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Comments: Comment re History of Wild Horses in the Area and Forest Service's Blatant Disregard for the Law. It is time now to correct the horrible wrong done to our wild horses down through history and create a Management Plan that gives them their rightful place in history and on these lands.

Comment re History of Wild Horses in the Area and Forest Service's Blatant Disregard for the Law:

It is time now to correct the horrible wrong done to our wild horses down through history and create a Management Plan that gives them their rightful place in history and on these lands.

Statement #1: Historical records show that horses were brought to the area of the Mogollon Rim by Spanish explorers as early as 1540.

Statement #2: Evidence shows that large numbers of wild horses were in the area in and around Heber, Arizona since before the Hashknife Outfit brought 30-40,000 head of cattle here from Texas in 1885.

Statement #3: Historical records show ranchers initially took it upon themselves to exterminate the wild horse population and were then aided by the Forest Service beginning in around 1929, when it became the policy of the Forest Service to [ldquo]rid the range of wild horses[rdquo]. In 1971, the law changed, but the policy stayed the same and remains the same today, as evidenced throughout the disastrous Heber Wild Horse Territory Draft Management Plan, which is merely an extension of that policy.

Statement #4: We know from Doy Reidhead's oral interview (previously submitted to the Administrative Record) that he purchased the grazing permit for the Gibson Ranch in 1983. At that time, he says there were approx. 200 wild horses on the Gibson Ranch permitted lands. Doy Reidhead describes them as [ldquo]wild[rdquo] and [ldquo]unbranded[rdquo]. Per Doy Reidhead, the unbranded, wild horses had come over from the Reservation in 1967 when the big snowstorm took down the fence.

Note: That would mean these [ldquo]wild[rdquo], [ldquo]unbranded[rdquo] horses and their progeny were on public lands of the United States prior to passage into law of the 1971 Wild and Free-Roaming Horses and Burros Act. These horses and their progeny were protected by law. It does not matter where the horses came from. Let us keep in mind that the horses were here long before the ranchers, with their cattle and sheep, and the land has not always been divided by fencing. Reminder [ndash] the grazing permitted lands are Our Public Lands.

Statement #5: We know from Doy Reidhead's oral interview that when he purchased the Gibson Ranch permit in 1983, he did not know there were wild horses on the land. In 1988, he wanted to sell his permit to Steve Bragg out of California, so the Forest Supervisor, Nick W. McDonough, gave him a signed agreement for the removal and sale of wild, unbranded horses that clearly fell under the protection of the 1971 Act. Removing the wild horses made the grazing permit more valuable and more saleable.

Note: The Forest Supervisor knew these were wild horses, but Doy Reidhead says the Forester did not want the area turned into a [ldquo]wild horse refuge[rdquo]. Forest Supervisor, Nick W. McDonough, willfully and wantonly disregarded Public Law 92-195, failing in his duty and obligation to protect wild horses from [ldquo]capture, branding, harassment or death[rdquo]. He knew that these horses fell under the protection of the Act, making his actions egregious. He and anyone else in the Forest Service who has ever authorized the illegal capture and removal of our wild horses has inflicted irreparable harm upon the horses and upon the American People. It is

time now to correct the horrible wrong done to our wild horses and create a Management Plan that gives them their rightful place in history and on these lands.

Statement #6: We know from documents previously submitted to the Administrative Record that there have been a number of such unlawful captures and removals of wild horses from National Forest lands. The earliest record found thus far, following the passage of the Act and the delineation of the Heber Wild Horse Territory in January 1974, was the July 1974 Range Inspection Report. Another agreement for capture and removal of wild horses was issued to Steve Bragg in 1989, after he had purchased the Gibson Ranch grazing permit. There have also been subsequent captures and removals submitted to the Administrative Record.

Note: The delineation of the Heber Wild Horse Territory in 1973/1974 shows that the area was specifically selected to facilitate the capture and removal of our wild horses as [ldquo]trespass[rdquo] animals; thus, carrying out the policy of the Forest Service to rid the range of wild horses. Evidence of this has previously been submitted to the Administrative Record. The Forest Supervisor[rsquo]s blatant disregard for the law in facilitating the capture and removal of what he knew were wild horses, protected by the Act, is further evidence of the Forest Service carrying out its policy in blatant disregard of the law and in blatant disregard of 36 CFR Ch II, Subpart D [ndash] Management of Wild Free-Roaming Horses and Burros.

Note: FOIA requests have been submitted for additional Forest Service historical documents which may reveal additional unlawful captures and removals. They may also show the location where captures and removals occurred. And, they may show captures and removals both before and immediately following the passage of the Act. There has been a significant backlog in response to FOIA requests due to Covid. I hereby reserve for the Administrative Record information found in any historical documents requested via FOIA and submitted prior to the closing of the Heber Wild Horse Territory Draft Plan comment period. Information may be found in the requested Range Inspection Reports, in documents and/or maps showing the Gentry, Buckskin and Heber-Mud Tank Allotments as they existed around 1974 through at least 1990, in the Black Canyon Allotment Range Management Plan, or in notes of meetings between Forest Service and Ranchers.

Historical Evidence of Wild Horses in the Area:

Holbrook Argus 1897: image in attachment

The Coconino Sun 1899: image in attachment

The Coconino Sun 1901: image in attachment

Holbrook Argus 1907: image in attachment

The Arizona Republic 1920: image in attachment

Coconino Sun 1904: image in attachment

The Arizona Republic 1914: image in attachment

The Holbrook News 1910: image in attachment

The Holbrook News 1913: image in attachment

Snowflake Herald 1920: image in attachment

The Argus (Holbrook) 1897 (Story out of Young, AZ): image in attachment

[ldquo]Hashknife Cowboy [ndash] Recollections of Mack Hughes[rdquo] by Stella Hughes, Illustrated by Joe Beeler, The University of Arizona Press, Tucson, Arizona:

Note: Mack Hughes worked for the Hashknife outfit from 1922 to 1936.

There is an entire chapter on [ldquo]Wild Horses[rdquo] (pages 160 through 176). On page 160, it reads, [ldquo]There were bands of wild horses running all the way from Mormon Lake, out of Flagstaff, clear to Heber on the Mogollon Rim.[rdquo] (bold text emphasis added by me)

From page 161:[ldquo]In the 1930s the Forest Service made a concentrated effort to thin out the herds of wild horses running on the forest reserve in northern Arizona. At that time they offered five dollars a head for every wild horse shot and the ears turned in. But before that, when we were rounding them up, we were strictly on our own, and our operations was sanctioned only by the ranchers.[rdquo]

From [ldquo]Narrative of History of Wild Horses on Mogollon Rim, As told to Dr. Pat Haight, By Jinx Pyle, Payson, Arizona, August 12, 2005:

Note: Jinx Pyle and his wife, Jayne Peace Pyle, were the official historians for Payson. Sadly, Jinx passed away on April 1, 2019.

[ldquo]According to Jinx, the diaries of Father Kino describe the original establishment of the wild horses on the Mogollon rim and throughout Arizona. The horses were brought to Arizona when Father Kino and the Conquistadores accompanying him, traveled across Arizona. As they traveled, when they came to good areas that would sustain cattle and horses, they would leave a bull and several cows and a stud horse and mares in the area to breed and create herds for the Spanish to replenish their food and horses as they came back.[rdquo] (bold text emphasis added by me)

[ldquo]From these original horses of Spanish blood (Andalusian, Spanish Barb, Spanish Colonial Horses), the mustangs on the Mogollon Rim were established.[rdquo]