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**TESTIMONY
NATURAL RESOURCES COMMITTEE
NEVADA STATE ASSEMBLY
MAY 12, 2003**

**O Q Chris Johnson, Chairman Nevada Committee for Full
Statehood**

**There is no good argument for allowing federal agencies to hold
water permits jointly or separately. No one in a federal agency
seems to have any respect for the importance of water in the desert
but merely wish to control the allocation of water. Whoever
controls the water, controls the land.**

**The ^{NLSA}~~Swainston~~ Amendment which is backed by the live stock
producers in Nevada is a far better piece of legislation
and we urge this committee to accept it in place of the original or
first amended version of SB 76.**

**Wording the Committee for Full Statehood would like to see
amended to the Swainston Amendment is" that no person, entity or**

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agency of the US who can not show beneficial use of Nevada water shall be allowed by the State Engineer to protest allocation of Nevada water. Such protestations shall be disregarded and will not delay the legitimate applicant's request for permit." That way the State Engineer has clear instructions to ignore US agency and other illegitimate protestations.

Remember that the Nevada Legislature makes the laws and the Nevada Supreme Court applies the law to situations they are requested to adjudicate. It is not the function of the Nevada Supreme Court to legislate from the bench which I suspect it did while interpreting the latest round of Nevada water law as it applied to US agencies. It is also not the job of the Legislature to attempt to please the Nevada Supreme Court. Don't be afraid of litigation as threatened by the minions of federal government. In many instances litigation is beneficial. With

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Nevada's strong water laws I would place my money on the state winning the dispute over the federal agencies. Remember we have a new and independent Attorney General who is not an ally to the federal apparatus as was the former AG.

You can all see by the enclosure in my submittal what happens when an agency or agencies of the US are in charge of water for wildlife or whatever other reasons they believe they should have control over Nevada water.

Our western way of life in the rural counties is important to us who have businesses in the rural communities. We want to see the ranching lifestyle remain in existence to suffer change only according to what is determined by themselves to improve their lot in life.

Moving on to the minions of federal government agencies who have chosen to threaten this legislature with letters of contempt for Nevada law and ethics, I can only say that I will forward these

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**letters to the Nevada Attorney General with a recommendation for
an investigation into the practices of the contributing agencies.**

**There are federal laws and state laws, as has been pointed out by
the Chairman of the Nevada Live Stock Association, which govern
lobbying and threats by agents of the US government. I will insist
the Nevada Attorney General pursue these violations of the law
both federal and state, to the full extent.**

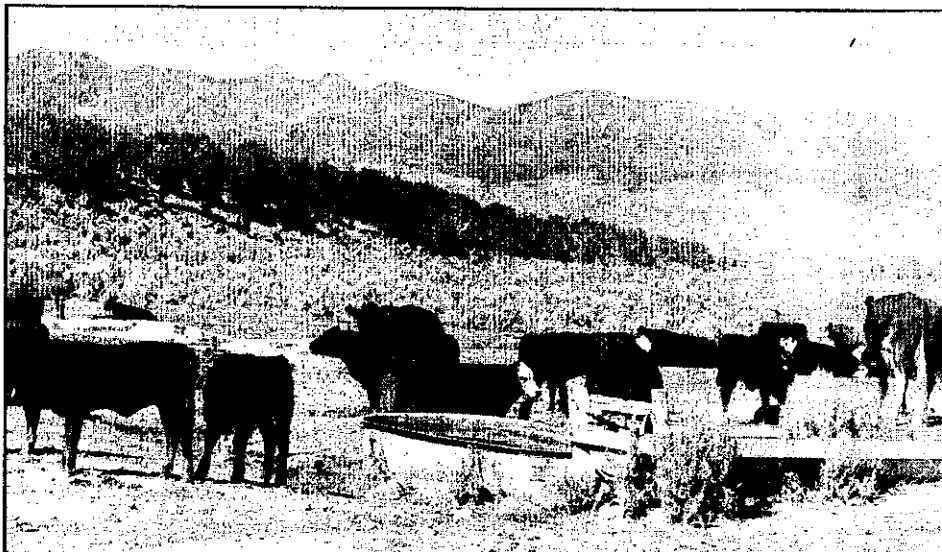
**Actually not enough can be said about the attachment to my
testimony. This is a reality observation and one that will occur with
regularity if the federal agencies are ever allowed to take charge of
any aspects of Nevada water. Federal government has no
conscience, only the desire to expand it's base of power, control and
authority. The only conscience present on the land in Nevada is
what is witnessed in the operations of the people who use the land
for their livelihood and therefore nurture and sustain the
productivity of the desert regions of Nevada. These are the real**

**Stewards of the Land, the livestock producers, farmers and miners
of our great state. Let this legislature preserve and protect the
lifestyle of the Nevada ranchers, farmers and miners by being ever
alert to the intrusion by the federal government into our legislation
and way of life and to deter the encroachment of the US at every
turn.**

Sincerely,

A handwritten signature in black ink, appearing to read "O. Q. Chris Johnson". The signature is fluid and cursive, with the first name "Chris" being the most prominent part.

**O Q Chris Johnson, Chairman, Nevada Committee for Full
Statehood, 775-738-3881**



Three feral mares were found dead earlier this month around a dry water trough north of Bald Mountain. A passerby pointed out that when cattle were in the area (lower picture), ranchers made sure the troughs were full of water.

Lack of water suspected in death of feral horses

On July 7, a passerby pulled a dead feral horse out of a dusty water trough on public land 30 miles south of Jiggs near Pete Holm Spring in White Pine County. He said the pipeline from the spring to the trough had become plugged and the horse died of thirst.

The man saw two more dead horses at the trough the next day and blamed the Bureau of Land Management for the death. He also said he couldn't identify himself because he lives at the mercy of those federal agents.

He explained that the BLM allotment has been used in the past by cattle from Russell Ranches, but the ranch is now in bankruptcy and didn't turn out any livestock this year. Nor did Russell hire anyone to scatter salt or check the allotment's water troughs.

The passerby pointed out that wildlife and feral horses suffer in the absence of ranchers and said he feared more of the same if the government were successful in its attempts to gain more control over public lands through Rangeland Re-

form 94 and its efforts to change the mining laws.

"When the horses got the allotment all to themselves, they died," the passerby observed. He added, "When the rancher is gone, this is what replaces him."

And it wasn't government that came to the rescue of the dying horses either, the man said, but workers from Bald Mountain Mine. They noticed the animals' plight and brought in a water truck to fill the trough. Jerry Fontes, a mine foreman, said some miners planned more water runs as needed.

He noted the pipe feeding the trough also had plugged up a year ago, but a Russell Ranch cowboy took care of the problem.

Steve Goicoechea, who used to run cattle in the area, remarked, "I know where the pipe is. It's easy to fix."

Another man said, "There were a dozen horses standing around here. One was so weak I could walk up to her."

U.S. Forest Service officials, however, have said no horses were observed in the area last week during a

helicopter fly-over. Doug Sorensen, supervisory range conservationist for the Wells Resource Area, said Mitch Bultheis from the Wells office and Joel Stratton, the BLM's wild horse specialist, conducted the helicopter run.

Gene Draais, BLM area manager for the Egan Resource area, explained his office was using helicopters to fly over and count horses on the BLM's 7,000-acre "Buck And Bald" range. He said the count was in preparation for gathering about 1,000-head of excess wild horses as part of the BLM's herd management program.

However, one rancher argued, "It's not the BLM's job to look after wild horses. They're supposed to manage land, not feral stock. The wild horse people should be out here like the cowboys are. Wild horse advocates don't even pay grazing fees, but they collect a lot of money from little children and should hire someone to take care of these sorry animals. ... Dying of natural causes like water deprivation is not very pretty."

Sorensen said Bultheis unplugged the pipe near Holm Spring and got water running again.

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