

Idaho
Watersheds
Project

Watersheds Messenger

Vol. VII, No. 1

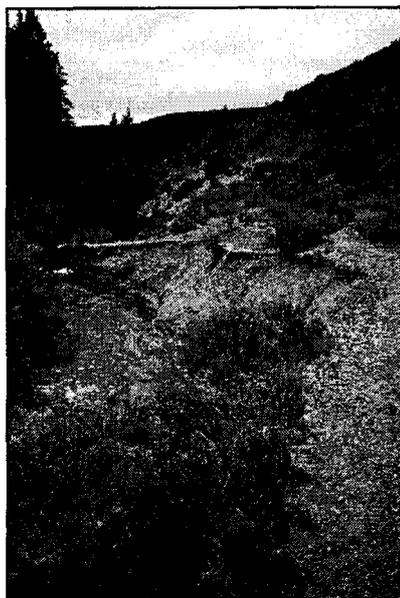
Winter 2000

Working to protect and restore Idaho watersheds

IWP's Perseverance is Rewarded!

After six and a half years of legal and political battling, Idaho Watersheds Project was awarded its first three ten year grazing leases on Idaho school endowment lands ! All of these leases were among the 28 which had been thrown out by the Idaho Supreme Court in a unanimous decision on April 2, 1999. In auctions in September and October of last year IWP was the high bidder for two of the leases and was the only applicant for the Poison Creek lease.

On January 11, 2000, the Idaho Land Board by unanimous votes awarded IWP ten year leases to the 777 acre Cottonwood Creek lease in Ada County, Idaho just 2 miles from the state capitol city of Boise. The Board also awarded IWP the 450 acre Poison Creek lease located in Blaine County about 10 miles southwest of Bellevue, Idaho. In a related decision, the Land Board awarded IWP Board member Kelley Weston two ten year grazing leases on Kelly and Dry Creeks also in Blaine County. These latter two leases cover over 2,500 acres and include an entire headwaters valley on the West Fork of Kelly Creek.



*Jon Marvel, Brian Hanson, Katie Fite and Curry tour the Lime Creek watershed.
Photos by Gary Richardson, Friends of Lime Creek*

On February 8, 2000 the Land Board by a 3-2 vote also awarded IWP the 5223 acre lease on the South Fork of Lime Creek which IWP had won at auction in October 1999. This large lease includes four miles of the South Fork of Lime Creek as well as several miles of a number of tributaries including Hearn, Salt Log, Ear, Roanhide, Hole-in-Wall and McCarter Creeks. These creeks provide remnant habitat for threatened bull trout and

have been degraded from negative impacts from badly managed cattle. The cattle in question belong to the Diamond A Live-stock company of Gooding, Idaho owned by the Faulkner family which is one of the largest grazing permittees on Forest Service land in the U.S.

IWP has reached an initial agreement with the Forest Service to eliminate over 600 AUMs from the Middle Fork-Bremner Allotment which incorporates this South Fork of Lime Creek school land lease and to consider more stringent riparian terms and

conditions for streamside grazing.

IWP also was successful in winning a third auction on February 4, 2000 in Idaho Falls for the 640 acre Lake Creek lease which was the very first lease applied for by IWP in September 1993. The auction was scheduled because for the second time this lease was overturned by the Idaho courts. Rancher Gary Ingram opened the bidding for \$100. and IWP won the auction with a bid of \$2,000. While Rancher Ingram has until February 24 to appeal the auction, IWP believes that we will receive this lease also.

This remarkable turnaround in IWP's fortunes confirms that our mission in regard to the leasing of school endowment land grazing leases was a correct strategy from the very start of our organization and has met every legal and constitutional requirement.

The real lawbreakers over the years have been the Idaho Board of Land Commissioners and the Idaho Legislature, who finally have been held accountable to their fiduciary and constitutional obligations. This is truly a moment to savor and enjoy !



Keeping Track

By Katie Fite

A winter blanket of snow offers a chance to gain new insights into the landscape. Nuances of wind patterns are revealed in drifts and scallops on the surface. From overhead, the patterns of stream courses on the land stand out as clearly as they do on topographic maps. The story old in animal tracks can be read.

Tracks are enchanting. Under the right snow conditions, they provide us a window to recent happenings in the animal community. Looking at tracks, we humans experience, in a visual way, what a dog, coyote or other olfactorily well-endowed creature experiences every day in passing over the landscape. A record of who has been where, and what they were up to. We can see that yesterday coyote loped across the flat, defecated to mark his path, zigzagged to check out a brush clump for rabbits, then sat down and lulled in the afternoon sun by a rock outcropping.



Animal tracks also tell us about the condition of the land beneath the snow. An overgrazed stream reach where the cows have left only mowed, trampled banks and a few haggard willows will be a glistening expanse of unblemished white. A place to study snow crystals perhaps, but not a place to study life. The best that can be expected is sets of tracks where a mouse or two has ventured onto the surface, or perhaps a coyote, making his wide-ranging rounds, may have passed quickly through. There will be no sign of a cottontail foraging out from an underbrush rose thicket, no sashay marks of quills as a low slung porcupine pads from tree to tree: The lack of winter animal life mirrors and lets us see into summer emptiness. No song sparrows and yellow warblers will be heard here in June, either.

Compare this to the clutter of tracks by a stream lined with willows and jumbled thickets of roses, serviceberries, elderberries, or an upland area with thick sagebrush cover. There will be mice, rabbits, weasels, coyote, perhaps grouse, bobcats and others.

With a little effort anyone can look at the winter landscape and gain a new understanding of the signs of grazing damage to the land and ecosystem. While cross country skiing, snow shoeing or walking on not-too-deep snow, pay attention to minimal tracks and signs. Where are they? Or, driving a plowed rural road, stop by a drainage devoid of trees and shrubs. Then, stop by a streamside bush patch, and look for tracks. It's easy to tell where nobody has a place to call home in any season. With luck in your travels, you may see vignettes from daily life in the

animal community - A bounding set of paired weasel tracks cutting across a rabbit's hops, then tufts of fur, bits of blood, where the cottontail was ambushed by the edge of the rose thicket. Imagine



the tussle, and the mewling scream of the cottontail as the weasel held its throat. Or perhaps follow the even, methodical steps of sage grouse on a ridge, as they emerge from snow roosts in the morning and meander feeding from sagebrush to sagebrush, and then be surprised by the graceful ending to the tracks in a perfect snow impression of wing feathers as birds fly away.

The special, joyful sight of an otter slide in the snow can offer reassurance that fish still live in the stream, that stripping of vegetation by grazing has not caused lethally baking summer water temperatures. As you venture outside in the winter, remember where you see signs of life in the snow. Reflect on why the animal is there.



Biologist Katie Fite of the Committee for Idaho's High Desert (CIHD) is a former IWP Board Member.

Musings of a Monitor

by Janet O'Crowley

When I survey a common scene
Where numerous bovines have just been
Munching bushes, plopping in between
At a streamside once pristine. . . .
Then I wonder, as in a dream
What do cowboys really mean

When they chant in unison serene
"It's better now than it's ever been."
Scruple for some stubble, however lean
Or scan a streambed for a gleam
Of sandy bottom anywhere, I mean
Standards and Guidelines sag there will be green.

Jess

by Gary Yates



"Jess" is a novel about a modern-day cowboy concerned about the public lands in the west being abused by greedy ranchers who care nothing for the environment. For several years he has been working for P.T. Grabal, a Nevada cattle rancher who has a grazing allotment on land managed by the Forest Service. In the following excerpt Jess has just moved up to a cow camp, where he is preparing to receive a large number of cattle that will be in his care for the season.

Chapter 9

Jess worked on the drift fence all day Sunday. When he got back to the camp there was a note on the kitchen table. Lou, the cattle foreman, had been there earlier in the day and left, along with the note, two loaves of freshly baked bread, compliments of the cook down at headquarters. The note was to inform Jess that the men would be starting up in the morning with the six hundred head of yearlings that were to be put on to the allotment for the summer. They planned to arrive with the cattle at about mid-morning on Wednesday.

During the next two days he worked steadily on the fence. There were only two more places where the snow had drifted deep and heavy on the fence line. The wires were off the posts and lying tangled on the ground. It took time to splice them and reset the posts, but by late Tuesday afternoon he had completed the final steep section and he had reached the forest boundary at the river where the fence ended, just a half mile upstream from where he, Maureen, and Kathy had eaten their picnic lunch a few days before.

On Wednesday morning, after a breakfast of sourdough pancakes and bacon washed down with cups of black coffee, he saddled a young sorrel gelding, a horse he had broken only last winter. As he was buckling the rear cinch, he heard the sound of a vehicle and looked down toward the lake to see a green, Forest Service pickup pulling a horse trailer. It was coming up he road toward the house.

When it came to a stop next to the corral, a uniformed 'anger got out and greeted Jess.

"Ready for another season, eh Jess?" The ranger walked over to the corral gate.

"Hello, Bart," Jess said, opening the gate. "How did you winter?" Bart was the man in charge of the grazing district and he and Jess had worked with each other for the past three seasons. Bart was always present when the cattle were turned onto the allotment.

"Had a lot of office work, as usual," Bart replied. "I don't know what we'd do in the wintertime without paper work. How about you?"

"Same ole routine. Halter broke a bunch of colts, broke a couple of three-year-olds to ride."

"I've got some good news, Jess," Bart said. "We worked up he results of the grazing studies I've been doing, and thanks to your work and cooperation, this system of keeping the cattle up high is improving the range along the creeks one hundred

percent. I hope that these results will help convince the rest of the ranchers I work with, as well as some of the dinosaurs in my office, that they'll be better off following the new guidelines."

"I'm glad to hear that it's paying off," Jess said. "But you know how some of these old timers are. They're so stubborn and set in their ways, that if they fell into the river, they'd float upstream. They only know one way of doing things and they don't like to be shown that they're wrong."

"I know," Bart said. "Most of the ranchers seem to understand that this program is for their own good, over the long haul, and they've really been supportive. Your boss, and one other old rancher that I deal with, are the only two that are causing problems. I'm sure that those two have written to their representatives back in Washington, complaining about the way things are going here. They don't seem to realize that this program is the law now and that it's for their own benefit. When I do leave this position, whoever takes my place will have to enforce the same rules, so I don't know why they don't just accept the fact that times are changing. I'm glad that you're open minded enough to help us initiate these new regulations."

"I enjoy working with you, Bart," Jess said. "A man with only one eye could see what's happening to this country because of overgrazing. I believe in what you're trying to do here, even though the man I'm working for doesn't."

"I hope he doesn't hold it against you for helping to prove that the Forest Service is right in this," Bart said.

"I don't know how he feels about me," Jess replied, "but he's sure made it plain how he feels about the range management plan. He said his dad could come up here every spring, take one quick look at the range, and tell how many head of cattle it would handle for the season. They ran over nine hundred head here each summer. Of course, as you know, when they came off in the fall, there wouldn't be a blade of grass standing, and the bottom areas along the stream beds would be nothing but bare dirt. Next year there would be a great, new growth of brush and weeds, and less grass. When you cut him back by three hundred head, he had a fit."

"You've worked for a lot of ranchers in your time, Jess. Were they all the same as some of these old timers around here are in their thinking?" Bart walked around to the trailer and opened the back end.

"No, some of them take good care of the public land. But some of them either don't know or don't care about conserving it. It's a situation where the land is being managed for the short term benefit of a few leaseholders, rather than for the long term benefit of everyone."

They stepped back as Bart's horse backed out of the trailer. He picked up the dragging halter rope and led the horse around to the bed of the pickup.

"And it doesn't always stop with the grass either," Jess continued. "I remember when I got back from my hitch in the military, I went back to work for an outfit in Wyoming that I had been working for when I enlisted. A few days

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after I got back, I was out checking on some cattle and I met a neighboring rancher who was driving along in his pickup. He stopped when he saw me and we visited for a while. He told me he had shot and killed sixty five antelope that spring. Said he had poisoned their carcasses with coyote poison. Sixty five antelope! I couldn't understand it. How anyone could get away with doing something like that and then brag about it. He said the government trapper didn't seem to be able to get the job done, so he just thought he'd help him along a little bit. He leased a lot of public grazing land and it costs him practically nothing to run his sheep and cattle on it."

Bart whistled softly and shook his head. "They're digging their own graves," he said as he led his horse away from the trailer. "People who aren't even involved in ranching are beginning to realize that these public lands belong to them and they're not going to stand for individual leaseholders ruining it, and the wildlife on it, just for their own gain."

Jess nodded in agreement. "You know how some ranchers will post their land and keep all the hunters and fishermen off just because one or two of them don't know enough to close a gate behind them? Well, I can understand why they do that. It causes a lot of extra work when someone leaves a gate down, so they figure the easiest way to solve that problem is to keep everybody out. I think that what they need to realize, though, is that the day is fast coming when the public will want to keep all the cattle and sheep off all the public lands just because a few of the ranchers don't know, or don't care, enough to take care of it."

"I wish they all thought the same as you," Bart said.

"Well, I don't want to come across like sour grapes," Jess replied. "I've made my living from livestock, too, but what's right is right, and what's wrong is wrong."

As Bart was bridling his horse, they could hear the sound of cattle down by the lake. The first of the yearlings were coming through the gate below the horse pasture. They mounted their horses and then rode down to meet them.

"I suppose you've heard about the movement that's now under way to turn some of the public land over to the ranchers," Bart said, looking at Jess.

"I've read a little about that," Jess said, "but I didn't think anybody would take it seriously."

"Well, there are some western politicians who are siding with the takeover groups," Bart replied. "The people who are advocating this land grab are serious about having the government just give the land to them simply because they've been leasing it to run livestock on. They've used it for so long that they think they own it."

Jess took his hat off and wiped his forehead with a shirt sleeve.

"I get a little behind on the news living out in the country like I do," he said, "but I try to keep up with things that are happening by listening to my old, battery powered radio. And when I go to town, I bring Jack a few news magazines to read. I read a lot, but it's a real problem to try and stay abreast of current

events."

They had reached the lake and a flock of mallards, swimming by the reeds, watched as they rode along the edge of the water.

"I know," he continued, "that a lot of folks in agriculture want the government to get out of their lives. Not all of them feel that way, but enough of them do. The funny thing about it is, I think a lot of them would go out of business in a hurry if the government really did get out of their lives. I know that agriculture is heavily subsidized. Besides being able to lease all this land for practically nothing, they can also get low interest loans, free animal health programs, predator control programs, funds for building fences, the list goes on and on, and taxpayers like you and me are paying for all of it."

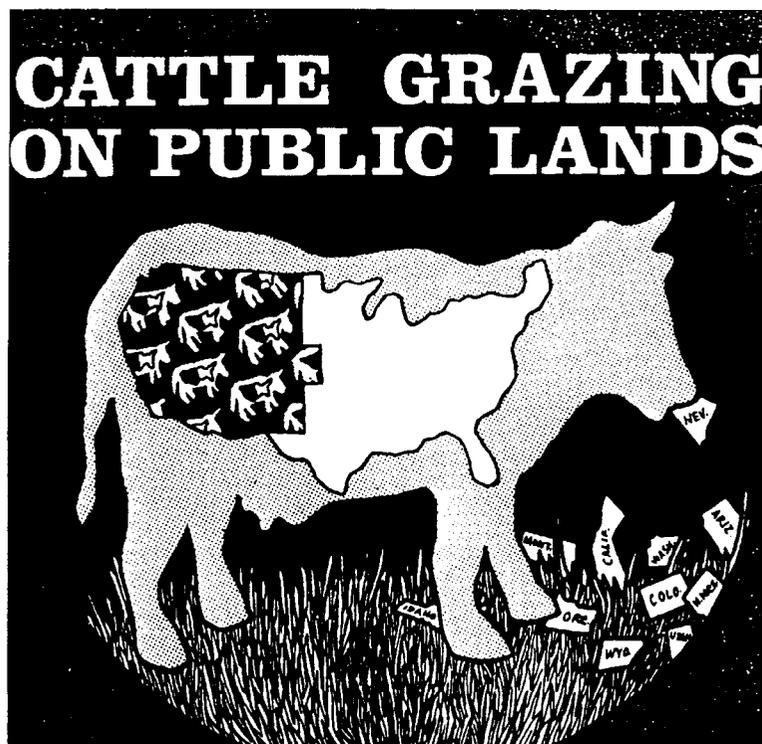
Bart smiled. "You're the only cowboy I know that's willing to speak up for what he thinks is right. Any time you want a job with the Forest Service, let me know. I know a few folks who would love to have you helping them."

"Thanks," Jess laughed. "Maybe someday I'll take you up on that."

"Have you ever talked with the rest of the crew about the way you feel about this?" Bart asked.

"No, I haven't. I don't think that most of them ever think about things like that, and I'm not sure whether it's because they just don't know, or that they don't care. I think they just don't realize what's happening. You know, we aren't really made to understand, in school, that each of us sort of has a share in the more than seven hundred million acres of public land in this country. We learn that it's there, but we don't learn that it's up to each of us, as individuals, to help protect it. I think most of the men on these outfits think of all this leased land as belonging to the rancher they work for and not to them."

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© from "Waste of the West" 1991, Lynn Jacobs. Used with permission.

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Bart nodded in agreement. "Well, Jess, this might or might not surprise you, but a few of my supervisors are a lot like some of the ranchers you've been talking about. I'm sure you've read about the problems the government agencies are having in trying to clean up their own acts. We've got people who don't like change either, and they are pretty set in their ways. The difference is that they will be out of their positions when they retire. It's not like they're passing their philosophies down to be accepted blindly by the next generation." Bart turned in his saddle and looked at Jess. "This might sound a little corny to you, but believe me, it takes people like you and me to change things. It won't happen overnight, but it will happen."

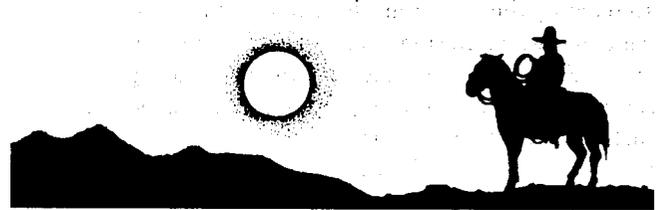
As they approached the gate below the lake, they could see the first of the white-faced yearlings coming into sight. A horseman galloped on ahead to the gate, opened it and laid it back against the fence. He saw Bart and Jess, waved, and wheeling his horse, rode back to guide the leaders through. Jess and Bart returned his wave and moved off to the side to let the leaders by.

The cattle were not thirsty so they ignored the water in the lake. They walked at a leisurely pace, a few stopping now and then to take a quick mouthful of grass, then

rejoining the others without any urging from the riders that rode along the herd's flank. Jess and Bart rode beside the leaders and guided them toward the gate in the drift fence just above camp where Bart would count them as they filed through and onto the allotment. He sat his horse on one side of the open gate and Jess was opposite him while the cattle walked single file between them. Both men counted the cattle, and each time he reached one hundred, Jess tied a single knot in one rein. When the last of them had gone through the gate, the five horsemen; that had trailed them up, greeted Jess and Bart.

"There's your work for the summer," Shorty said as Jess closed the gate.

From *Jess*, a novel by Gary Yates, an IWP Member front Redmond, Oregon. © Gary Yates



A "Cow Tale"

from Sandra Smyth Hyde of Ketchum

A few days ago I WAS sitting alone with my dog in the field by the East Fork of the Salmon, mid-morning, enjoying the beautiful colors as the sun was rising over the mountains. It was so beautiful I had taken out my camera and snapped some pictures of the willows and mountains. I had brought along some reading material that I had been collecting, waiting for the peaceful time when I could relax. This was the morning.

I had set up my little Coleman stove, made my morning coffee and was just sitting, reading. Suddenly my dog, Lilly, started harking and as I glanced up a HUGE black cow (Angus?) emerged from the willows nearby. She took one look and trotted towards us. As she got closer, I retreated, turned off the stove, and tried to shoo her away. She kept coming so I got in the horse trailer I keep for storage and banged the metal doors. She approached my chair, knocked the reading material to the ground, and proceeded to EAT the articles, one by one. I yelled and banged and flung my arms-annoyed because I had not had a chance to read all of them yet. For dessert she picked up an issue of Newsweek on the impact of the electronic revolution, shook it till it fell apart, and devoured it! She then sauntered over next to me in the trailer, snorted into my coffee pot, and trotted off northward. Lilly and I carefully emerged from the trailer, inspected the area, and found only the Newsweek subscription card remaining on the ground. Somewhat shaken by this enormous black energy invading my space, I went over and walked the labyrinth cut into the high grass. Reflecting on the experience, I paused at the center, glancing upwards at the moment two golden eagles soared along the face of the big red rock wall I call "my guardian."



Devouring the evidence (note chair legs dwarfed by the huge bovine), East Fork Salmon River, Fall 1999. Photo by Sandy Hyde.

Soil Crusts & the Sagebrush Steppe

By Miriam L. Austin



An important component of the sagebrush steppe ecosystems are the biological (cryptogamic) soil crusts. Found in arid and semiarid regions throughout the world, biological soil crusts perform a variety of vital roles. These crusts are made up of communities of lichens, mosses, fungi, algae, and cyanobacteria (blue-green algae). In ecosystems of the Western Hemisphere, such crusts can account for as much as 70% of all living ground cover.

A major function of this living soil crust is that of reducing erosion on desert and steppe rangelands. Individual soil particles are bound together by material secreted by the organisms. Resistance of a soil to both wind and water erosion is enhanced by the presence of the soil crusts. Soil crusts also influence vascular plant germination and survival rates. By stabilizing soil, burial of large-seeded plants such as Cheat Grass (*Bromus tectorum*) is naturally limited. The crust organisms also contribute nitrogen and organic material to the soil; especially important in desert ecosystems where productivity is limited by available nitrogen.

The presence and condition of biological soil crusts are a key indicator to the health of a particular ecosystem. Unfortunately, many activities are not compatible with the health of our soil crusts. Biological soil crusts have little resistance to compressional stress, especially when dry. Crusts are greatly impacted by hikers, livestock, and vehicles. Fire also poses a serious threat to biological soil crusts. (See accompanying figures.)

The majority of losses of biological soil crusts are from over-utilization and mismanagement of livestock on public lands, followed by fire and recreational abuse. Impacted soils are highly susceptible to wind and water erosion. Exotic annuals can move easily into the areas once occupied by the soil crusts. This



Crusts incinerated by escaped BLM burn, and the beginnings of erosion. Wilson Gulch, southeast of Goose Creek and the Oakley Reservoir. Burley BLM land.

enables exotics such as Cheat Grass to invade existing native communities. The loss of biological soil crusts in both wildfire and controlled burns also contributes to invasion by exotic species.



Soil crusts damaged by cattle. Silver Hills Spring, Black Pine Division, Sawtooth National Forest.

Biological crusts are generally slow to recover from disturbances. Recovery depends on the timing of the disturbance, rainfall, soil type, and the extent or severity of disturbance. Unstable soils in areas of low rainfall may take up to 1000 years to fully recover. Other more stable soils with greater rainfall may recover more rapidly. Sites subjected to severe range fires, such as one site studied in Southern Utah, still lacked cryptogamic development after 37

years.

Losses of the vital soil crusts and the accompanying results have effects that ultimately will impact the lives of all of the organisms in an ecosystem. The loss of soil crusts also contributes to erosion, to sedimentation of our streams and waterways, to loss of range and forest productivity, and to degradation of our environment in general.

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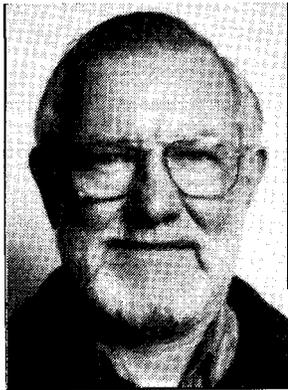
IWP Member Miriam L. Austin, a biologist/botanist from Oakley, Idaho.



Damage to soil crusts and establishment of erosion processes, through off-road recreation. Burley BLM land, north of Oakley Reservoir.

Public Lands Ranching Rip-Offs - Some Details

by Gene Bray



Major John Wesley Powell, 1879

"Though the grasses of the pasturage lands of the West are nutritious, they are not abundant; as in the humid valleys of the East. Yet they have important value. These grasses are easily destroyed by improvident pasturage, and they are replaced by noxious weeds. To be utilized they must be carefully protected, and grazed only in proper season and within prescribed limits.

[T]hey must have protection or be ruined. . ."

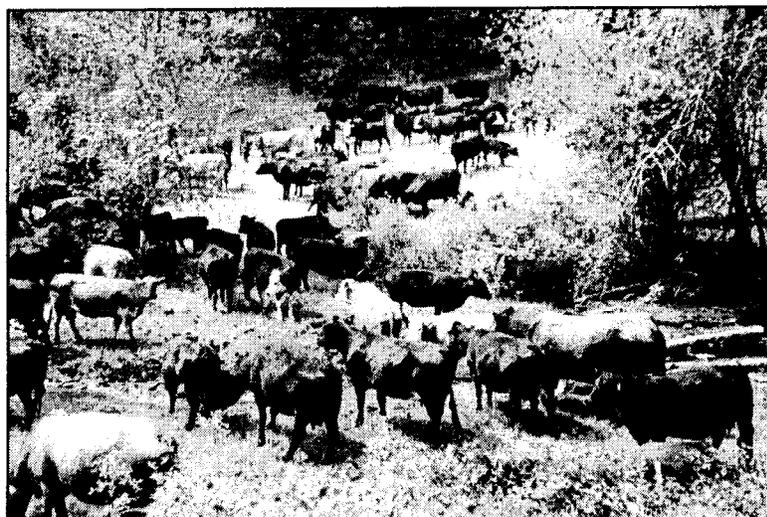
This statement is one hundred twenty years old, yet still a new, novel idea with many of the managers and most of the users of public lands in the eleven western states. Here are some points to consider, with this warning: this analysis was prepared by an engineer who knows absolutely nothing about cows except how they taste, what they eat, where they congregate, and how their presence everywhere affects our public lands!

About 135,000 cattle are slaughtered in the USA each day. (Source: Sam Albrecht, Executive Director, National Bison Association.)

Idaho AUM (Animal Unit Month-enough forage, about 800 pounds, to feed a cow-calf pair for one month that currently costs \$1.35) preferences in 1998 on BLM lands were \$1,338,919, even though grazing fee receipts only totaled \$1,647,000. At \$1.35 this is payment for 1,220,000 AUMs. This lesser harvest is likely due to voluntary nonuse and some "pay as you go," actual use contracts. (Source: Public Rewards from Public Lands, Idaho 1999. This is the BLM's self-generated report card for fiscal year 1998. The General Accounting Office's assessments of the BLM's accomplishments are often less complimentary.)

If one allows for 5% of the AUMs purchased as forage for sheep, the equivalent cattle carried (or AUs if you prefer) that year were 96,600, using 12 AUMs equal to one AU. (The 5% credited to sheep usage is a guess that the state sheep count couldn't be more than about one-fourth the cow count. This is confirmed by my field trips with Katie Fite where we step in cow poop at least ten times more often than those cute little sheep pellets.)

Calves graze for free for 6 months provided they are turned out onto public range before the age of six months. Yearlings weigh in at

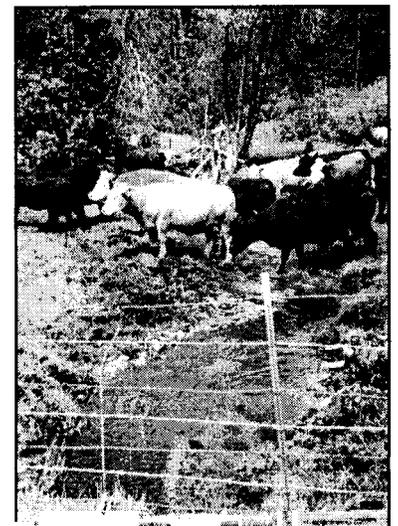


about 650 pounds and require additional supplemental feeding for three to five months to reach a slaughter weight of about 900 pounds. The length of finishing time required is related to the quality and caloric content of the feed. A net caloric supply equivalent to 9.8 AUMs is required to convert a weaner calf into a "light feeder." The 9.8 is approximately 4.5 AUMs in the 350-650 pound range, plus about 5.3 AUMs to advance (in confinement) from 650 to 900 pounds, all calculated from weight/net-calorie/gain tables. (Source: Beef Production: Science and Economics, Application and Reality [sic] by D.P. Price, 1981.)

The six months spent roaming the riparian areas looking for a net 4.5 AUMs forage could require a one-third premium in calories for an addition of 1.5 AUMs plus the lactating cow consumes extra forage just keeping track of the little bugger. All this easily totals the caloric content of one "official" AU consumed over the 15 or so months between birth and slaughter.

Allowing for bulls, mother and barren (aka "cold") cows, perhaps 45% of the 96,600 AUMs or 43,700 animals of this theoretical, paying herd could be slaughtered each year. This suggests Idaho beef from BLM lands would supply one-third of one day or about 0.1% of the national beef supply.

Those slaughtered would be mostly "light feeders" but also some retired brood cows substituting for retained younger stock. If 15% are utility cows (and commercial bulls-*phew*, them suckers taste terrible and even though they weigh up to 80% more there's only one per thirty-five cows and they auction for less per hundredweight, so I'm going to ignore them, just like the Census Bureau) at 1000 pounds and \$43.50 per hundredweight, the income is \$2,850,000. The other 85% "light feeders" at 900 pounds and \$92.50



Photos of the Okanagan Valley, Washington overrun with cattle, by IWP Vice President, Don Jobson.

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per hundredweight yield about \$31 million for a grand total of a rounded-off \$34 million. (Source: for cattle prices-The Idaho Statesman, January 27, 2000, Market Roundup, commodities markets, Producers Livestock in Jerome, page 5D.)

Now above is where I'm going to catch hell. The ruling cowboy junta and their hangers-on maintain that 80% of Idaho's cattle are critically dependent on public lands forage at some time of the year. If that were true, we'd need to replace cattle guards with revolving doors just to get them on and off at the specified time, which probably is expecting a lot. In these days of "artificial intelligence" and "virtual reality," it seems most folks could swing with the concept of a "theoretical herd" out there 100% dependent on public forage, trashing our riparian areas instead of four cows out of five in the state 10% dependent, muddying their hooves in your grampa's favorite trout creek.

This level of production was "facilitated" by BLM in fiscal year 1998 by an "investment" of \$49,317,000. (Source: Public Rewards from Public Lands, Idaho 1999.) After allowing that 5% of this magnificent sum was for sheep, and perhaps an additional 5% maximum for all other BLM land-use values, including wildlife: we arrive at a "cow friendly" \$44.4 million. Not surprisingly, this equates to roughly \$1000 per head, that sell for a weighted average of less than \$800 each! Spread over the 2040 permits and leases, this investment represents almost \$22,000 annually for each operator engaged in "getting the cud out." Folks in less affluent countries would probably say, "Whoaaa," (or whatever they say in those countries) "why don't we just stop all this administrative and landscape altering make-work; cut the bureaucratic ritualism crap; save the forest of trees by dowsing all the MFPS, AMPS, EAs, EISs, LAMPS, ad nauseam; stop all the life-style oriented posturing and drudgery by the permittees and especially their wives; eliminate trips to the bank's loan officer; drop all the court

cases, protests and appeals; make the ne'er-do-wells in the conservation organizations find real jobs; put agency people to work on public jobs where tangible results can be realized in less than one lifetime; disband the Animal Damage Control corps and their helicopters; and just BUY THOSE THEORETICAL COWS from the permit holders???"

This would be tantamount to paying the ex-permittees to NOT ravage our public lands and watersheds. In the words of Senator Larry Craig, this would be a real win, win, win solution, even for the resource, the wildlife, the sportsmen, the recreationists, the cowboys, the taxpayers and all the obligates of the arid, sagebrush steppe lands in Idaho and the Great Basin.

It would be interesting to compare the per capita benefits afforded the some 25,000 public lands ranchers in the country against the expenditures per capita to provide medical care for veterans with service related disabilities and retirees, including their pensions, from the military services of the USA. Homesteaders, dryland farmers, and public lands ranchers are sort of an unofficial indentured army that were gulled by the railroads, banks, speculators, politicians, and writers of the day, with outrageous promises of the good life and wealth if they took on the challenge of subduing nature in the western states. The reality and lesson of the last hundred years is that most of the lands promoted for such uses were unsuitable and easily damaged. Losses of native species, topsoil, biodiversity, biomass recycling, watershed functioning, water quality, and so on have truly been staggering. The American people can no longer support a continuation of the misguided and largely discredited public land use practices of the last century.

IWP Board Member and GPS Coordinator Gene Bray lives in Meridian, Idaho.

Now You Can Say "I Gave at the Office"

by Gene Bray

Did you know that you can support Idaho Watersheds Project (or many other nonprofit organizations) through your workplace giving program? It's easy... here's how:

IWP is a member of Community Shares of Idaho, a nonprofit fund-raising effort in support of 22 different Idaho-based charity organizations. Community Shares participates side-by-side with United Way in various workplace giving programs. If you are a Federal, State, Boise City, Ada County, Boise School District or Meridian School District employee, just look for the Community Shares of Idaho listing in your fall campaign materials and designate your donation to the organization of your choice on your donor pledge card.

If you are employed by some other public entity or a private business, and your employer conducts an annual United Way campaign, you can still designate IWP as the recipient of your donation by writing us in on the donor pledge card-United Way will send us your donation (after

deducting administrative fees).

Please take advantage of this easy, painless way to designate

IWP as your charity of choice. For more information on how you can contribute to Community Shares of Idaho and IWP through your workplace giving program, or for more information on STARTING a workplace giving program at your business, contact Gene E. Bray at (208) 888-3293 or e-mail gbray@primenet.com.

Many thanks to everyone who designated IWP in last fall's campaign for year 2000 donations!



News Briefs

Another Victory in Court

On October 18, 1999, Idaho Fifth District Court Judge Roger Burdick struck down a 1997 ruling by the Idaho Land Board which had awarded a grazing lease of 640 acres in Custer County, Idaho, to a rancher who bid \$10 to IWP's bid of \$2,000. In a remarkable setback for the Land Board, Judge Burdick also awarded IWP all its legal costs and attorney fees in his Order to Remand. The Judge also intimated that while he was statutorily prevented from awarding IWP the lease, he was concerned that the judiciary was blocked by the current Idaho Administrative Procedure Act (IDAPA) from so doing in this and similar cases in which the "bureaucracy" could stall indefinitely by simply carrying out illegal procedural matters over and over again while judges were prevented from cutting through their behavior to end abuses of law. Judge Burdick determined that the Land Board had acted in contravention of law and the Idaho Constitution and in an arbitrary and capricious manner and in abuse of their discretion in awarding the grazing lease to Gary Ingram.

Long term supporters of IWP will remember that this 640 acre lease which includes one mile of Lake Creek, a Chinook salmon spawning stream in critical habitat for this listed species, is the very first one applied for by IWP in September of 1993, and that this is the second time an Idaho court has overturned the Idaho Land Board in regard to this lease. In 1996 the Idaho Supreme Court determined that the Land Board violated the Idaho Constitution by awarding this lease to Will Ingram even though he refused to bid at the auction. The Idaho Supreme Court ordered the auction which ultimately has resulted in today's decision by Judge Burdick. IWP is grateful to our attorney, Laird Lucas of the Land and Water Fund of the Rockies, who will deservedly receive the award of attorney's fees from this case.

Auction News

On September 28, 1999, Idaho Watersheds Project outbid Idaho mega-sheep rancher Brad Little for the right to a ten-year lease on 777 acres of Idaho school endowment lands near Boise, Idaho. This lease and the two Simplot leases mentioned below were among the 26 thrown out by the Idaho Supreme Court in two unanimous decisions in April, 1999. The lease, on two parcels (80 acres and 697 acres), includes almost two miles of Cottonwood Creek within two miles of the city limits of the Idaho state capitol. Rancher Little's family owns over 50,000 acres of private property in southern Idaho and holds grazing leases to more than 200,000 acres of federal land. Little is also a current board member of High Country News (HCN), a biweekly which focuses on western public land and related issues published in Paonia, Colorado. HCN often supports sustaining public land ranching without regard to the public cost of doing so. Little opened the bidding for \$100 and the bidding ended with the winning bid by IWP for \$1,500. Little declined to state if he would appeal the auction to the Idaho Land Board within the 20-day appeal period. In all previous

auctions in which IWP has been the high bidder, the losing rancher has appealed the auction results. In all those cases the Land Board has awarded the lease to the rancher and not IWP.

On September 29, 1999, IWP was outbid in two auctions by Simplot Livestock Co. President Tom Basabe. Simplot Livestock is a small part of the \$3.8 million business empire of potato king J.R. Simplot, who recently celebrated his 90th birthday. The two leases of 640 acres and 160 acres included over two miles of tributary streams of the Bruneau River, Sheep Creek and Marys Creek. IWP was outbid for the Sheep Creek lease after several raises in the bidding by a bid of \$2,000 to IWP's final bid of \$1,950. Simplot won the Marys Creek lease with a bid of \$1,500 to IWP's final bid of \$1,400. The latter lease is unusual in that Simplot Livestock Co. cattle do not graze the lease, which is located in an allotment permitted to another centimillionaire rancher, Pete Jackson of Tuscarora, Nevada. Basabe did not provide an explanation as to why Simplot would bid \$2,000 for a lease his company's cows do not graze.

These three auctions do provide an indication that ranchers are now realizing that they must bid for conflicted grazing leases or risk losing them permanently. The auctions also reinforce IWP's long term contention that public lands ranchers will pay more for forage than they now are obliged to pay. Simplot will now be paying approximately \$10 per AUM for the school land grazing leases, or 7.5 times the fee charged on adjacent federal land.

Mountain Springs Ranch, owned by Mary Hewlett Jaffe, the daughter of Hewlett-Packard founder, William Hewlett, appealed the grazing lease auction the ranch lost to Idaho Watersheds Project on September 9, 1999. Readers will recall that the ranch bid \$200 for 2,560 acres of Idaho school endowment land grazing leases within the 100,000 acre Mountain Springs allotment located on BLM land in the East Fork of the Salmon River watershed in central Idaho. IWP won the auction with a bid of \$1,200. The grazing lease includes critical habitat streams for Chinook salmon and ocean run Steelhead trout which have been historically abused by cattle.

The ranch, which is the largest public lands ranching operation in central Idaho, listed four reasons for its appeal: 1) "the costs of the lease are too high;" 2) "Inadequate competitive bids;" 3) "Devaluation of other school trust leased lands in the allotment;" 4) "The ranch's positive historical range management practices."

On October 7, 1999, IWP won two auctions in Gooding, Idaho for Idaho school endowment land ten-year grazing leases which had been thrown out by the Idaho Supreme Court in April, 1999. These two leases are contiguous and include 3,900 acres in the South Fork of Lime Creek watershed in Camas County, Idaho. This watershed is currently being inventoried by the Forest Service, BLM, and the Idaho Department of Fish and Game for the presence of bull trout which is currently listed as threatened under the Endangered Species Act. Livestock owned by the current

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News Briefs (continued)

permittee (Diamond A Livestock of Gooding, Idaho, which is one of the largest Forest Service permittees in Idaho) have degraded the main stem of the South Fork of Lime, Creek and various colorfully named tributaries such as Hearn, Ear, Roanhide, Hole-in-Wall, McCarter, Neteie and Salt Log Creeks. This degradation is acknowledged by the Idaho Department of Lands in its assessment of current conditions on the lease.

IWP won the smaller of the two leases with a high bid of \$70 (1,300 acres) and the larger (2,600 acres) with a high bid of \$1,800. The bidding was spirited. IWP was informed that Diamond A Livestock does not propose to appeal the auction; instead, they will rely on Open Range Law to permit them to trespass their cattle on the lease if it is awarded to IWP.

IWP proposed a management agreement with the Forest Service (which has historically managed these state lands as part of the much larger Middle Fork/Bremner Allotment) which will reduce Diamond A's Forest Service permit by 150 cow/calf pairs. The Fairfield Ranger District of the Sawtooth National Forest indicated a willingness to initiate such a cut in numbers of livestock when IWP is awarded the lease!

Rancher Brad Little Loses Auction, supports IWP's Victory

At a three person panel (which also included IWP's Jon Marvel and WSU Professor, Linda Hardesty) on collaborative management and the future of Idaho's rangelands held November 18, 1999 at the University of Idaho Law School Court auditorium, mega-sheep rancher and High County News Board Member Brad Little affirmed in front of 300 people that he would support the auction victory of Idaho Watersheds Project for a grazing lease of 777 acres he formerly held near Boise, Idaho. Rancher Little had not appealed the auction he lost, but the Idaho Department of Lands staff had recommended that he be awarded the lease anyway.

Injunction Against Cattle Grazing in the Owyhee

On November 18, 1999, Federal District Court Judge James Redden of the Oregon District issued an injunction barring 27,000 AUMs (about 5,500 cows with calves for a 5-month period of use) of grazing use in the Owyhee Wild and Scenic River corridor. In this lawsuit filed by five conservation groups (the Oregon Natural Desert Association, the Committee for Idaho's High Desert, Idaho Watersheds Project, the Oregon Natural Resources Council, and the Oregon Wildlife Federation), Judge Redden had ruled earlier that the BLM was in violation of the Wild and Scenic Rivers Act for failure to analyze the effects of livestock grazing on the special attributes of the Owyhee River and several tributaries in Oregon. Judge Redden stated, "Continued degradation (by livestock) of the areas of concern within the river corridor constitutes irreparable

harm." The Judge also concluded that the economic effects of the injunction would not be irreparable and would constitute a "negligible" overall effect on the income in Malheur County, Oregon.

IWP applauds the excellent work on this case of attorneys, Jack Sterne and Stephanie Parent, and the on-the-ground truthing of biologist Katie Fite.

This is a great victory which will protect a compellingly beautiful place.

IWP Applies for a Special Lease to Protect Columbia Spotted Frogs

Idaho Watersheds Project has applied to the Idaho Department of Lands for a change in lease category for a several hundred acre Idaho school endowment land grazing lease in the headwaters of Rock Creek in Owyhee County, Idaho. The new lease would be for sensitive species habitat protection. The springs on this lease constitute one of the largest Columbia Spotted Frog hibernacula in the high desert south of the Snake River. The area is currently being abused by cattle overgrazing which threatens this amphibian which is currently a species included in legal action against the U.S. Fish and Wildlife Service to force its listing under the Endangered Species Act. This is the first request by IWP to actually change a grazing lease to a higher category of lease with a greater annual lease payment.

New Yorker Articles Attacks the Center for Biological Diversity

The November 22, 1999 issue of The New Yorker magazine has an article by Nicholas Lemann which attacks the Center for Biological Diversity of Tucson, Arizona. Lemann's typically smarmy and snide report is summed up in the following quotation at the end of the piece. In referring to the Center and its director, Kieran Suckling: "They're outlaws. Outlaws cause trouble, alter the established order, and make authority figures angry. And, in the end, they get dealt with." Presumably Mr. Lemann means "at the end of a noose!"

"Golden Cowpie" Award Winners Announced by IWP

At a special awards dinner in Hailey, Idaho on December 4, 1999, IWP announced the winners of its first annual "Golden Cowpie" award. This award is made to the federal or state land management office which has shown resolute and unbending success in managing public lands ranching to assure continued degradation of publicly owned natural resources. Because the abuse of public lands by public lands ranching occurs everywhere this activity is permitted, there is an exceptional degree of competition for this honor.

The joint "Golden Cowpie" Award winners for 1999 are the Owyhee Resource Area of the Bureau of Land Management headquartered in Boise, Idaho, and the Lost River Ranger District of the Challis/Salmon National Forest

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headquartered in Mackay, Idaho. These two federal agency offices have exhibited the most remarkable neglect of their responsibility to protect public lands from livestock abuse in 1999 and will receive a plaque and a gold-colored cowpie in acknowledgment of their rising to the top.

IWP also announced that this year's runners up for the award were the Elko Field Office of the BLM headquartered in Elko, Nevada and the Jordan Resource Area of the BLM, headquartered in Vale, Oregon.

IWP President Jon Marvel stated, "IWP is hopeful that any public notice brought onto these agency offices by this award will motivate them to actually start to do the job they have been hired for — to protect our public lands for ours and future generations of Americans."

More Auction News in the New Year

The Idaho Department of Lands recommended in a staff memoranda to the Idaho Land Board released January 5, 2000 that Idaho Watersheds Project be awarded 4 grazing leases covering over 5,000 acres of Idaho school endowment land. The leases include over 4,000 acres in the Lime Creek watershed, which is threatened bull trout habitat, 777 acres on Cottonwood Creek within 3 miles of Boise, and 640 acres on Poison Creek in Blaine County. All of these areas show historic and current abuses from livestock grazing mismanagement.

Land Board Chooses Low Bid

A school endowment land lease for 2,560 acres in the Mountain Springs allotment permitted to centimillionaires, Mary Hewlett Jaffe, was awarded to the Mountain Springs ranch which was the low bidder (by \$1000) at an auction in September last year. The Land Board took the extraordinary step before awarding this lease to the low bidder of adopting a policy change at the meeting to clarify their authority for awarding a lease to a low bidder. IWP will consider appealing this decision to the courts.

Good Editorial from the San Jose Mercury News

Check out the following URL for a good editorial about public lands ranching by the San Jose Mercury-News in California which ran a lengthy expose article in November about the subsidies of public lands ranching and who is receiving them.

<http://www.mercurycenter.com/premium/opinion/edit/COWS.htm>

Great New Book on Public Lands Ranching

"The Western Range Revisited: Removing Livestock from Public Lands to Conserve Native Biodiversity," by Wyoming College of Law Professor Debra Donahue analyzes the potentially irreversible damage to native wildlife and vegetation caused by public lands grazing. The book makes a strong case for removing livestock from large tracts of arid land in ten

western states by arguing: 1) that livestock grazing can and does cause irreversible ecological impacts on arid rangelands that did not develop in conjunction with large ungulate grazers; 2) the current federal grazing policy is a largely unintended artifact of history, perpetuated by myth; 3) that the economics of public land ranching are precarious; and 4) that the BLM, the federal agency in charge of most grazing lands, possesses the legal authority to remove livestock from at-risk lands and, indeed, has a mandate to prevent the kinds of damage currently being wrought by livestock in many areas. The book concludes that livestock grazing on arid public lands in indefensible public policy. Copies may be ordered on-line from Amazon or Barnes & Noble, Oklahoma University Press Publisher.

Court Imposes Injunction on Owyhee Grazing

On February 29, 2000, US District Court Judge B. Lynn Winmill issued an injunction, in a suit brought by IWP and the Committee for Idaho's High Desert, sharply limiting grazing practices to protect streams and wildlife until BLM completes thorough environmental studies of grazing impacts. Interim measures to protect water quality and streamside areas from livestock impose restrictions on ranchers unheard of in Owyhee County. Our attorney Laird Lucas stated, "This is a key step toward reversing the decades of abuse which grazing has caused to the streams, fish and wildlife of the Owyhee Canyonlands."

IWP Applies for over 10,000 acres of Wyoming and Utah State Trust Lands Leases

On March 1, 2000, IWP applied for 5,145 acres of grazing leases in Wyoming and 5,142 acres in Utah. These leases near Idaho's borders impact our watersheds because of riparian areas long degraded by mismanaged livestock use. We hope to encourage free market values by offering higher bids for conservation uses and if awarded the leases, show that the conditions of these lands will vastly improve with reductions or elimination of livestock.

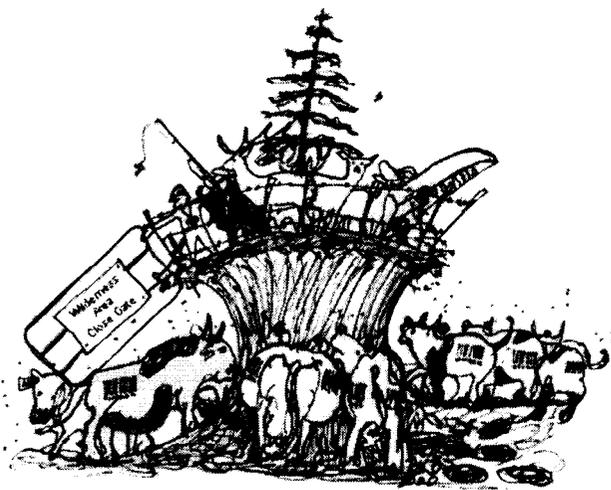
Please Give Us Your E-Mail Address

Give IWP your e-mail address in order to be part of our e-mail newslist and receive regular updates. Send your address to idwp@idahowatersheds.org. Thanks!

A Message About Wildness

"Not until the hairy men from the East came did the West for us become "wild."

Chief Luther Standing Bear
Oglala Band of the Sioux Nation



Is this the future of
our public lands?

© 2000 Bart Bradish

The old Western myth was that these people were the salt of the earth, that they were people of astounding virtue. But these same people often were filled with greed and violence and corruption and racism. No people went through an environment faster, and more destructively and wastefully than Americans have gone through North America.

— Historian Donald Worster, *River of Empire*

As I Was Coming From Buck Lake.

by Janet O'Crowley

Once on an Easter morning
I met a familiee
upon the desert going.
They hailed me merrilee.

They'd each a helmet, leather gloves;
Each one clasped a gun you see,
This Easter-going dad, mom, children
Ah-one, ah-two, ah-three.

I asked them where they fared,
For each bestrode an ATV,
Father, mother, children
Ah-one, ah-two, ah-three.

"We thought since it is Easter
We'd ride about and shoot some beast, er
Bird to celebrate and recreate
on public lands on Easter."

In Gratitude

A special cheer to Tully's Coffee, That's Entertainment, and especially hosts Bill, Jo and Rosie Lowe for our December awards dinner!

Our thanks to the following members who helped us make a difference this season with significant contributions:

Bob Bartlett	Herb Beattie	James Keating	Arthur Benson II
Dick Kolbrener	Bruce Bowerman	Andy & Gusti Laidlaw	Roger Browning
Laird & Tina Lucas	John Carter	Marty Lukes	Claire Casey
Al & Lee McGlinsky	Don Chapman	Walt Minnick	Colleen Daly
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Gerry O'Toole	Barbara Dargatz	Chris Palmer	Bob Dargatz
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Ben Schepps & Helen Stone		Paul Fritz	Mike & Susan Holzer
John Suria	Susan Gilliland	Frederick Turner	Gordon Harfst
Jack & Carol Willis	Don Johnson	Sandra Wolf	Ted Zukoski

And our major donors, whose encouragement raises our sights and sets new goals:

Anonymous (2)	Tom Campion	Loren Blossom & Susan Swearingen
Doug & Ann Christensen		Jane Watkins
FI Key Foundation	Len & Carol Harlig	Ginger Harmon
E & H Humbly Bumbly Foundation		Ken & Anne Jackson
Robert & Fay Jones	Paul & Linda Schutt	Ralph & Shirley Shapiro
		David & Karen Ward
		Scott & Jill Crocker
		Dr. S. C. Taylor
		Steve Johnson

Follow-up to "The Plight of the Western Sage Grouse," Watersheds Messenger, Early Fall 1999.

Readers will recall member Bob Moore's sad tale of diminished wildlife (particularly sage grouse) and native plant productivity after the extensive alteration of sagebrush steppe ecosystems by the BLM near Vale, Oregon.

IWP member Jim Shake is a noxious weed consultant from Parma, Idaho, who contributes regular columns to Oregon newspapers. His comments on Bob's article: Why is the federal land management agencies' reliance on crested wheatgrass seeding to replace bushwhacked sagebrush, increase livestock forage, and revegetate fire ravaged areas such a bad idea?

The sad fact about all these acres of crested wheatgrass is that I'm afraid they will be cow pastures for a long time. I say this because wheatgrass is a very tough plant and it is well established now. It can and does choke out most native plants, and heavy grazing kills the few survivors. Crested wheatgrass needs to be grazed heavily or it doesn't grow well. It also seems to keep out competing weeds such as whitetop, but not Scotch thistle.

In my opinion, based on what I know of weeds, trying to return Vale Project areas back to their natural state would be very difficult. The only chemical I have used that kills wheatgrass is Krovar - a soil sterilant used along roadsides. All other chemicals will hurt crested wheatgrass but not kill it.

So picture this scenario - in order to return an area from crested wheatgrass to native vegetation. First, treat the area with the chemical, some type of soil sterilant that will get into the deep root system. This will also eliminate any natives and will certainly hurt the young plants that will have to be planted. I'm sure the native seed reserves after 50 years of crested wheatgrass would be very thin. If these areas were treated and replanted, while waiting for the tiny plants to take over, I can promise you the area would probably be overrun with cheat grass, Russian thistle, whitetop, puncture vine, or worse.

I have a suggestion. As the fight over the sagebrush-loving grouse heats up, use these vast cow pastures to entice the cowboys to keep off sensitive grouse areas. Why not leave the cows on the crested wheat if no grouse are present and keep them off the best habitats?

Even if every cow was off the range yesterday, our public lands are still being heavily invaded by several species of noxious weeds, some of which are very difficult to kill even with chemicals. Very little is being done to control the spread of these weeds into new areas, let alone attack the main populations.

More from The Weedman in future newsletters. Ed.



Agropyron cristatum

The Fallacy of Cows Versus Condos!

The premise that keeping public land ranchers grazing on public lands is the way (or any way) to stop rural sprawl and subdivision is a false one. Ranchers routinely subdivide right now and every month of the year all over the west especially when there is a death, divorce, sickness, or the kids have indicated no interest in the ranch or when local real estate values escalate because of demand for rural land.

Real opportunities to address rural subdivision and sprawl do exist through zoning, conservation easements, compliance with the Life Safety and National Fire Protection codes, density transfer ordinances, and real estate transfer taxes dedicated to agricultural land purchase and protection to name a few.

Keeping cattle and sheep on public lands has never, and never will prevent or even slow rural subdivision.

Gift of Stock

Because of recent stock donations to IWP, the Board approved the establishment of a brokerage account in Boise. The IWP account can be used by any stock broker to transfer stock as a donation to IWP. A gift of publicly traded securities, such as stocks, bonds, or mutual funds, could cost you less than an equal gift of cash. An outright gift of securities held long-term qualifies for an income tax deduction for the full market value up to 30 percent of your adjusted gross income. Please call for more details.



Watersheds Messenger

Editor: *Faus Geiger*

Watersheds Messenger is published periodically for members, friends, and supporters of Idaho Watersheds Project. Changes of address, renewals, new subscriptions, undelivered copies, and ideas for articles should be sent to IWP, P.O. Box 1602, Hailey, Idaho 83333, or call (208) 788-2290. Fax (208) 788-2298. Please note our e-mail address: idwp@idahowatersheds.org and Web Site:

www.idahowatersheds.org.

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Mission Statement

Idaho Watersheds Project, Inc. was founded in September 1993 to acquire, protect, and restore Idaho public school endowment lands which have been degraded by livestock abuse, to improve returns to the school endowment fund, to work for positive change in the management of all federal lands on Idaho watersheds, and to raise public consciousness regarding the importance of our shared public lands and waters as well as the animals and plants which depend on them.

Articles published in Watersheds Messenger may or may not reflect the opinion of Idaho Watersheds Project. All articles are copyright © IWP 2000, unless otherwise noted.



Helping Our Western Heritage Become History!

Idaho
Watersheds
Project

Please Join Us or Renew Your Membership Now

YES, I'd like to protect and restore Idaho's School Endowment Lands and improve all public lands management.

I'd like to join Idaho Watersheds Project. Enclosed is my tax deductible annual membership:

Living Lightly: \$10.00 Individual: \$15.00 Family: \$25.00 Sponsor: \$500.00 Other \$ _____

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