

Miracles in Hage Case

(Full story in an issue soon.)

In the Summer 2018 issue, readers were told about an imminent foreclosure on the Hage family's Pine Creek Ranch. Due to a startlingly defective Notice of Foreclosure issued by American Title Company, and the miraculous help of several individuals who stepped in to offer financial backing (who are also readers of *RANGE*), the Hages are moving forward to finish the work of their parents. The 9th U.S. Circuit Court of Appeals made it clear in the April 13 hearing of *U.S. v. Hage* that the court's rulings in the Hage and Hunter cases provide ranchers the right to remove their vested water rights from federal land via an 1866 Mining Act right-of-way when ranchers are denied access to that water for grazing by either the Bureau of Land Management (BLM) or U.S. Forest Service (FS). The Hages are reviewing all options including filing another constitutional

Fifth Amendment takings of property case.

A recent *National Geographic* article about wild horses acknowledged western ranchers have been cut 50 percent in permitted livestock on BLM-administered lands since the range was originally adjudicated in the 1950s. In Nevada, combining both BLM and FS rangeland, that number is closer to 80 percent and many grazing allotments stand vacant. In short, since these agencies have actively crippled the range livestock industry and have, by those policies, generated fuel loads ripe for catastrophic fires, many ranchers may prefer to remove their valuable vested water rights from federal land to put their water to better use elsewhere, or sell it to the highest bidder. Ironically, the government's 40-year campaign to destroy the Hage family has culminated in turning western ranches into water ranches. ■

For more info, go to rangemagazine.com and click on "Hage v. United States."