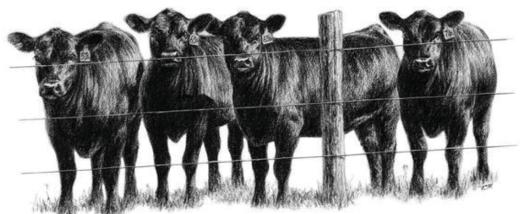
Organized to Protect & Promote the future viability of the Wyoming Family Livestock & Ranching Industries.



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President's Letter ~ By Hugh Turk, ICOW President

It has been quite a year! We started out with a brutal winter that seemed like it would never end. When the snow finally receded it revealed disastrous wildlife losses along with devastating livestock losses as well. Mule deer herds and Antelope herds along with many ranches will take years to recover from the winter of 2023.

Then spring came as did the rains in amounts that healed the drought stricken ranges. Grass grew in amounts that few could remember the country looking better. We all know we are forced to deal with 3 or 4 tough dry years then we get treated to plentiful grass and water for 5 or 6 years. Only the grouchiest of people complain of a coming drought when we have a wet year.

When record cattle prices were being set and then those records broken the next week during the summer and fall. The question on everyone's mind was "how long is this going to last?" It's a valid question; we all have

struggled to be profitable for the last 9 years. Ranches have cut back, sold off and sold out to the point where now the U.S. cattle herd is the lowest since 1962. To say the markets are healthy is like saying "chemotherapy is helping me reach my weight loss goals".

The beam of sunshine is, R-CALF USA and the Organization of Competitive Markets have done an amazing job educating member of Congress that healthy markets are not cyclical like the weather. Stability in the markets means stability in rural economies and the preservation of our rural landscape. Check their websites for details on their initiatives and how you can

The Independent Cattlemen of Wyoming have Board members that are also Board members of these important national organizations and there is no state better connected or represented than Wyoming.

To answer the question; how long will this last? When our markets are guided by fundamentals and competition driven by free and fair trade, devoid of manipulation, our profitability will be enduring.

Annual Meeting Report

~ By Judy McCullough

The Buffalo, WY, Sale Barn welcomed ICOW members and guests for their Annual Membership Meeting and provided a free lunch to all on September 23, 2023 Bill Bullard, CEO of R-CALF USA, gave a presentation on the cattle and sheep industries markets and the lack of competition. Cattle producers are right behind the sheep producers in losing market competition and the processing plants to foreign imported beef and lamb.

His information was backed by the report given by Taylor Haynes, President and Director of OCM (Organization for Competitive Markets). Both organizations are working on the OFF Act and mandatory COOL among other rising problems such as mandatory RFID tags by the USDA. Congress woman Harriet Hageman is still working on a way to defund the program.

ICOW business included nominations for directors and the vote for two resolutions to be put forth to the members by mail in ballots.

ICOW Working for a Wyoming Snow Disaster Plan

As winter let go of its grip on Wyoming, ranchers in Carbon County were able to count the death loss. Many of them lost 50% of their herds. Other ranchers in areas not hit so hard were shocked and appalled to learn that these ranchers had called for help but had not received it.

Cork Meyer of Rawlins had his hay bought and a trucker to deliver it. He had his road open, but Highway 287 was closed for 2 days and by then his own road was blown shut and the truck could not deliver the hay. Cork says, "Jerry and I both had hay lined up with no help to get it 6 miles into Jerry's place. Jerry had 200 + ton of hay in the stackyard but the snow was so deep we couldn't keep the cows out so what he could salvage, was moved to the corral but more was needed by then."

At this point, Cork called the Wyoming governor's office to let them know his cows were out of hay and he could not get the truck driver with the hay in with the highway closed. The governor's office did not have any answers, but would see what they could do. It was then turned over to Homeland Security and FEMA. FEMA felt their resources should go to a new sandbag machine to make 100,000 sandbags which were never used.

In desperation, he called Carbon County and Wyoming State Government asking for help to open the roads so he could either get the hay in or the cattle out. There was no help there either. He asked if the Wyoming National Guard could help. He tried to rent a dozer, but there was no equipment available because it was already all leased out.

Cork states, "We were told by elected officials that it is a life choice to live out here. If a man spends his life building and buying a ranch and pays property taxes and has 200 cows to care for, you cannot choose to live in town unless you just do not care. Families were separated for 2 months from these ranches simply because no one ever ventured north of Rawlins. Also, since ranching money is usually tight many ranchers and ranch employees have a spouse who works elsewhere for extra money and mainly to provide the families with expensive health insurance."

Cork Meyer and Jerry and Mary Jo Faddis were sickened as they watched their cattle starve to death in extreme cold, blizzard after blizzard and deep snow. Years of cattle genetics and careful breeding were lost.

Wyoming ranchers are questioning why Wyoming with its well known reputation for snow was not prepared for this. People remember the 1949 blizzards and how hay came in on trains, was flown to herds with WWII planes

not nearly as safe and efficient as today's helicopters and those people wonder why Wyoming ranchers could not have been helped.

South Dakota had a tough winter too, with a December blizzard that blocked roads, electric fences rendered useless by deep snow drifts and even with preparation was not fully prepared for the extreme conditions. One 70 year old rancher got stuck in the deep snow in his tractor trying to reach his cows. When his neighbor tried to reach him, he stuck a tractor and had to have another family member come to his rescue but could not get to the older rancher. By then the state highway teamed up with a truck stuck on Highway 18 with a big tracked tractor on it. The truck driver called the owner in CA and got permission to unload the tractor, neighbors put fuel in it and the elderly rancher was rescued and cattle were fed.

In Nebraska, Governor Ricketts issued an Emergency Proclamation for impacted counties in the Panhandle and central Nebraska. That Proclamation was signed to provide state assistance to support opening public roads for health and safety emergencies to remote locations and included state aid in authorizing the National Guard to do hay drops if necessary.

If Nebraska and South Dakota could help their ranchers and rural people, what went wrong in Wyoming??? And what can be done to stop this from ever happening again??? How embarrassing for Governor Mark Gordon and the Wyoming DOT! How embarrassing for Carbon County! Has our State government turned its citizens' welfare totally over to the Federal Government which is inept at best and certainly proved it was not concerned with starving cattle and snow bound people?

ICOW Director's are working to develop a protocol for the Wyoming Governor's Office to be better prepared for snow disasters. If NE and SD can take care of their farmers and ranchers, then we expect Wyoming to do so!



Letters to the Editor from ICOW Directors

Dear Editor,

The Independent Cattlemen of Wyoming joins R-CALF USA, Farm Action Fund and numerous other organizations in asking Congress to reform the checkoff programs including the Beef Checkoff by voting for the OFF Act (Opportunity for Fairness in Farming Act). This Act sponsored by Senators Booker/Mike Lee is an attempt to clean up a corrupt program and make it accountable to the producers forced to pay into the program.

The Off Act would prohibit checkoff programs from contracting with any organization that lobbies on agricultural policy. One of the biggest complaints by independent family ranchers and farmers has been the lion's share of the beef checkoff dollars going to NCBA (National Cattlemen's Beef Association), which is a major lobbying organization that historically favors major packers and feeders over family ranches and farms. NCBA has fought mandatory COOL(Country of Origin Labeling, pushed for RFID tags at producer expense and is a member of the GRSB(Global Roundtable for Sustainable Beef) which is straight from the UN.

The OFF Act would prohibit employees and agents of checkoff boards from engaging in activities that involve a conflict of interest. Angela Huffman, Farm Action Fund, Vice President points out that checkoff board members are appointed by USDA's secretary of agriculture; the once-and-current secretary, Tom Vilsack, was president of a powerful lobby group, U.S. Dairy Export Council in between secretarial stints. "There's a revolving door between USDA and [lobby groups] and there's just not a good incentive for USDA to have accountability with these folks when they're basically in bed with these industries," Huffman said. The same can be said of the USDA and NCBA as those folks move between the two.

The OFF Act would establish uniform standards for checkoff programs that prohibit anti-competitive activity, unfair or deceptive acts, or any act or practice that may be disparaging to another agricultural commodity or product. The GRSB certainly qualifies as anti-competitive, deceptive and disparaging to all agricultural production. When producers are required by law to fund GRSB through checkoff dollars contracted to NCBA, a GRSB member, they are funding their own demise. The driving force behind GRSB is WWF(World Wildlife Fund) whose goal is to end agriculture and take choice away from consumers.

The OFF Act would require transparency through the publication of checkoff program budgets and expenditures. "I don't know how anybody can argue with accountability," said Wes Shoemyer, a Missouri farmer, who plants some 3,000 acres of corn and soybeans and the occasional few acres of wheat, "I don't know how they can argue with transparency." Bill Bullard is CEO of cattle industry nonprofit and lobbying group R-Calf USA, which has sued USDA twice in the last 20 years over alleged checkoff abuses. "You have an animal upon which \$3 to \$5 is collected during its lifetime," from every producer along the supply chain, he said. This generates about \$80 million per year, split between state beef councils and the federal checkoff, the latter of which he said contracts mainly with NCBA to spend its

The OFF Act would require periodic compliance audits by

the USDA Inspector General. According to Bill Bullard, "Proper spending of the mandatory beef checkoff taxes, is spending for beef promotion and research in an efficient and transparent manner without first redirecting those moneys through a lobbying group". Brett Kenzy, R-CALF, President, states, "It is difficult to understand why, after approximately one billion dollars has been collected from producers since the program's inception, anyone would think that the compliance audits required under the OFF Act are too much to ask."

Bill Bullard stated, "The lobbying groups who have become accustomed to receiving large sums of producer dollars each year will fight to keep the free money coming." It is evident that those opposing the OFF Act are the ones who benefit financially from the current corrupt checkoff system while independent family producers want their money spent properly. And sadly the opponents are not arguing about the issues of the OFF Act, but are instead attacking the Congressional delegates personally as well as supporters of the Act, who by the way pay the checkoff.

The Independent Cattlemen of Wyoming is a producer, grass roots organization organized to protect and promote the future viability of the Wyoming Family Livestock and Ranching Industries. ICOW is the John Wayne among cattlemenstrong, no-nonsense, common sense, and straight forward. It is a powerful organization that provides a check and balance for Wyoming producers when other organizations get heavy at the top and forget their members.

Dear Editor,

ICOW has membership policy that opposes mandatory USDA RFID tags for all cattle and was influential in helping get the state of Wyoming statute law that prevents mandatory RFID tags being forced on Wyoming producers. Federal rules are not supreme over State Statute law, especially a rule that is arbitrary and capricious as is this particular rule. Wyoming producers can refuse to affix Chinese Communist ear tags in Wyoming cattle.

ICOW opposes eliminating the hot iron brand as an official form of identification. We understand that many states do not have hot iron brands, but in the west where cattle often get mixed and run on common allotments, it has been the most effective way to identify cattle. It stays with the cattle for their lifetime, unlike tags that fall off in the sagebrush and shrubby trees. Which leads to the question, what about the cattle that lose their mandatory RFID tags? Do they go into the witness protection plan and get a whole new identity with replacement

The USDA has an agenda and it is not about protecting animal health or American freedoms. We now know the reason for the mandatory tags is the Global Roundtable for Sustainable Beef (GRSB). GRSB is nothing more than a war on free enterprise, private property and individuals and has absolutely nothing to do with animal disease protection or

Continued on next page

marketing advantage. The minimalist rule with only 11% of the animals is insufficient to trace back leaving the question as to the lack of trustworthiness of the USDA. This is their way of getting their foot in the door as they move forward to complete control of all cattle in the USA and eventually control over food choices for the consumer. GRSB is putting dairy farmers out of business in the Netherlands and killing thousands of beef cattle in Ireland to comply with the E of the ESG (Environment, Social, Government) requirements.

Only authorized companies are allowed to furnish the tags, which means the government will be choosing winners and losers among the tag making companies. Will they have to be members of the GRSB to get the contracts? It is totally un-American. The potential problems of data storage and who can access it and who maintains it leaves a lot of doubt as to the integrity of the whole system. It is important to note, the packers want the data to further control the market place and of the 4 big packers, 3 are foreign owned!

The remedy to animal disease is to not import it through the border from countries known to have disease. The USDA needs to go back to the "no risk" on imported meats and live animals. Controlled risk is a joke. If the USDA wants producers to believe they are all about protecting the U.S. cattle producers from disease, they must show an effort to prevent it from importation. Tracking every move of an animal between the states will not prevent disease. It is foreign imports from countries like Brazil with known foot and mouth that pose the risk of disease We suggest that USDA APHIS go back to the agreed upon guidelines of 2013 and leave us to the business of feeding America.

Mandatory RFID tags will support the packers' efforts to obtain U.S. raised premium cattle at low cost by eliminating the current age and source programs that cost above market average. All cattle will be age and sourced and all premiums will be gone. There is a total disassociation by the USDA on the real costs to producers and there has been no economic analysis on the cost of bangs vs. RFID tags. The USDA is asking producers to increase their production costs with no way to recover the cost in the market place.

The USDA must recognize that cattle are private property and as such are not federally owned as a "national herd". Wyoming cattlemen are citizens of the State of Wyoming, and as owners of private property, are not "stakeholders". Our private properties are not "premises".

There is no federal statute that authorizes the USDA to mandate electronic tags so ICOW sees this as bureaucratic overreach.

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2024 ICOW Meeting Schedule

January 8 • 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

February 12 · 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

March 11 • 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

April 8 • 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

May 13 · 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

June 10 • 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

July 8 • 7:30 P.M Free Conference Call 1-605-313-5761 Code 5264057#

R-CALF USA Rollover Calf Sale in Buffalo

By Judy McCullough

Buffalo Livestock Auction hosted the first Wyoming calf rollover sale for R-CALF USA. Bill Bullard, CEO of R-CALF and Candace Bullard as well as Region II Director for R-CALF, Judy McCullough were in attendance to speak to the buyers. Joe and Linda Foss, R-CALF members from Buffalo donated the replacement heifer calf. The rollover was a huge success thanks to the support of R-CALF members and people in the cattle industry. ICOW President, Hugh Turk was there to represent ICOW and offer support and help.

BLM's Rock Springs Plan: An Argument for Federal Land Transfer

September 28, 2023

I have long advocated for transfer of federal lands to the state of Wyoming, not only for the sake of our state's economy, but also for the sake of the principles of freedom established by our nation's founding fathers. These brave and brilliant men knew that liberty could only survive with a restrained federal government. They envisioned a union of states- not one monolithic, behemoth national government.

That's why they believed the federal government should only control a small portion of America's land, to include Washington D.C., military installations, and other properties necessary to carry out the functions of government as spelled out in the Constitution. Upon statehood, every territory was promised by the federal government that most (if not all) of the land within the territory would be transferred from the feds to state sovereignty and jurisdiction. The founders knew that if you control the land, you can control everything.

Today, our founders would hardly recognize our nation. In Wyoming, the federal government controls 48% of the state's surface and 62% of our subsurface mineral rights. Not long after our statehood, the federal government began to ignore its promise to transfer our public lands to state sovereignty and jurisdiction. This is the case for all U.S. states west of the Wyoming-Nebraska border. By contrast, the federal government owns less than 5% of the lands in North and South Dakota respectively, and less than 1% of the land in New York.

The dangers of federal control have always existed but are made more evident as southwest Wyoming watches Biden's Bureau of Land Management threaten to block nearly all human contact with millions of acres of federal land. The BLM admits that their plan will have devastating economic consequences for the State of Wyoming due to the lockout of mineral extraction and livestock grazing.

Destroying the agriculture and energy industries has always been the goal of radical environmentalists. It was only a matter of time before they came after recreationalists. The BLM's new plan seeks to lock hunters and anglers out too. So much for it being labeled "public land"

The BLM's new plan seems to have angered conservatives, liberals, recreation enthusiasts, and even wild horse advocates. Unfortunately, each of these groups and all Wyomingites have even more to be concerned about. The BLM claims control over millions of acres just like the Rock Springs Management Area all over Wyomingand it seems that control over 48% of the state's surface just isn't enough.

The federal government is now moving forward with its purchase of the Marton Ranch in Natrona and Carbon Counties. This is purportedly the largest private land purchase by the federal government ever in Wyoming. If successful, what's to stop the feds from doing the same thing to this parcel and all the others they claim control over within our border?

It's time for the state of Wyoming to exercise its sovereignty and demand that the federal government fulfill the promise made back in 1890. Our state's recreators, energy extractors, and agriculture producers - not to mention the land itself - would fare better under the control of Wyomingites.

But in the end, this isn't about the economy, agriculture, energy, or recreational access, all of which are extremely important. This is about tyranny versus the rule of law. We can no longer stand by and allow the federal government to unlawfully claim control over half of our state. We owe it to our founding fathers and future generations to fight for the union they envisioned.

I intend to sponsor legislation challenging this federal land empire and protect Wyoming from traveling down the road of territorial bondage.

> Senator Bob Ide State of Wyoming, Senate District 29 Casper, WY 82601 Bob.Ide@wyoleg.gov • 307.472.0233

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Illegitimate Federal Land Empire – It's Time Wyoming Takes a Stand

I recently wrote an article announcing my intent to introduce legislation challenging the legitimacy of the federal land empire that encompasses approximately 48% of Wyoming's surface and 69% of its subsurface resources. A few former politicians and some in the media have claimed that this effort would be unconstitutional. I disagree. Some may question why I refer to the federally held lands in this state as an "empire". I'll explain.

The word "empire" may be defined as "a single absolute authority" or "supreme control." The U.S. Supreme Court has erroneously described the power of congress over our public lands as being "complete," "supreme," and "without limitations." What is this but "federal empire?" The court has said that this is the same power congress exercises in federal territories. In other words, the court and congress consider our public lands to be federal territory as though Wyoming statehood never happened. That is not what our Founders intended.

The original thirteen states retained sovereignty and jurisdiction over all the land within their borders. Under the U.S. Constitution, new states are admitted into the Union with the same rights of sovereignty and independence as the original states, under the "equal footing doctrine." By Section 1 of the Wyoming Act of Admission into the Union, Wyoming was declared admitted "on an equal footing with the original states in all respects whatever." Wyoming is, therefore, entitled to sovereignty and jurisdiction over all the land within its borders, just like the original thirteen states. However, despite this promise of sovereign equality with the original states, Wyoming is denied sovereignty and jurisdiction over its public lands. In other words, Wyoming is being denied equal footing with the original states. This is because the federal government continues to hold these lands and exercise complete, supreme, and sovereign jurisdiction without limitations over them.

The Property Clause of the U.S. Constitution, Article IV, sec. 3, clause 2, delegates to congress the "power to dispose" of public lands and to "make all needful rules and regulations." Rules of constitutional interpretation say that when a particular thing is given, the opposite of that which is given is denied without having to say so. This is just common sense. If the power given to congress is "to dispose" of territorial and public lands, then congress has no constitutional authority to "not dispose" of them. If congress could do the opposite of what it is mandated, then the U.S. Constitution ceases to be the Supreme Law of the Land. It becomes nothing more than a list of discretionary suggestions.

Wyoming clearly has a current claim to sovereignty and jurisdiction over all the land within its borders that was not reserved to federal jurisdiction by terms of our Act of Admission into the United States. The only land in this state that was reserved to federal jurisdiction by that act is Yellowstone National Park. Therefore, by terms of this compact, and by terms of the equal footing doctrine, Wyoming is entitled to sovereignty and jurisdiction over all its public lands. But this cannot happen if our public lands remain as federal property.

It is obvious that the government in Washington D.C. is growing increasingly corrupt, oppressive, and intrusive. To validate these concerns, we only need to witness the Bureau of Land Management's report regarding the Rock Springs Resource Management Plan. For these reasons, it is well past time for Wyoming to take a stand, demand sovereign and jurisdictional equality with the original states, and that congress do its duty under the Property Clause of our Supreme Law of the Land.

Bob Ide Senator Bob Ide State of Wyoming Senate District 29 Casper, WY 82601 Bob.Ide@wyoleg.gov 307.472.0233



Marti Halverson to Lobby for ICOW

Marti Halverson will be helping ICOW watch the bills and influence the Legislature to consider the farmers and ranchers of Wyoming. We need all ICOW members to keep their eyes open to what is happening in Cheyenne, to alert the ICOW directors of issues, and to watch their e-mails for alerts when we need calls to the Legislators. If you have not sent us your e-mail address, please send to jmccullough@collinscom.net so we can get you on the e-mail blast list. ICOW only has about half of its members' e-mail addresses. Be sure we have yours!

Update on Beef from Paraguay

Senators Rounds and Tester have introduced S.3386 - A bill to temporarily suspend the importation of beef and beef products from Paraguay and to require the establishment of a working group to evaluate the threat to food safety and animal health posed by beef imported from Paraguay, and for other purposes. The USDA was set to start imports from Paraguay by the "fact" that there had been no known reports of F&M for one month! One wonders about the unreported cases from a country with known severe outbreaks of F&M.

Position Paper on Property Rights

By Federally Administered Lands ICOW Chair, Bob Harshbarger Continued Pages 16-18

Conclusion: This position paper leaves many unanswered questions.

Why do the agencies, both federal and state, ignore the entire laws as written by the legislators and only 'cherry pick' the portions out of statues they like and that serve their agenda and purpose?

Why do the agencies, both federal and state, ignore the rule of law as interpreted by the courts? Rules and regulations do not always follow the intent of the legislative body that wrote the statutes and thus the rules and regulations need to be challenged at all levels of government. Rules and regulations, promulgated by the secretaries and their agencies are 'guidance documents' only and if they do not follow the law they are de facto in nature. It is my contention that rules and regulations are written for the guidance of wise men and the obedience of fools. I do not pretend to be a 'fool'. I am a 'freeman' living in a 'free society', and that my 'property and property rights' are to be protected by all levels of government officials who have taken an 'Oath of Office' to protect my fundamental and God Given Rights.

Another area of concern is our 10 year grazing permits that are issued to our grazing associations. Do the association board of directors willfully or unwittifully sign away our 'valid existing rights', our 'property rights' when the board agrees to the language within the 10 year grazing permit issued by the Forest Service? If so, then the grazing association is liable to it members for not protecting its members 'valid existing rights' within each individual ranch unit.

The Certificate of Incorporation of the Thunder Basin Grazing Association by the State of Wyoming, dated 26 May 1937 states in paragraph 5; "The property rights of each member in the Association shall be equal." This is a very important statement. First the date of the document, 26 May 1937, which is prior to the signing of the Bankhead - of 16 18 Jones Farm Tenant Act. Second, the Certificate of Incorporation applies to the original Northeastern Wyoming Land Utilization and Land Conservation Project WY - LU - 1 of 1934 that recognizes all 'Valid Existing Rights' of each 'Ranch Unit' in the Grazing Association at the time of Incorporation. Third, the certificate of Incorporation acknowledges that each member of the association do have property rights. The Thunder Basin Grazing Association Board of Directors are thus obligated to to protect its members private property and property rights. Remember the Supreme Court has ruled that livestock grazing on federal lands is a 'lawful business' and that a 'lawful business' is 'property' that is to be protected by levels of government.

Is it possible by its charter that the Thunder Basin Grazing Association is an arm of government of the State of Wyoming?

Furthermore, the Thunder Basin Grazing Association By-Laws, as amended in 2012, Article IX - Distribution of Grazing Privileges, Section 1. recognizes 'Preference', which is a recognized 'Property Right' stating;

"Preference in the allotting of grazing privileges to members and other qualified applicants by the Association shall be based upon the minimum base property requirements and dependency."

Finally as the court ruled In McNeil v. Seaton, on June 16, 1960, the Circuit Court of Appeals for the District of Columbia held that in the Taylor Grazing Act, the stockman definitely acquired rights whether they be called rights, privileges or bare licenses, or by whatever name, while they exist they are something of value which have their source in an enactment of Congress.

Therefore, even by being a member of the Thunder Basin Grazing Association, members did not relinguish their property or property rights to the Association. They joined the grazing association that is chartered to protect their property and property rights.

I trust that this information will enlighten all Federal Land Ranchers of their rights that are being trod upon daily or completely disregarded by the Federal Land Agencies.

Respectfully submitted for your consideration,

Major Robert L. Harshbarger, USAF Retired, Thunder Basin Federal Lands Rancher 17

To get the life time study of Bob Harshbarger on federally controlled lands is a treasure! ICOW has placed the full 18 pages of the Position Paper on the ICOW website www. icowwy.org

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ICOW DIRECTORS

President, Hugh Turk, District 4

Vice President, Taylor Haynes, District $2\,$

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