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RANGE is an award-winning quarterly devoted to the issues that threaten the West, its people, lifestyles, lands and wildlife. No stranger to controversy, RANGE is a leading forum for opposing viewpoints in the search for solutions that will halt the depletion of a national resource—the American cowboy.

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Up Front

Spindled & mutilated.
By C.J. Hadley

Hage. Gardner. Dann. Yowell. Colvin. Bundy. Tomera. Filippini. Borba. Hammond. Good ranchers all, cowboys and Indians who had private property rights on federal land in the American West. All have been abused by federal agents of the Bureau of Land Management, U.S. Forest Service, U.S. Fish & Wildlife Service or the National Park Service. Some cattle have been taken at gunpoint, some ranch families have been destroyed, and the abuse was not earned.

The Hages—who have historic grazing preferences and property rights dating back to the 1860s in central Nevada—have been defending themselves against the government since 1979, and in court (Hage v. United States) since 1991. There have been major decisions in their favor. Judge Loren A. Smith, of the U.S. Court of Federal Claims in Washington, D.C., ruled in 2010 that the government owed the Hages \$14 million with interest under the “takings clause” of the 5th Amendment. Three members of the family have died since the case started and every time it’s time to pay up, the Department of Justice brings out a new crop of highly paid lawyers to harass the Hages again. One Forest Service ranger said in the early ’90s: “Hage can’t win. We have more money and more lawyers.” Paid for by honest taxpayers! (Go to rangemagazine.com and click on Special Info/Hage at the bottom of the Home Page.)

In a recent trespass case brought by BLM and FS against the Hages, Federal District Court Judge Robert C. Jones ruled in favor of the family, noting that two agencies of the federal government entered into a “literal, intentional conspiracy to deprive the Hages not only of their permits but also their vested water rights. This behavior shocks the conscience of the Court.” DOJ appealed and the 9th Circuit overruled Judge Jones on Jan. 15, 2016. Next step: the Supreme Court.

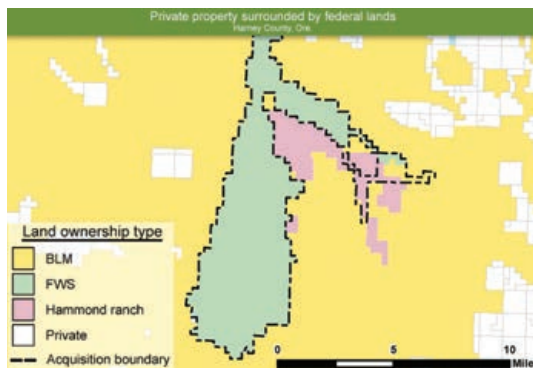
But it isn’t just Hage. The Bundys in Bunkerville, Nev., were the last family standing after federal agents used the “endangered” desert tortoise to pressure 50 Clark County ranch families off their ranges. Cliven Bundy’s forebears had been running cattle on that southern desert since the 1800s and in 1991 he refused to sign a BLM grazing permit that would have destroyed his livelihood. Bundy

was willing to pay fees but not commit ranch suicide. Sadly, BLM would not accept his fees without a signed permit and since that time BLM has euthanized excess desert tortoises (see “Patterns of Harassment,” Fall 2014).

For a few more RANGE horror stories go to www.rangemagazine.com: “Can the West Find Peace?” Summer 1999; “The U.S. vs. Gardner,” Spring 2001; “Badge vs. Badge,” Winter 2003; “Eye of the Storm,” Winter 2013; “The Grass March,” Summer 2015; and “Ignoring the Rule of Law” and “Fire: Destruction of the West,” Winter 2015/2016.

But don’t forget the Hammonds in Oregon. Decades of relentless harassment by federal agents have put Dwight Hammond, 74, and son Steven, 46, in federal prison for five years each for “domestic terrorism.” Their crime? A controlled burn to improve the resource and a backburn to save their ranch and range from a lightning fire (see page 37). While the Hammonds accidentally burned less than 140 acres of public land in both fires and damaged nothing, federal agents burned

DATA COURTESY BLM & HARNEY CO. ASSESSOR



Do you think the yellow and green people want to get the pink?

millions of acres, destroyed homes, barns, fences and range, and killed livestock, horses and wildlife, with no reprimand or jail time.

BLM and FWS want the Hammond Ranch. The agencies have blocked the family’s stock waters and access roads to their high-country grazing land, canceled their legal grazing permits, and seem determined to destroy ranch and family so that they can add that private land to the 187,000-acre Malheur National Wildlife Refuge (see map). Besides being locked up in California, the Hammonds had to pay \$400,000 by Dec. 31, 2015, for destroying federal land and were forced to give first option on their ranch to the BLM—the agency working to destroy them.

At press time, Bundy sons, Ammon and Ryan, with armed friends, were protesting the Hammonds’ sentence, peacefully holed up in the refuge visitor center “until the Hammonds are set free.” Meanwhile, President Obama has released 195,900 felons early (some guilty of homicide, rape and kidnapping) while two good ranchers are languishing in prison. ■