

SO WHAT HAS HAPPENED NOW THAT NINE YEARS HAVE PASSED SINCE THE BARRIER REPORT WAS WRITTEN AND THE FIRST UTILIZATION STANDARDS WERE IMPOSED ON THE TOIYABE?

The best example showing the effect of the above described policy is the actual permit reductions that have occurred on the Toiyabe National Forest.

On June 8, 1995 Tonopah Ranger, Michael Valdes sent out a public scoping document asking for public input as to whether or not he, should renew ten year grazing permits on six remaining allotments situated on the Monitor Range, the Toquima Range, and the Eastern side of the Toiyabe Mountains.

Interestingly, these six allotments (involving four permittees) are the only active allotments left in that entire area that once supported thirty or more permittees. That's how bad it is. Only six allotments out of 33 are still active - with all of such abandonment, or reduction, occurring in just the last five or six years.

To give you an idea of why so many people are being forced to abandon their permits, consider what has happened to the Clifford family.

Not so many years ago, the Cliffords had a permit to run 1,000 head of cattle on the Forest, both Winter and Summer. And now, after years of taking cut, after cut, after cut, they are only being allowed 10 head in the Spring, 31 head during the Summer, and 24 head during the Winter. (See Document 33, cover letter to public scoping document and map)

Direct cuts are not the only means by which permittees' use is reduced or eliminated. The RO Ranch is a good example.

In 1991 during mid grazing season, Forest personnel began demanding that the Wilmans either ride to keep their cattle off the riparian areas or remove their cattle altogether. Not having any other place to go with their cattle, the Wilmans tried keeping the cattle off the riparian areas using extra riders, but soon found it impossible.

But when they tried to remove their cattle altogether they found they had another problem. The Forest personnel were threatening to cancel all or a portion of their permit if any stray animals were left on an allotment. The Wilmans did everything they could to comply; they put out extra riders; they flew the mountains so they could better locate their cattle, but still found it extremely difficult, if not impossible, to find and remove all their cattle. About the only thing they did accomplish was to confirm what most old time residents already know - that in open range country where there is a lot of rough terrain and brush you can never get all the cattle off a mountain by riding, You have to

wait until the cattle are ready to come off themselves, or as the old timers would say, "wait until the snows drive them home".

Meanwhile the Wilmans began keeping cost records and when it was found that it was costing them over 35 dollars an AUM to run on the Forest under these new demands (when the fair market value for running cattle on private land was only 10 dollars per AUM), they abandoned use of their allotments and filed suit in the U.S. Court of Claims.

Forest personnel argue that there are more than six active permits left in the above discussed area. But what they are not telling is that many of the owners, such as the Wilmans who have either been forced to sell their cattle or are operating without the use of their allotments, will not, because of current Forest policy, have their permits officially canceled until this Fall, after three years of non use. So, as far as the Forest Service is concerned, these are still active permits.

Forest personnel will also tell you that there is one other traditional permit still active on the East side of the Toiyabe Mountains - which is true. The reason that we have not mentioned this other permittee is because of his situation. It seems that there are certain permittees that the Forest Service favors. Whether it is for the purpose of having an example that they can refer to "as someone who is a good operator" or "someone who is cooperative" I am not sure. We do know that in these instances certain permittees get nearly everything they want.

As an example, in the instance mentioned above, the permittee had traditionally run 220 cattle for ninety days, yet this last year he was allowed 400 cattle for a longer season - much of such use being taken on areas where other people were operating no more than three years ago.

I am convinced that once the rest of us are gone it will only be a matter of time until the favored permittees will have their traditional permits canceled as well, for once a traditional permit has been canceled or abandoned, any cloud of title is removed in favor of the United States.

For the purpose of further explanation, note that the map above mentioned, identified as Document 33, covers basically all of three mountain ranges, the Toiyabe, the Toquima, and the Monitor, whereas the area of discussion, referenced in the above paragraphs, was of all of the Monitor Range, all of the Toquima Range, and the Eastern half of the Toiyabe Range. On the West side of the Toiyabe Mountains there are seven additional permittees remaining, all of whom have experienced reductions in use since 1986, most to the tune of 50 percent or more.

For a historical perspective of all three mountain ranges, see Document 34, a report to the Forester dated November 20, 1907,

wherein acting Ranger, Mark Woodruff submitted a list of 50 users recommended to receive permits. Today, in the same area only 11 permittees remain. It is my guess that unless something dramatic happens within the next few months, these last permittees holding traditional use permits will also be gone. (See Document 35, comments of Ranger Tony Valdes as quoted in the Elko Free Press)