



Waterhole fence dispute results in rancher's arrest

By PAULINE BRAYMEN
The Times-Herald

Water! Without it land in the west is no haven for wildlife or livestock alike.

The confrontation over a waterhole the Malheur National Wildlife Refuge decided to enclose behind its boundary fence ended Thursday afternoon, when rancher Dwight Hammond of Frenchglen was arrested by federal law enforcement agents.

Hammond was taken to Deschutes County Jail in Bend Thursday, Aug. 4, then to Portland for arraignment Friday afternoon in U. S. District Court. After appearing before the federal magistrate, Hammond was released on a conditional release that forbids him to enter refuge property or have contact with refuge personnel.

A preliminary hearing was set to be held in Portland Thursday at 1:30 p.m.

Hammond is charged with forcibly impeding, intimidating, and interfering with federal officers, Special Agents Jerry L. Woods and Earl M. Kisler and Refuge Officer Dan Sheills engaged in the performance of their official duties.

What Hammond allegedly did was to park a huge piece of equipment, a 25-ton Caterpillar earthmover, in the fence-line to stop the enclosure of the waterhole. And he refused to move it.

Today the fence is completed. The spot where cattle have watered for at least 30 years is no longer available to livestock. The waterhole was built in

1964 by the Department of Interior BLM in a cooperative project with the refuge to provide water for cattle grazing on

the adjoining BLM grazing allotment. The boundary fence kept cattle away from the riparian area along the Blitzen

River.

The Hammonds acquired the BLM allotment adjoining the refuge in a land exchange

with the BLM a couple of years ago. They traded land they owned on Steens Mountain for the property.

They want the right to water their cattle from the waterhole to continue.

The refuge management has been rebuilding boundary fences on the true boundaries of the property for several years.

Whereas old boundary fences followed natural topographical features for the convenience of the movement of people, livestock, and wildlife, the new boundary fence is being built on the true survey line.

The Hammonds do not question the property boundary, but they do question the Fish and Wildlife Service's right to fence their livestock away from historically used watering spots.

And they do question being cut-off from access to their ranch fields by refuge fences.

Their ranch lies at the base of Steens Mountain in an hour-glass configuration inside refuge boundaries.

The Hammonds have cut fences in order to move their cattle, they claim. The Refuge claims gates were made available.

The Hammonds grazing and haying permits were terminated by Refuge Manager Forrest Cameron in March. The order cited destruction of property, trespassing cattle, and making threats to refuge employees as reasons for the termination.



Photo by PAULINE BRAYMEN

Dispute over this waterhole on the edge of the Malheur National Wildlife Refuge ended in arrest of Harney County Rancher.

Citizen's rally

A citizen's rally has been scheduled for Wednesday night at 5:30 p.m. at the Harney County Senior Center to raise funds for Dwight Hammond's legal fees and to show support for him, organizers said. Chuck Cushman of American Land Rights Association will speak.

Harney fence feud nets rancher's arrest

By STEVE LUNDGREN
Bulletin Staff Writer
For The Times-Herald

A running conflict between a Harney County rancher and the U.S. Fish and Wildlife Service came to a standoff Thursday when neither the rancher nor his 25-ton earthmover would budge from a disputed fence line on the Malheur National Wildlife Refuge.

Dwight Lincoln Hammond was arrested on federal felony charges for trying to "forcibly impede, intimate and interfere with federal officers" Thursday and held in the Deschutes County Jail.

He was released on his own recognizance after a hearing in U.S. District Court in Portland Friday.

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U.S. Special Agents Earl Kisler and Jerry Woods escorted Harney County rancher Dwight Hammond to law enforcement vehicle after taking him into custody.

CRP landowners receive reprieve from losing payment

By TERRY KEIM
The Burns Times-Herald

The bad news some local landowners received in a July letter from the Agriculture Stabilization and Conservation Service (ASCS) has been rescinded by another letter.

The first letter indicated they may receive a reduction in rental payment for land they've put into the federal Conservation Reserve Program (CRP). The second letter said that is not the case, for now.

"We received clarification from our state office that as of vet. ASCS does not have the

Alvarado is employed to serve as the county executive director by the farmer-elected, three-member, ASCS County Committee. The committee chairman is Tony Urizar of Burns. Rod Robertson of Drewsey is vice-chairman, and Dan Nichols of Diamond is the regular member.

Recent controversy
Before the clarification came through, the committee received, for their information, status reviews from SCS on a number of non-certified stands in June and July. The reviews

stands were out of compliance, and the landowners were notified.

"There hasn't been good weather in some locales, but it is still the producer's responsibility to establish that cover," said Dan Nichols, a regular member of the committee. "By and large everyone's in compliance. There are a few where it is questionable whether they are. Each producer needs to make sure they fulfill their contracts."

Alvarado said that the contracts have no escape clause to excuse performance because of

permanent cover. At that point they begin receiving the rental payment.

When the stands are reviewed, three determinations can be made:

- The stand is satisfactory.
- Or, there is a potential for default, such as noxious weeds before they've gone to seed, and action can be taken to control the problem.
- Or, there is a maintenance default because the stand has failed.

At that point the producer is given 15 days to request a good faith effort determination. If there is a finding that the pro-

ducer of acres, times two," said Alvarado.

Rental payments range from \$1,000 to \$50,000, based on the number of acres involved, for up to \$50 per acre. Some participants use the rental payment as their payment to purchase the land, according to Alvarado.

SCS employees review the fields every year. When the cover meets their criteria for calling it "established," they report the stand "established and certified."

When a contract is called certified by SCS, it is turned over to ASCS, which then

held in late fall and early spring so the committee can explain what it sees is satisfactory cover.

"We are well over half-way through this ten-year old program," said Alvarado, "and only just over half of the stands are certified." There are 77 stands in the program, with 46 reported as certified and not certified.

Nichols noted that grass and other cover can be grov here.

"There are some excellent seedings in Harney County. It's just a matter of getting the poorer stands into the condition they should be in. The

How Much Are We Going To Take?

I direct this letter to the Free Citizens of Harney County, of Oregon, and the United States. I say, "Free Citizens" wondering if there are really any left (out there.)

By now you have heard of the events of the past week, concerning Dwight Hammond's dispute with the Malheur Wildlife Refuge. Now, here is a man who, at least, thinks he is a free citizen. This man dared to stand up to the Federal Government, and for that they would punish him.

*It makes me wonder who is next? Will it come to be that anyone who takes a stand will be victimized? Are we to cower with fear in the shadow of Big Government? Is this our country any more? Does this Government still belong to the people? Big Government is creeping into every facet of our lives, from how we raise our children, to how we can make a living. **How much are we going to take?***

*I feel this has all gone too far. **It's time to wake up**, people take a stand, make yourselves heard. If you don't think they're listening, yell a little louder.*

*A movement has begun in support of Dwight Hammond. A small flicker of hope for us all. **We need your help.** We need every man, woman, and child to stand up and send a clear message to our government. Remind them who they work for. Let them know we've had enough.*

Let's make certain we are "Free Citizens." Free to make our own choices for our communities, schools, businesses, and families. Please give your support. Let's fan this flicker into a flame.

*Sincerely,
David H. Stoddart*

Plan To Attend The Harney County Citizen's Rights Rally

Wednesday, August 10th
5:30 p.m.

Harney County Senior Center

Guest Speaker

• **Chuck Cushman** •

Of The American Land Rights Association

We urge everyone who cherishes their freedom, or who deals with Government Bureaucracy to attend this important rally.

A FUND HAS BEEN SET UP AT THE U.S. BANK TO HELP DEFRAY THE LEGAL EXPENSES OF THE HAMMONDS.

The following individuals have called in support of the Hammonds in this endeavor:

Kenny Bentz
Blake Nuffer
Russell & Deby Hammond
Bruce Pickthorne
Paulette Pyle
The Davis Family
Martin Davies
The Bailey Family
Bruce Aldrich
Nate Hammond
Ken Bentz
Fred Otley
VJ Lefor
Jack Lowry

The McLean Family
Lynn Deguire
Scott Franklin
Pat O'Toole
Arlene & Clyde Miller
Ken Thompson
Sharon Beck
Buck Taylor
Jim Bentz
Mike Morgan
Rich Hubbard
Jack McAllister
Mac Berkmaier
Allen & Jen Otley

Evelyn Zurfluh
Nancy Williams
Dan Downey
Pat & Patti Allison
Steven & Earlyna Hammond
Mark & Susan Doverspike
Mark & Debby Smith
Dave & Missy Stoddart
Karen Taylor
Vern Scheen
Pat & Joyce Wheeler
Van Decker
Rich Hubbard
Leonard Neccochea

Brett Wolf
Brent Beverly
Doug Bailey
Southern Mining Association
John Potter
Judy Whartman
Snow Mountain Pine Ltd.
Dan Nichols
Gary Miller
Jerry Santille
Nevin Thompson
Lyn Akers
Ed Akers
Larry Dunn

Brian Dunn
Laura & John Sword
Malena Konek
Marvin Wharton
Carol Temple
Donna Thomas
Glen & Sherrie Harris
Gary Marshall
Joe & Helen Hardwick
Geri & Arlie Oster
Mike & Betty Morgan
Helen Cowan