

# Mustang Maddy

*Madeleine Pickens' magnificent mustang monument will turn wild stallions into eunuchs and destroy the vibrant and productive livestock industry in a large part of northeastern Nevada. And all because of John Wayne. By Rachel Dahl*



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*Texas oil tycoon T. Boone Pickens and almost ex-wife Madeleine on the red carpet for the annual black-tie White House Correspondents' Dinner at the Washington Hilton, May 9, 2009. On Sept. 25, 2012, Madeleine said, "The vastness of the lands of our existing properties...certainly offers enough acreage to fence off portions for the existing herds so they would not be interacting with the horses we would rescue and return to the eco-sanctuary."*

Madeleine Pickens loves John Wayne, the western way of life, and wild horses, so as wife of oil and gas tycoon and multibillionaire T. Boone Pickens, she bought some of her very own—500 head of “wild” horses that came off the Pyramid Lake Paiute tribal lands in northwest Nevada in late 2010. Of course, she needed a place to keep them, and she also has plenty of money, so she then bought two ranches in Elko County, where she transferred the horses in June 2011. One of her corporations, Tommy LLC, paid more than \$2.7 million for the Warm Creek Ranch, and through OTS LLC, Madeleine purchased the adjacent Spruce Ranch for nearly \$2.6 million before transferring that property to her nonprofit corporation, Saving America's Mustangs (SAM). Together, those ranches own or control 5,100 acre-feet of water rights, which equates to 1,661,842,277 gallons, or enough water to supply 2,550 homes for a year. It was not unheard of during the housing boom for an acre-foot of water in northern Nevada to sell for \$45,000.

Madeleine has a plan to turn the ranches, located 25 miles south of Wells, Nev., into an eco-sanctuary where tourists can come to see the magnificent wild horses running free,

while learning about them in a special mustang education center. Eco-tourists can even stay at the ranch in authentic Native American structures, go on covered-wagon rides to cow camps, attend the wellness center, and rock climb, while their children learn to grow vegetables and attend scouting jamborees. All the while, people can “behold the wonders of that beautiful piece of heaven in northern Nevada,” according to SAM’s public-relations materials.

While T. Boone and Mrs. Pickens were testifying before the Elko County Commission in November 2010 to encourage local support for their project, one old Nevada rancher sat close to them, entranced. “T-Bone and Miss Maddy looked great,” George Parman says. “Her hair is lovely and her skin is so tight and pale.” The commissioners voted against the project 3-1, because cattle ranches are important to Elko County’s economy. During T. Boone’s comments to the group, he never mentioned mustangs but instead gave a clinic on Texas water, suggesting the establishment of an aquifer commission which would give everyone one acre-foot of water so all ranchers and farmers would be treated the same way.

Madeleine loves the glamour and

romance of wild horses, but what she actually bought with her \$6 million are cattle ranches, and the public lands tied to those ranches are designated for use by livestock. So are all the wells and springs that go with the grazing allotments—permitted for stockwater use by Nevada law, not for excess feral horses. (Is this 5,100 acre-feet of stockwater or irrigation water the same water T. Boone is suggesting the new aquifer police divvy up?) After four years of trying to get the BLM to agree to her plan, it turns out Madeleine’s shopping spree is over because all the money in the world can’t buy anyone a shortcut through the miles of bureaucratic red tape it’s going to take to convert these cattle ranches to a wild horse eco-sanctuary. The BLM says it will be September 2013 before its process is completed and any decisions are made...even though Mrs. Pickens is advertising that her operation will be open six months earlier.

For now, Madeleine is keeping her Paiute horses—which aren’t technically “wild horses” because they didn’t come off public lands and don’t fit the federal definition created by the Wild Free-Roaming Horses & Burros Act of 1971—on her private ground at Warm Creek. She has applied to the BLM to let her



*Madeleine has two huge billboards on Idaho Street in downtown Elko, Nev., advertising that the eco-preserve is "Coming Soon!" How many billboards must one buy to make up the tax base in a community after taking two ranches out of production?*

change the cattle permits to domestic horses, which would allow her to turn the horses out on public grazing land, but this is exactly what the Elko County Commission didn't want to see happen. No one thinks the range at Warm Creek can support 500 horses.

With 4,050 deeded acres and 19,586 acres of grazing allotments, the current management plan on the Warm Creek Ranch allows for 200 head of cows year-round, but only on certain places and at certain times during the year in order to keep the range healthy. According to a BLM document that discusses the proposed eco-sanctuary, the carrying capacity on the range doesn't convert 1-to-1 from cows to horses; instead it's 1-to-1.8. Horses eat differently than cattle. They have top and bottom teeth which rip forage closer to the ground, and, with only one stomach to the cow's four, they need far more food to

survive than a cow does. Horses are simply much tougher on the land, water sources, and plants than cattle.

BLM staff who prepared the environmental assessment on Mrs. Pickens' request to convert grazing permits to horses are saying that the environmental documents show she can turn out 200 head of horses on the grazing allotments, but not for the whole year like she could if she were turning out cows. While she waits for the final BLM decision, she is feeding expensive hay to keep her 500 Paiute horses from destroying the Warm Creek meadows.

Part of the BLM requirements to allow an eco-sanctuary is that the manager of the federal horses must prove that he/she can provide humane care. Several of the older horses at Warm Creek are poor and undernourished while others are fat and healthy. According to Clay Naninni, who is the realtor who sold Madeleine the Elko County ranches and stayed on as manager of the project, "we aren't going to pamper the horses." He says they've had some casualties and have been trimming feet and gelding horses at the ranch for a year. They just finished gelding the last batch of 60 stud colts that were weaned early. Those colts are kept in a pen at the ranch and fed hay just like the horses the BLM keeps in their holding programs. They look unhealthy and their growth is stunted from coming off their mothers too early.

Madeleine just released a statement say-

ing, "It also has never been our intent to have to neuter any existing wild-horse herds on our lands." But that's exactly what the BLM is going to require her to do if it approves her eco-sanctuary proposal. The BLM isn't going to let Miss Maddy run a reproducing herd of wild horses on her allotments.

Madeleine's second ranch, the Spruce, is located adjacent and just south of the Warm Creek Ranch and is the property under consideration by the BLM for the eco-sanctuary proposal. Because of budget pressures and the lack of political will to exercise disposal authority of excess horses which the 1971 law allows, the BLM has decided to look at alternative ways to manage horses for the long term. It has already adopted out more than a quarter-million mustangs but still can't keep up with the amount of wild horses. Last year it asked the public to submit proposals for creative alternatives to the long-term holding programs. More than 47,000 unadoptable feral horses are currently being held since they were gathered from public lands in 10 western states. There are still more than 37,000 horses and burros in the wild, and the herds double every four years. The BLM spends close to \$80 million a year to manage the program. The excess mustangs, just like other animals wild and domestic, are a natural resource and could be earning money for our depleted Treasury instead of costing money to taxpayers.

In February 2012, the BLM approved an



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PHOTOS © RACHEL DAHL

*According to the BLM scoping document regarding the eco-sanctuary, eco-tourists will stay in rustic accommodations similar to historic Native American dwellings. These teepees have been built near the original ranch house at the Warm Creek headquarters. If Madeleine gets her way, two former cattle ranches “would go from revenue generating to federally funded.”*

eco-sanctuary proposal in Wyoming for a 4,000-acre, all-private ranch, where 250 wild horses will be cared for. Madeleine’s plan was the second chosen for consideration and the only one that would combine private and public lands. In her proposal, Madeleine originally wanted to take 1,000 head of horses out of long-term holding in the Midwest and return them to the Nevada ranch. (Several years ago she bragged on TV that she would take all the horses in holding and didn’t mention a word about using our tax dollars to do it.) She would use the Warm Creek Ranch as headquarters, has already started building visitor facilities, and hopes to open soon. If her eco-sanctuary proposal is accept-

ed, she would have to share the Spruce allotment with wildlife, recreationists, hunters, and future mining ventures.

Members of the Wells Chamber of Commerce are happy with the plan. Director Matt Holford says, “Our position is we’re a tourism group and anything that brings tourists in helps this town of 1,500 people.” Holford says that Madeleine has been a good neighbor since she joined the chamber, and she has spent a lot of money in Wells making improvements to the ranch. “They’ve bought gas and food, and put money back into our economy.”

According to records in the Elko County Assessor’s office, the Spruce Ranch is exempt

from taxes because Saving America’s Mustangs is a nonprofit organization—which in conservative Elko County is hard for anyone to swallow. Even the BLM folks see the problem. At a recent scoping meeting held by the BLM in Reno to solicit comments on Mrs. Pickens’ plan, one government employee remarked that the ranches “would go from revenue generating to federally funded.”

The Spruce Ranch has 14,000 acres of private ground and 508,000 in the public land grazing allotment, as well as 23 wells and four pipelines that are all permitted for stockwater. According to the BLM, the most cattle the ranch could sustain is 909. Taking into consideration water and feed availability, along with the liberal conversion rate BLM is using for Warm Creek of 1 cow to 1.8 horses, the most horses Madeleine could turn out on the Spruce allotment would be 505.

To illustrate how bad the wild-horse problem is, there are currently 1,400 wild horses on three herd management areas (HMAs) that overlap the ranch boundaries. Terri Dobis, who heads up the eco-sanctuary proposal for the Elko BLM office, says there should only be around 300 head there to keep both range and horses healthy. According to BLM regulations, the official appropriate management levels for those three HMAs is between 277 and 464 horses.

In order to make Madeleine’s proposal for an eco-sanctuary work, the BLM says it’s



*Madeleine is feeding prime hay to her 500 Paiute horses. Her ranch manager knows the horses will destroy the range on the Warm Creek Ranch, so they feed the horses in what they call the “sacrificial meadow.” Ignoring the fact that the ranches won’t sustain 1,400 head of horses, Madeleine still says, “[Saving America’s Mustangs] stands ready to take the first group of 900 horses from the pens they stand in to once again enjoy the freedom of the open spaces of Nevada.”*

going to have to restructure the three existing wild horse HMAs that fall into the Spruce allotment and revise management objectives. Then it will gather all the horses off those HMAs, send the mares and foals to holding, geld the stud horses, and turn out a limited number of those back to the newly structured eco-sanctuary.

But most important to the livestock industry and ranching in particular, the BLM would remove and retire the Spruce allotment from the N1 grazing district. As Elko County director of natural resources, Randy Brown, says: "We can't look at dollar signs. What we've lost is another Nevada ranch. Two actually."

To complicate things even further, before any horses can be turned back out, Madeleine would have to apply to the state engineer to change the use of the water and to use cattle watering improvements for feral horses. Tracy Taylor, from the state engineer's office, says that Nevada currently issues water rights for wild horses under the wildlife designation if they are on an HMA. However, she says, "It's a fine line, and all the other statutes and water laws apply in considering a change in the permit."

Wild-horse advocates who attended the

Reno scoping meeting expressed many concerns over Madeleine's plan, including how BLM would pay to maintain the horses. Unlike long-term holding pastures in the Midwest that operate on a per animal "contract" with private landowners, according to Zach Reichold, who is the national BLM wild horse and burro expert, Madeleine's proposal would be under an "agreement" that allows any money she brings in through her fund-raising efforts and tourism activities to go into an account to offset the costs to the government. Some estimates put direct payments to SAM from taxpayers at \$253,000 for managing the feral horses. If that ranch were running cattle, the annual economic value produced on the allotment would be \$303,000. Of that, nearly \$15,000 is grazing fees that the rancher pays to the BLM. According to Ralph Sacrison, an Elko County mining engineer, removing the \$303,000 value from the economy, coupled with the direct burden of nearly \$253,000, results in a financial burden of \$556,000.

Bonnie Kohlerider is a longtime wild-horse advocate who attends many BLM-sponsored wild-horse events. While talking to a BLM employee at the scoping meeting who said ranchers will oppose converting

grazing allotments as well as removing any allotments, Bonnie replied, "We may have to agree with cattlemen on this one."

Advocates were also concerned over Mrs. Pickens' plan because they believe it flies in the face of the 1971 law. Because the BLM will only allow a nonreproducing herd at the eco-sanctuary, any horses returned to the Spruce allotment would have to be gelded, and no one knows for sure how a bunch of what used to be wild stallions are going to behave when taken from pasture and turned back out on the range. They can't put mares out on the ranch because the BLM says stud horses from the Maverick-Medicine complex south of the ranch would jump the fence to do what the birds and the bees and the horses do.

John Wayne would be turning over in his grave. "You know what?" Kohlerider asks. "That's not wild horses. I won't come see it." ■

*Rachel Dahl is a sixth-generation Nevadan who descends from cattle ranchers on her father's side and dairy farmers on her mother's. Her great-great-grandfather, Charles Wallace Brooks, started Model Dairy in Reno in 1906. She is a schoolteacher and councilwoman in Fallon, Nev.*



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# Whoa, Dammit, Whoa

*Out on the high wide and lonesome. By Hank Vogler*

**R**emember how Forrest Gump, for no particular reason, was always there during historic events? Well, it is either that, or I'm having flashbacks to when I loaded the kids in the car and went to Disneyland. After taking the boat ride through the tunnel with all the dolls singing "It's a Small World After All" and the kids singing that same song for weeks after getting back home, the world couldn't shrink back to normal fast enough for me. Or, as in the words of that great philosopher, Yogi Berra, it's déjà vu all over again.

Hard to figure which it is, but I have history with the "wild" horses. Granddad, many a night at the dinner table, spoke of surplus horses. After the first World War, mechanization came to farming. One third of the crops used to go to feed the horses. Grain got so

cheap in the '20s that once they got a fire going in the stove, they burned wheat for heat. No money for coal. People left the farms, opened the gates, turned their horses out and looked for work in the cities.

Another memory was hanging around Sandy Anderson's saddleshop and having Johnnie Crow mind the time when, during the Depression, Miller & Lux Company sent the orders to gather up all the horses off the company ranches that weren't needed and trail them to Winnemucca to sell. Johnnie swore that when they got to town the horses never brought enough money to pay the buckaroos who drove them. The word came from headquarters to get rid of the rest of the horses on the ranches. Some were given away, some were turned out, and some were used for coyote bait.

In the local custom and culture, anyone who had a ranch had a few mares but most ranchers also loved having a fast horse, a cutting horse, or, like Jiggs Catterson, a horse that could drive your head in the dirt. Lots of work teams were still used. Pat Culp always fed in the winter with teams. No such thing as a *wild* horse. If you had a rimrock behind the house, with or without a BLM-sanctioned horse permit, you usually turned out some horses or a stud bunch to save feed. When you needed them you gathered, sorted and cleaned them up with the chicken buyer.

Out on the high wide and lonesome, even larger bunches of horses ran. Taft Miller, Tom Bailey, Sammy Boyce. They ran in Catlow Valley and back towards the narrows. Legend has it that to scare everyone out of Catlow, real or contrived, with a war going

over horses, Taft supposedly shot the saddle horn off Tom's saddle while Tom was setting a horse. When Taft had to answer charges of attempted murder, his rebuttal was: "If I could shoot the horn off the saddle, I could've just as easy killed him. I was just warning him." Truth or not, they kept a lot of people from nosing around Catlow Valley.

Bob "Beetle" Bailey was Tom's boy. Beetle and his brother Walt treated me great and for a little kid in a small town that was special. When I graduated from college in 1971, I joined the local Elks Lodge. Avel Diaz was in charge of the kitchen and Julio Urizar was the manager. They put me on the kitchen committee. It was great fun. Avel rallied our group. We had to prepare a fine meal for the Oregon Cattlemen's Association. All the dignitaries were seated and the executive secretary was pontificating about how they had pushed the envelope in the last year and the world was their oyster.

I slipped into the bar to get away from the bloviating and there sat Beetle Bailey. He was white as a sheet. Thought somebody had tipped over. I said, you okay, Beetle? "Yes," he said, "but I got to give a speech." Now this is a guy who came within a hair's breadth of riding the famous bucking horse War Paint to the whistle. This is the guy who could look you in the eye and tell you that the horse you just bought was a good one, just needed a few more rides, only to find out that he had bucked the last three owners off.

So Beetle, what's the speech about? "Wild horse and burro act." He then, like a fortune teller, predicted the future of what was to be. It is absolutely uncanny how accurate he was. After running it by me, he went into the big room with the wheels and asked to speak. He repeated his tale of what was to evolve and begged for help to get it stopped before it was too late. As he finished the house was silent. Then a fellow hollered out, "Hell, Beetle, you just want to claim them all," and the house broke in half with laughter. Beetle, dejected, walked off the stage. A short while later the first horse gathers started right in Harney County and the BLM manager was put under the microscope. The newly found protectionists showed up flush with money and power. They fought tooth and nail with all the same poor-pitiful-horse-and-mean-nasty-rancher tales still in use today. Beetle was hired as a horse expert for the BLM. Ironical as it was, a horse tipped over on him and Beetle never was the same. Yet they at least allowed the use of helicopters.

Now here, all these years later, we are no closer to solving this dilemma than in 1971. We have too much money involved in the problem. The loss of revenue would be huge if we came up with a reasonable solution. With a sound reasonable solution, the money spigot slows to a trickle.

Before 1971, horses had ownership. Culling was at least every couple of years. The old, the deformed were culled. The young studs were cut and halter-broke. The fillies were sold or culled. Inbreeding was strictly verboten. The amount turned back matched the grass. If a dry spell got started, triage was performed. It wasn't perfect but when the government by an emotional decree with total lack of science is mandated and private property seized for the "public good," watch out. By the time unintended consequences start to sprout, it's too late. More people become vested in the problem than in finding the solution.

We should be ever vigilant to prevent cruelty. The good book speaks of worshipping other things. The Egyptians worshipped

cats. A mountain lion killed a lady jogger in California. A female cat it was. A fund was set up for the jogger lady's kids and the kittens of the mountain lion. Hard to believe, but the kittens received more than twice as much money as the children.

We are bombarded with pleas to harvest organs from humans when they die. Putting down an unwanted old horse and turning it into meat, leather and other things is pretty humanitarian. A hungry kid in a Third World country has more on his mind than if dinner used to have a nickname. Nothing is crueller than watching an old horse devolve into a pain-racked miserable hulk of its former self. Neither horse sanctuaries, holding corrals, or long-term holding contracts are the answer. Humane harvest and inspection comes closest. What is cruelty is the bilking of money from people under false premises.

Hang and rattle. ■

*Hank Vogler runs a sheep and cattle outfit in eastern Nevada. He's surrounded by unwanted feral horses.*



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*More than 47,000 wild horses and burros are fed and cared for at short-term corrals and long-term pastures. As of August 2012, there were 13,800 in corrals and 33,600 horses in Midwestern pastures. Out on the range, BLM estimates that about 31,500 horses and 5,800 burros are roaming on BLM-managed rangelands in 10 western states as of Feb. 29, 2012. Appropriate management levels should be 26,545, so we are exceeding what the range can sustain by 11,000 animals. These are your tax dollars at work. Check [http://www.blm.gov/wo/st/en/prog/whbprogram/history\\_and\\_facts/quick\\_facts.html](http://www.blm.gov/wo/st/en/prog/whbprogram/history_and_facts/quick_facts.html). FROM TOP: Horses awaiting adoption at the Litchfield corrals in Northern California. ► Adoptable burros, a pair amongst thousands. ► Mustang fans, observers and bloggers from all over the West watch a gather near Susanville, Calif., and report anything "nasty." They are being watched by the BLM. OPPOSITE: Mare Tag #9615. She's got a tattoo on her neck. No one wants her.*