray T-shirt. Large and X Large available
Looking through the smoke T-shirts \$15.00 (flaming wolf on black shirt) Med and Large available.
Book: Looking through the Smoke By Jinx Pyle, The story of Rodeo Chediski and why it happened. \$15.00
CD Rawhide Ranahan, cowboy and dance music also by Jinx Pyle \$15.00
\$ All packages \$3.00 shipping.

Associate membership {no cattle no vote but lot's of support} \$15.00

Please mail to Loretta Rabenau Secretary
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