

The Cowboy Way

WINTER 2009

The Real Lonesome Dove:
Nelson Story and the First
Texas to Montana Cattle Drive

A Conversation with Michael Reagan

Ice Climbing in the Rockies

The Living Words of the Constitution
Part 9

Will James
The Life of a Lone Cowboy

The Journal of the PARAGON Foundation, Inc.

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Canyon de Chelly. 1986. Studio Seven Productions

A large, layered rock formation, possibly a cliff face or a large rock overhang, dominates the left and center of the image. The rock shows distinct horizontal and vertical layering, with colors ranging from light tan to dark brown and black. At the base of the rock, a line of green trees and shrubs is visible, along with a dirt path or road. The sky is a clear, pale blue.

OUR MISSION

The PARAGON Foundation provides for education, research and the exchange of ideas in an effort to promote and support Constitutional principles, individual freedoms, private property rights and the continuation of rural customs and culture – all with the intent of celebrating and continuing our Founding Fathers vision for America.

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The Cowboy Way

WINTER 2009 VOLUME 5 No. 4

William C. Reynolds
EDITOR

Nicole Krebs
ASSOCIATE EDITOR

Marilyn Fisher
SPECIAL FEATURES EDITOR

Robin Ireland
ART DIRECTOR

Studio Seven Productions
FEATURED PHOTOGRAPHER

Darrell Arnold Julie Chase Baldocchi Myron Beck
Mark Bedor Robert Dawson Guy de Galard
Jay Dusard Dan Gagliasso Heather Hafleigh
Adam Jahiel Jim Keen Thea Marx
CONTRIBUTORS

THE PARAGON FOUNDATION

Bob Jones
PRESIDENT

GB Oliver
EXECUTIVE VICE PRESIDENT & PUBLISHER

Don "Bebo" Lee
VICE PRESIDENT

Stella Montoya
SECRETARY / TREASURER

Alice Eppers
Bobby Jones
Daniel Martinez
Jonna Lou Schafer
DIRECTORS

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For sponsorship inquiries, contact Nicole Krebs – 575.434.8998 at the PARAGON Foundation, Inc. office, 1209 Michigan Ave., Alamogordo, NM 88310. To join or renew your membership or sponsorship, call toll free 877.847.3443. *The Cowboy Way* is published quarterly by the PARAGON Foundation, Inc. Memberships are \$50.00 per year. The PARAGON Foundation, Inc. is a non-profit 501(c)3. *Postmaster:* Send address changes to the PARAGON Foundation, Inc. 1209 Michigan Avenue, Alamogordo, NM 88310

Fashion shoot, *Jeans & Shoe Boots*. 1988. Studio Seven Productions

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Out There





photo by Studio Seven Productions

Still Life. *Saddle and Boots*. 1988. Studio Seven Productions

GB OLIVER

Fishing For Freedom

In this issue of *The Cowboy Way*, you will read a sobering interview with entertainer Paul Rodriguez as he gives you the gut-wrenching details of the systematic, premeditated destruction of the lives and economy of those living in the San Joaquin-Sacramento River Delta. A Federal judge's ruling has eliminated virtually all production on the planet's most fertile agriculture area, all in the name of protecting a fish.

One wonders how an agency of the Federal government, operating within the confines of the Constitution, under the guise of protecting a fish, using no creditable science, destroys the lives of so many families and the agriculture base of these communities in California? Certainly, there are no provisions within the Constitution giving any Federal agency the authority or jurisdiction to do so. In fact, the Constitution forbids such actions and the United States Supreme Court has been clear on the subject as well. Read the words of the high court in June of 1997:

"The Federal Government may neither issue directives requiring the States to address particular problems, nor command the State's officers, or those of their political subdivisions, to administer or enforce a federal regulatory program. It matters not whether policy making is involved, and no case-by-case weighing of the burdens or benefits is necessary; such commands are fundamentally incompatible with our constitutional system of dual sovereignty." Justice Antonin Scalia, United States Supreme Court ruling in *Printz v. U.S.*, 521 U.S. 898, June 27, 1997

Federal directives and standards have no authority within the State of California, except those lands that have been ceded to the Federal Government by the legislature of the State of California. Those well-meaning attorneys who would indicate that the Supremacy Clause in the United States Constitution gives those Federal agencies absolute authority over the State of California are either juristically illiterate or deliberately committing fraud upon the citizens of California.

The Supremacy Clause is very specific. *"This Constitution, and the laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."*

I've emphasized the last line of the Supremacy Clause because it is apparently left out when taught in law schools. The laws of the United States and its treaties are the law of the land unless it violates the Constitution or State law. For a better understanding of the word "notwithstanding," read the Supreme Court ruling *Medellin v. Texas*, March 25, 2008. The Court ruled in favor of the State of Texas saying that Texas was not compelled to comply with an international treaty because it violated state statutes.

As to the Federal Government having control of any of the waters in California's Sacramento River, the Supreme Court resolved that issue in 1978, *New Mexico v. United States*, where the Court was explicit in their determination that the Federal Government must comply with all state water laws. So, based on the Constitution and all these United States Supreme Court

rulings, how did a Federal Judge, with the stroke of a pen, destroy the life, liberty and rob these citizens of their property?

The Natural Resource Defense Council brings suit against the Department of Interior and several state agencies under the guise of the Endangered Species Act and the protection of the Delta Smelt. One of the basic maxims of law is that a party must be able to show damage before they have standing before the court, a test that the Natural Resource Defense Council could not have met. Had any attorney for the State of California petitioned the court to force the National Resource Defense Council to prove damage, the action would have come to a screeching halt, but then so would the legal fees being paid to these attorneys.

If the Federal Government can own or control no water rights within a State, how did the Feds gain control of water rights in the Sacramento River? Answer? Get ready. The State of California transferred those water rights to the Federal Government in 1938. The big question is why? Why would a sovereign state sign over water rights to the Federal Government? The Legislature of the State of California – in its judgment at the time – felt that the Federal Government could help the growing state create power plants, pumping stations and waterways to distribute water throughout the growing state. So, they negotiated a deal with the Federal Government to do just that – all the State of California had to do was turn over state water to a federal control. Part of that control being that California would not only have to follow its own state compliance issues but also with those of the Federal Government. But, how was it that a Federal judge has forced compliance upon the citizens of California today? Because in 2000, the State of California, through contract, agreed to comply with the Federal Endangered Species Act in issues involving the Sacramento River.

The United States Federal District Courts, created under the Judiciary Act of 1948, and given authority by Congress over Federal Agencies and those with contractual obligations to the Federal Government, have no jurisdiction over the citizens or the property within the boundaries of a State. The State of California forfeited that protection in the 2000 contract as well.

So, with two "deals" – one struck in 1938, the other in 2000 – ironically just four years after the completion of the California Aqueduct system – the duly elected Legislature of the State of California literally traded away the water rights of its citizenry. Today, it's the Federal Government implementing the restrictions that are destroying the lives and the economy of the citizens that Paul Rodriguez talks about in his interview, but, the State of California, through contract, traded away the people's Constitutional protections – along with 81 billion gallons of fresh water each year that heads straight out to sea. The irony here is the State could look to *New Mexico v. The United States* (1978) and see that the Federal Government has no authority to enter into such agreements under the Constitution. A little courage and a little digging at the state level in California could remind the Federal Government of just that fact and turn the water back on.



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photo by Studio Seven Productions

Still Life. *Found Objects, License Plate and Bottle*. 1987. Studio Seven Productions

WILLIAM C. REYNOLDS

Homecoming

In past issues, I have written on the importance of keeping our young people involved in American agriculture. Their unique enthusiasm, innovation and integrity will go a long way to help continue the productivity, safety and security of our national foods sources. In this issue, we are pleased to welcome the FFA as providers of information and support in that effort. For those of you not familiar with FFA, here is their own description of what the organization is all about:

"The National FFA Organization, formerly known as the Future Farmers of America, is a national youth organization of 506,199 student members – all preparing for leadership and careers in the science, business and technology of agriculture – as part of 7,429 local FFA chapters in all 50 states, Puerto Rico and the Virgin Islands."

Think of it, over 500,000 students, all over America, focused on agriculture as a career and a way of life.

And, just as R-CALF USA works to inform and support America's independent stock grower, FFA works tirelessly to encourage and support agriculture as a career for our young people. It is important we all support these two fine organizations and the fine Americans they represent.

The wonderful 1930s photo of artist and writer Will James on our cover leads off the issue with Guy de Galard's feature on the legendary Will James and a look into his life. Recently, James was celebrated at the Big Horn County Historical Museum in Hardin, Montana and Guy's story features some incredible photography from collectors Luella Preuninger and Joe Hayes – many of the photos have never been seen before.

This issue could be called our "conversation issue." Our *CW* interview features the second part of our discussion with PARAGON's own GB Oliver giving a little more insight into his background and passion for PARAGON's mission. Our Special Features Editor Marilyn Fisher has covered the West with two separate conversations – one with Michael Reagan and the other with Kathy L'Amour, widow of famed writer and storyteller Louis L'Amour. Mr. Reagan discusses his new effort, The Reagan Legacy Foundation, and its plans to educate young people with regards to his father's principles. Mrs. L'Amour speaks on a wide range of topics from coal bed methane drilling to her husband's legacy.

Mark Bedor has double duty this issue as he takes on ice climbing in the Rocky Mountains along with the Delta

Smelt issue and California's critical water situation visiting with someone who is right in the middle of the issue, actor and comedian Paul Rodriguez. This issue goes way beyond California as it puts the microscope on state sovereignty and just how much non-elected federal agencies can impose mandates.

Our "Your Rights" feature discusses two important reports on grazing rights and the basis and limits of Congressional power as set forth in the Constitution. Our own Associate Editor Nicole Krebs continues her work explaining the Constitution with a look at the always-being-discussed Second Amendment. (FYI – the photo is a homecoming. Nicole's husband, Air Force Technical Sgt. Anthony Krebs – who we've seen in past issues – recently returned home from deployment. Christmas came early to the Krebs' home with a gift for all of us.)

Our featured photographer portfolio this issue is quite an exclusive treat. For over thirty years, Michael and Shelle Neese have defined Western fashion photography. Since before the landmark film version of *Urban Cowboy* premiered in 1980, the Neeses' "lifestyle" advertising photography helped create a revolution in how the presentation of Western wear has evolved. Along the way, the Neeses helped along a number of careers of some of their "models" before these folks hit the big time. You will recognize some familiar faces as you look through thirty years of Western fashion photography.

Dan Gagliasso takes us through the story of the real *Lonesome Dove* saga on the first Texas to Montana trail drive and Darrell Arnold shares a visit with master hatter Ritch Rand along with a visit to the Air Force Academy's new Warrior Wellness Program that puts horses into the mix.

The winter season brings times of Thanksgiving and Christmas, when we all can consider the many blessings we have – even during this difficult and challenging economic period for our nation. From all of us at PARAGON, we wish you – our readers and members – the blessings of this Christmas season and give thanks to you all for your caring and support. May we all keep our valiant servicemen and women overseas in our prayers for their safe return and that 2010 be a year filled with wonder, prosperity and many healthy homecomings.



Coming home. Air Force TSgt. Anthony Krebs arrives home from his deployment into the arms of his wife Nicole and daughter Brittany.



NOTE

Old West Sheep Wagons

Several years ago, I saw a story about a series of vintage Airstream “Bambi” trailers. They were called Bambi because they were small trailers able to be pulled by “regular” vehicles – no truck necessary. Airstream trailers have their own romantic aspects, reminding us of the design-heavy days of the ‘30s – Art Deco comes to mind. The



Home on the Range, hand-crafted by Jim Howard.

trailers in the article had been completely rebuilt and fully decorated inside by the Ralph Lauren Polo Company. There was an “Adirondack” version, a “Hunters’ Cabin” version, a “Nautical” model and a “Cowboy” model. Pick anyone you want – yours for \$150,000. They were pretty sweet, but a tad pricey. Also during that time, let’s say the late 1990s, there was a resurgence of interest in the old sheep wagon, that venerable

shelter of plains that was, in essence, a Conestoga wagon with a hard top. Sort of a gypsy wagon for shepherds.

These were not your run of the mill sheep wagons, which in many cases can look like a shipping box with a bed. These were outfitted sort of like the Polo Airstreams. Again, big dough – cheaper than building a guest house for your in-laws when they come to visit, but still.



Here's the sheep wagon in the condition Jim found it.

Enter Jim Howard. Jim is one of a group who has taken on the task of refurbishing original sheep wagons back to their original simplistic grandeur. Sure there are sheets and towels, but the basic design has not been delegated to the backseat in favor of big-time decorators. Once he ran out of originals, he started making custom wagons working with other craftsmen – ironmongers, wheelwrights, etc.

Located in Seattle, Washington, Jim is a custom manufacturer of these great old wagons and one could easily say they are his passion. He manufactures rustic furniture during the daylight hours and has expanded his unique skill and craft to create these exotic old wagons of Western days gone by. His interest in old wagons began at the Western Design Conference in Cody, Wyoming a few years ago where he was showing his rustic furniture. As he wandered the show looking at other artists' works, he came upon a woman named Lynn Cedar who was set up in the show nearby. She was showing a cool old Gypsy Wagon she just created and built. Jim became somewhat obsessed with making an old sheep wagon and Lynn offered to sell him parts and pieces. Eventually, Jim found an old sheep wagon on eBay and bought it for \$335. It was the beginning of Jim's big adventure.

Today, he builds and sells sheep wagons, freights wagons and most horse drawn wagons. His website, www.oldwestwagons.com, shows those and more. Speaking of that original find, Jim says, "That old sheep wagon sat on a ranch in North Dakota for over 50 years – out in the weather, slowly deteriorating.

Searching eBay one day, I found her. That was one of the best days of my life. Most people in their right mind would let one like this just go by, but I knew what it was going to be when I finished remaking this historic wagon. I first started archiving the wagon with photos and exact measurements. I then began to dismantle her and burn the old rotted wood in my fire pit. I replaced and rebuilt the running gear and had Dave Engels, a superb Montana wheelwright, rebuild the wheels. (www.engelscoachshop.com) What an exquisite craftsman he is. I used old growth, vertical grain, Douglas Fir wood for most of the wagon and it has hickory wood bows and a solid Lodge Pole Pine plank roof.

There are two layers of canvas for the top, leather cushions for the seats, a full pull out table, an antique stained glass rear window, large dense foam double bed, an old Fisher Baby Bear woodstove, sheepskin rugs, new bed quilts and pillows, leather curtains, an overhead blanket rack above the bed and full inside and outside storage cabinets. She was a joy to build and now lives hidden in the hills somewhere above Vernal, Utah."



Jim will build the comforts you want into your own wagon design.

Jim's rustic art has been featured in various books on rustic furniture including Chase Reynolds Ewald's *Cowboy Chic*, Ralph Kylloe's book *Rustic and Contemporary Western Design* by Thea Marx. The magazines *Adirondack Life*, *Log & Timber Style*, *Log Home Design Ideas* and *Cowboys & Indians* have recently featured photos of his work. Jim started creating rustic pieces in the late 70s when there were "just a few of us making rustic furniture in the Adirondacks of New York State" where he lived. He is currently building and creating in Seattle. His work always adds a very unique and rustic feel to any room of your home. He builds each piece by hand and every one is signed and numbered.

Jim is ready to build something special for you, visit him at www.oldwestwagons.com.

Ron Mewes, Silversmith

In 1981, Ron Mewes was thrown a curve ball. Married and a new father, he found himself out of work. Little did he know his job search that led to Diablo Silversmiths – the supplier to legends like the Visalia Stock Saddle Company – would open a whole life for him.

He was hired as a “polisher” in the silver shop, but enjoyed the hands-on work. Eager to learn more, he was promoted six months later to building stirrups. For eight years, 40 hours a week, he worked at the art of building high quality stirrups by hand. Using blanks, not pre-cut stirrups, he mastered the art of forming the wood, sanding, finishing, applying Monel (nickel silver) and hand-rolling the edges.

In 1989, he started working on Diablo’s custom buckles and jewelry, learning all facets of engraving, soldering, machine shop work and custom fabrication under the watchful eyes of their master silversmiths. However, Ron never lost his desire to build custom, handcrafted stirrups. He wanted a one-on-one working relationship with saddle makers searching for quality, handcrafted products. In 1996, he left Diablo to start his own business – Out West Stirrups. He soon had orders from respected custom saddle makers along with quality retailers. While his competition buys pre-cut stirrups, Ron continues to use blanks, allowing him to create custom shapes for customers who have special requests.

Mewes has taken the Monel stirrup to a higher level of quality. Working with Monel in sheet form, he uses a heavier 20 gauge versus the typical 24 or 26 gauge that one sees on lesser quality stirrups. This adds weight, and thus more strength, so the stirrups can take more abuse. He also has developed a special process to roll the Monel edges perfectly to the wood stirrup – no one else in the game offers this. He offers them plain polished, in hand engraved silver, Monel and brass.

Of his new life, Ron says, “I’m grateful to have started on the ground floor, and blessed to work with so many outstanding saddle makers. I hope my craftsmanship will be valued as a piece of Western heritage.”

For more information, visit www.stirrups.com.



2 ½ inch Visalia hand engraved sterling 20ga concho.



4 inch curved polished rolled edge Monels with carved oak leaf leather lining



5 inch Visalia style, Nettlewood stirrups with hand engraved bound sterling 20ga; 12k yellow gold twisted wire rope edge; 1 ¼” hand engraved sterling concho with 12k yellow gold twisted wire rope.

photos courtesy Ron Mewes



Some of Ron’s custom hand engraved silver and 12k rose gold overlays for a saddle by Doug Cox.

photo courtesy Doug Cox Custom Saddles

Indigo Cowgirls

Our friend, Brittain Roberts of Jackson Hole, Wyoming has added some great new things to her line of clothes and accessories. New are Ecuadorian Panama hats and one of a kind beaded felt hats. Her new leather line includes fine tailored deerskin skirts and jackets featuring tooled or beaded lapels and cuffs – perfect for your next branding. Also new to the line are buffalo hide purses with removable silk and denim liners and exchangeable straps. Brit is the real deal but she does enjoy making nice things for nice people. You can see her at most of the big shows throughout the Rockies or contact her through her website, www.britwest.com.



Vaqueros de Los Olas



photo by JP Garcia

The Corporate Office



VDLO makes a super comfortable jacket for both men and women.

This company is one of our favorite “mega-niche” providers. The photo above is a “fish-eye” view of the world headquarters. As they say on their website, they are “embracing the heritage and traditions of coastal ranching from the backcountry to the waves.” To that end, they make a variety of very stylish yet sensible apparel to be horseback in. This year they introduce a lady’s coat that will just about be your favorite. It’s warm and the perfect length for riding. Visit their website, www.vaquerosdelasolas.com, and you can order a coat or a shirt, buy a surfboard and find a dealer. These folks are exceptional people and if your local Western emporium doesn’t carry their line – ask them.



photos courtesy Vaqueros de Los Olas

Pete Healey Helps Horses

“No feet, no horse” is a concept not lost on horse-shoer, Pete Healey. He has taken the craft of the farrier to new heights with something he calls “Balanced Break-Over Management.” It seems Pete has designed a way that horse owners, veterinarians and horse-shoers can speak the same language when it comes to their horse’s lameness issues. Healey has created a simple, specific “ruler” and booklet that – based on the truth that numbers don’t lie – allows the horse’s triad of care givers – owner-vet-shoer – to have a standard for creating the proper trim and balance of the horse-in-question’s feet. It’s simple, it’s revolutionary and it’s patented. What is it? Pete breaks it down at his website, www.balancedbreakover.com, but in short:

BALANCE: Is the relationship of the hoof capsule to the coffin bone.

BREAK-OVER: Is the function of the hoof capsule as it relates to the coffin bone.

MANAGEMENT: Is the correct placement of the hoof capsule to the coffin bone on the day of shoeing and being able to evaluate that placement during the shoeing cycle.

For more information, contact Pete at 805.729.1116.



Pete’s little gauge is fast and accurate to use. Why not be sure?

photos courtesy Pete Healey

The Cowboy Way goes to town.

Your intrepid editor “broomed-off” recently and went to town to join writer Mark Bedor at the annual Silver Spur Awards. These awards celebrate the classic days of Western film and honor those who give us so much pleasure at the movies. What follows is Mark’s recollection of a fun evening. Following Mark’s story, writer Dan Gagliasso reflects on his visit to this year’s Cowboy Artists of America Show in Phoenix.

The Silver Spur Awards

When Tom Selleck shows up at an awards dinner, you know it’s a big deal. And the man everyone wants to see make another Western topped a long list of stars on hand for the 2009 Silver Spur Awards. They included three Oscar winners – director Ron Howard, the ageless Ernest Borgnine and actress Shirley Jones. Howard came to present his father Rance with a coveted Silver Spur. The veteran character actor kept the crowd in stitches with a hilarious acceptance speech.

Marty Ingels was even funnier. The actor-comedian’s introduction of his celebrated wife Shirley Jones (whose Westerns include *The Cheyenne Social Club* and *Two Rode Together*) included a passionate defense of American values that won rousing applause.

Borgnine received a surprise Silver Spur, right after presenting *Young Guns* actor Lou Diamond Phillips with his own.

Selleck was on hand to help honor his friend, stuntman and director Walter Scott. The two worked together on *Monte Walsh* and *Last Stand at Saber River*. Scott’s many other Westerns include *The Outlaw Josie Wales* and *Hang ‘Em High*.

The late stuntman Whitey Hughes and *Bronco* star Ty Hardin were honored as well. Rex Allen Jr., Buck Taylor and Hugh O’Brian were among the many other stars that turned out. This 12TH Annual celebration of the Western is put together by L.A.’s Reel Cowboys organization.

— Mark Bedor



Tom Selleck



Rance Howard and his son Ron celebrate with the Howard family.



Shirley Jones & Marty Ingels

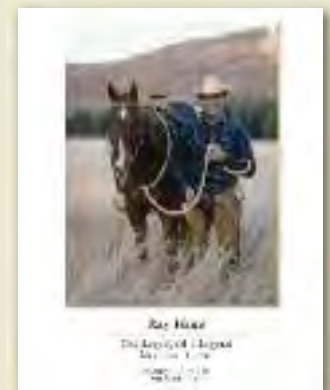


Ernest Borgnine & Lou Diamond Phillips

photos by Mark Bedor

Ray Hunt Memorial Clinic

This past spring, we lost the final part of a trio of horseman who dedicated their lives to the horse. Horseman Ray Hunt was preceded in death by two significant Westerners, Bill Dorrance and his brother Tom. Together these three men helped make the world a better place for horses by sharing their insights into a gentler, less intrusive way of starting young horses. Their methods sparked a revolution in horsemanship that continues to grow. Call it “natural horsemanship” or simple horse sense, it works and horses are the better for it. In February 2010, two of Ray Hunt’s students and friends, Buck Brannaman and Martin Black – in conjunction with Hunt’s widow Carolyn – are putting on a memorial event, February 27 & 28 at the Watt Arena in Ft. Worth, Texas. This will be a once in a lifetime chance to see some fine horsemen celebrating the ways of Ray Hunt. A commemorative poster will be available. For more information, visit www.rayhunt.com.



Cowboy Artists of America Show and Sale

The Cowboy Way was at the Cowboy Artists of America's annual show and sale October 16-17 at the Phoenix Art Museum. We met up with old friends and made a few new ones. This is the premiere Western and cowboy artist organization in the world representing the top cowboy painters like Fred Fellows, Bill Owen, Bruce Greene, Wayne Baize, Tim Cox and Clark Kelly Price; great historical Western painters like Gary Carter, Martin Grelle, Dave Powell, Loren Entz, Harley Brown, Gary Niblett, Ron Riddick, Jim Norton, David Halbach, Don Crowley and John Moyers along with incredible cowboy and Western sculptors Bill Nebeker, Mel Lawson, Herb Mignery, T. D. Kelsey, Orland Joe and John Coleman. Many of these artists paint as well as sculpt. Top collectors from around the country flock to Phoenix every October for the CAA show; it's a gathering that always features some of the very best Western art of the year.

The newest members are two highly acclaimed Western artists, sculptor Paul Moore and painter Tom Browning. One cross-talented member, Mel Lawson also belongs to the prestigious Traditional Cowboy Artists Association that perpetuates cowboy craftsmanship like saddle making, braiding, spur, bit and silver work. Mel is a well-known vaquero-style braider in the tradition of the great Luis Ortega and many of the CA artists have been, or still are, working cowboys, competitive ropers and ranchers.

Everyone at the sale seemed to agree on the fresh quality of so many of this year's pieces. Sales-wise, Martin Grelle, Bill Owen and Tim Cox in particular did very well on opening night, and many other pieces will sell over the next month since the art stays on display until mid-November. Orland Joe, the only Native American member of the group, had a particularly strong show with his unique stone carved sculptures that often evoke his Dine' (Navaho) heritage. Dave Powell, who, like his mentor the late CA Joe Beeler, loves the Old West, showed his historical knowledge with a great oil of the Kiowa chief Santank being roped and dragged during a confrontation with Mexican vaqueros.

Originally conceived in a Mexican vaquero cow camp, the CAA was finally formalized as an incorporated organization in Sedona, Arizona in 1964. The mission statement of CAA is as simple and forthright as the men who make up the organization that was started by the great cowboy artists George Phippin, Joe Beeler, Charlie Dye and John Hampton.

*"To perpetuate the memory and Culture of the Old West as typified by the late Frederic Remington, Charlie Russell and others;
To ensure authentic representations of the life of the West, as it was and is;
To maintain standards of quality in contemporary Western art;
To help guide collectors of Western art;
To give mutual assistance in protection of artists' rights;
To conduct a trail ride and campout in some locality of special interest once a year;
To hold an annual joint exhibition of the works of the active members."*

For information on CAA and its annual sale, contact www.CowboyArtistsOfAmerica.com.

— Dan Gagliasso



Red Steagal (center) examines a painting.



Sculptor Bill Nebeker (left) and friend



Happy readers. (L to R) Texas Rancher and artist Mike Capron, CA artist Wayne Baze and his wife Ellen

photos courtesy Phoenix Art Museum

New Music

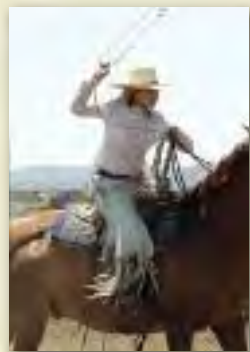
Adrian

Boots and Pearls
www.buckarogirl.com



Young Adrian Brannan follows up her debut album, *Highway 80*, with *Boots and Pearls*, a sophomore effort with the legendary Tom Russell co-producing. Adrian says of the collaboration, "I grew up loving Tom's music and I hope his touch on this record means as much to

the listeners as it does to me." TCW caught up with Russell after his appearance on the *David Letterman Show*, "Adrian came up to me at Elko last year (she called me Mister Russell – that always gets my attention) and gave me her first CD. She said she was interested in my producing her second one. I was traveling and didn't know if I



had the time or the interest, until she started sending me some of her newer songs. Then I heard the clear potential. I was impressed that she has such a great voice and was so at ease on stage. We got together in California and went over her list of new songs – seemed like she was writing a new one everyday, love songs, cowboys songs – the whole deal. We shaped the lot down to six or seven and I suggested she record some covers to balance out the record. She picked some gems by

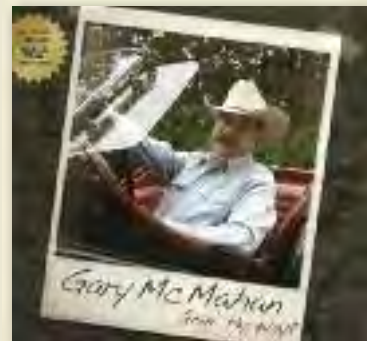
Bob Dylan, Emmy Lou Harris, and one of mine: "Down the Rio Grande." I finally agreed on the deal and we recorded last June at Wave Lab studio in Tucson, where I recorded my new one, *Blood and Candle Smoke*. A lot of great records have come out of that place recently, including albums by Neko Case and Calexico. In the studio, Adrian stepped up to the plate like a pro, put in long hours and swung for the bleachers. We even had one of Dylan's old drummers, Winston Watson and Barry Walsh on piano who played with Waylon Jennings and Roy Orbison. I think she hit the ball out of the park. Adrian is the breath of strong fresh air the cowboy music scene needs. I was honored to have worked with her."

Adrian shows some significant songwriting skills on *Boots and Pearls* – especially the title track and "Damn Rodeo Men." The sophistication of her delivery denies her young age – she nails the Stones' "Wild Horses" to the bunkhouse wall. This buckaroo girl is going places.

Gary McMahon

Goin' My Way
Horse Apple Records (www.singingcowboy.com)

Gary McMahon is Western music's Robin Williams – hugely talented, can make you laugh or cry like no other, and is a master of timing – this being his first studio album since 1992. McMahon is among very few artists in the Western genre who can be credited with



creating true classics, such as "The Ol' Double Diamond," "Skeeter," "Beer Can Bob" and "Pete & Pat," to name just a few. McMahon's songs have stay and this new album is as welcome as a newborn calf. As Gary says of the record, "You know I'm about half proud of this album. It's packin' seven new songs, a yodeling meltdown and three poems. This is original, true storytelling about the new and the old West. It'll take you from 500 years of cowhunting in the Florida swamps to a cowboy's take on Ralph Lauren. It's a little unpredictable, and it might surprise you now and again. You may laugh out loud and shed some tears before it's over. It's got all the fun, feelings, real stories, music, lyrics, licks, yodelin', and harmonizin' we could tamp into it."



Gary McMahon is unique in the Western genre with an equally unique sense of humor and read of his audience. As he says, he likes to leave his audience uplifted and laughing and he takes great care that his shows are as wholesome as the glorious West he sings and talks about – "I'm as careful about that as a naked man crossing a barbed-wire fence!"

His spoken word selections – including the enlightening "Chaps" on the new album – a message directed at Ralph Lauren – with tongue planted firmly in cheek – are always entertaining. McMahon's voice has great feeling and reminds us of the great cowboy singers of the past. His song "Uncle Fred" will mix into the cavy of music's great story songs with ease. This album is a welcome gift from a singer/songwriter who has already given us timeless pleasures, laughs and tears.

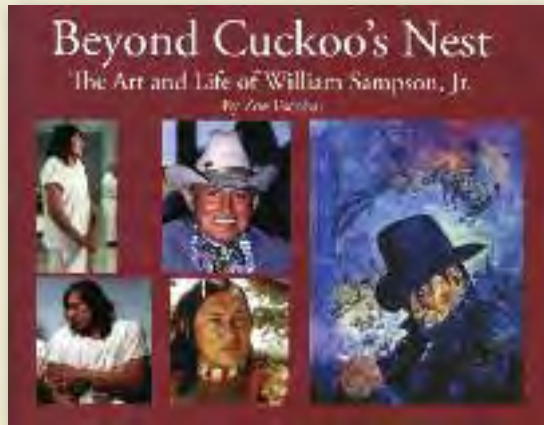


Remembering Will Sampson

Who could forget the looming presence of Will Sampson's character in the classic *One Flew Over the Cuckoo's Nest*. William "Sonny" Sampson was a "scene stealer" – on screen and in life. He was a Muscogee Creek Indian, an actor and artist. His long time assistant and secretary, Zoe Escobar spent years contacting and collecting images

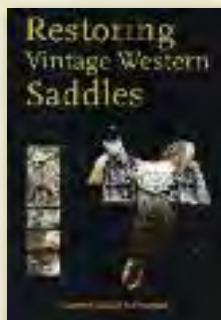
of his art and life in her book, *Beyond Cuckoo's Nest: The Art and Life of William Sampson, Jr.*, and she has created a loving look at a quiet giant of a man. Will Sampson died in 1987 leaving behind a loving family and a significant body of work. Ms. Escobar's fine biography gives us a glimpse of someone who had so much to give and left us too soon.

For information, please visit www.GirlDogPublishing.com.



A Passion for Fixing

Alain Eon is from France and is a prime example of the fascination worldwide about the American cowboy and his trappings. Alain has been all over the West and has worked with some of the finest saddle makers around. His new book, *Restoring Vintage Western Saddles*, is sort of an over-flow valve for his passion of the subject. As he quotes the renowned author and maker Lee Rice, "To restore an old saddle is almost the same as meeting the maker," he touches on the essence of what drives collectors and lovers of old gear. It's the chance to



once again visit a time past when the cowboy was king. The book is not really a how-to book as Alain himself admits. It is a chance to arm oneself with information to keep a favorite, vintage "cowboy throne" in good working order. Merci, Alain.

Contact Alain at alain.eon@free.fr.

Vel Miller

Central California artist Vel Miller has created a stunning new piece celebrating the Western spirit of Ronald Reagan. She was recently commissioned to create the piece by a friend of



Reagan's who had asked him to participate in a parade in Paso Robles, California in 1965 – before he had been elected Governor of the Golden State. The commission came some forty years after the event but the finished piece was worth the wait. Miller's work has graced the covers of countless books, magazines, cards and Western Horseman calendars. Her work focuses on a Western way of life, as does her own life. For more information, visit www.velmiller.com.



America's Horse in Art

The American Quarter Horse Hall of Fame and Museum hung a show and sale this past fall to benefit the Museum's on-going work with the American Quarter Horse Association. The show sold over half of the pieces featuring the horse "that settled the West," but many are still available. Visit www.aqha.com to see available pieces – the perfect Christmas gift for the horseman on your list. Here are a few examples.



The Diamond Hand
(watercolor) by Teal Blake, \$2,500



Clouds on the Mesa
(Oil) by Bruce Graham, \$4,000



Partners
(Bronze) by Mehl Lawson, \$4,750

Something's Fishy: California Water and the Delta Smelt

Actor-comedian Paul Rodriguez has become an outspoken advocate of the Latino Water Coalition. The group was formed two and a half years ago after the Delta Smelt in California's Sacramento River was declared an endangered species. That declaration triggered severe cutbacks and outright cutoffs of irrigation water from the Sacramento River Delta to growers in California's fertile San Joaquin Valley. Rodriguez says water restrictions have killed tens of thousands of almond and fruit trees, turned productive farmland into a desert and cost thousands of farm workers their jobs. Unemployment in some areas tops 40%, and California Governor Arnold Schwarzenegger has declared the region a disaster area. Rodriguez's own mother has been impacted, after water was cut to the 40-acre farm the comic bought for her. He discussed the situation with *The Cowboy Way*.

TCW: *So, your own mother is being effected?*

PR: That's how I got involved in the first place. In years past, they had rationed the water. They'd given us 30 percent and we'd make do. But, this last year when they said zero allocation, that's when the whole thing started. It's been quite a civics lesson for me. I've gotten so much heat from people that I thought were my friends. Especially when I went on *Hannity*. I went on that show not because I agree with everything he espouses, but he's the only national media that allowed us to talk about the issue of water. Friends and people that I didn't even know accused me of being a tool to bash the President. I've never said anything negative about the President. The President isn't my issue. The issue is water and the environmentalists and the extreme measures they take without consideration to human beings.

There are two pumps. There's the federal and then there's the state. Governor Arnold Schwarzenegger has been our ally. Very helpful. He declared the San Joaquin Valley a disaster area,

which has allowed us to apply to the federal government, not for money, mind you, but for them to release (Sacramento River) water to us.

I've made several trips to Washington, D.C., met with the Interior Secretary. We were told it all has to do with the endangered species law, which is not flexible in any way. Given that, a judge, ironically, one that lives right there in Fresno, said that his hands were tied, so he ordered the pumps shut. That's what's been going on.

TCW: *But a judge's hands are never tied.*

PR: You would think they have that kind of leverage, but no. The Endangered Species Act that was passed in the 1970s is so strict that once a species reaches a certain level, in this case, the water is to be shut off and it hasn't been able to be opened up again. Oh, they've opened it for a little bit. As a matter of fact, as I speak to you right now, the pumps are open.

But, they will be shut off again. The problem is the laws the farmers live by, nature, don't work like that. You can't just turn the water on and turn it off. You have to abide by planting seasons.

TCW: *When was the water cut off?*

PR: This last year, they shut the water off for a period of six months. And, they just barely turned it on – maybe, because of our prodding, because of our noise making. But, it's not going to be quite enough.

Complicating the situation is the fact that we're going through a drought. This all while California's population continues to explode. And, with less water available from the Colorado River – it's all coming to a head.

A big part of the problem is that people in southern California seem to be oblivious, because as long as water comes out their faucet, people don't think there's a problem. And,

“WE CAN'T PUT
THE LIVES OF OUR
CHILDREN AND
OUR FUTURE
BELOW THE
DELTA SMELT.”

— PAUL RODRIGUEZ

Roping in Afghanistan

They say in the roping world, if you are not practicing, someone else is. Army Reserve Sgt. Drexel Hogue has taken that literally – and to heart. While stationed in Afghanistan, he sent us these shots to prove he is practicing and that the bucket didn't get away.



since most of the major news outlets don't cover this, few people are aware of it.

TCW: *What kind of an impact is this having?*

PR: The food lines... you hear on the news about unemployment... well, I'm here to tell you, that in Mendota, cities like Firebaugh, these small towns in California's San Joaquin Valley, their unemployment is 40%. It's unbelievable. All of that impacts everything else in the area as their main business is farming.

So recently, the Latino Water Coalition came to me to help petition the governor. They figured I'm in show business; they figured I knew Arnold Schwarzenegger. Big surprise for them as not only did I not know the governor, I didn't really agree with him. I didn't vote for him, I didn't support him. But, I will tell you, he has turned out to be an ally, and a friend.

TCW: *What needs to change?*

PR: The system that California uses for water hasn't been dealt with in the last 40 years. The California aqueduct was built for approximately 18 to 20 million people and already we are at 38 million. Statisticians say we'll be reaching 50 million not too far in the future. And then the crisis will truly, truly, be unbelievable. In the meantime, people need water. Eight gallons for each of us, every day. Simple math. To complicate things, you have environmentalists who won't bend even a little bit. Won't compromise at all. None of the (previous California) governors wanted to touch it (the water issue), because it was political suicide. There was nothing to gain and everything to be lost.

I give credit to this governor, that he's had the courage and even threatened to veto everything unless this problem was solved. And, he's tackled it head-on.

(Editors note: After intense negotiations, the California State Legislature has just passed an eleven billion dollar bond issue to build dams, underground water storage facilities, desalinization plants and new water canals, but the bond measure must be approved by voters in a special election. The outcome is uncertain.)



EXISTENCE: Sterling neckcollar with a Madagascar Ammonite & and rare fossils & gemstones. FOSSIL TREASURES: Sterling cuff with Dinosaur Bone, Citrine, Copper & Ancient Coins.

photos courtesy Sgt. Drexel Hogue



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TCW: *If the bond passes, does that solve the problem for the farmers?*

PR: Not just for the farmers, but for all of us. Regardless of where in California you live, it will solve the problems for at least another 40 years.

TCW: *How do these farm workers survive in the meantime?*

PR: They don't. In the meantime, they're in line. You go down to Firebaugh and they're out there in food lines. These are people that grow the food, out there in line to get Chinese carrots. What irony is that? People in Firebaugh and Mendota – which is the melon capital of the world – they grow 98 percent of all the tomatoes used in this country. They are not working. It's disastrous. And, even with that, I can't get the attention of the news media in the big cities like Los Angeles and San Francisco, cities directly effected by this issue.

TCW: *What happened when you talked to Interior Secretary Ken Salazar?*

PR: We asked him to please reconsider (the endangered listing of the smelt.), because in our opinion, they haven't taken into consideration all the other reasons for the demise of this fish. The Secretary said when we met with him that he would not reconsider that. And, even if he did, it would take another three years of study. Three years! It's a death sentence on us.

We happen to be the stewards of the San Joaquin Valley, the breadbasket of the world. This valley grows all the vegetables that America needs, and enough to export. We just need the water. It appears that the government would rather we import food and save the fish over jobs and food independence.

TCW: *Can Congress change the act?*

PR: There is a group, loosely called the God Squad; they are the only bunch that can override the Endangered Species Act.



The Delta Smelt



"YouTube" video showing Rodriguez interviewed by Sean Hannity on Fox.

They have used it one time in the past, in New Mexico, when they realized that water was necessary for ranchers or else they would lose their cattle. That situation is the only time. I've asked our governor to request it but he said he wasn't ready to pull that trigger.

As for me? I've been hospitalized, I'm so sick about this situation. My personal career is in shambles. But, even that is not as important as what I'm talking about for our people and our state.

TCW: *What can people do?*

PR: We need to conserve water first of all, of course. Second thing, we need to impress on our legislators that this issue is important, put their political axes to the side and think of the greater good.

The environmentalists need to know that they have ruled the roost for far too long. We do care about the environment. But, we care about our children. We need to grow food. The bottom line is we can't put the lives of our children and our future below the Delta Smelt. Are we really willing to depend on foreign countries to feed us? I think the last thing we should do is put our food supply in the hands of China and other countries in the world. That is not smart for America. It's very, very dangerous.

Water is life itself. People don't seem to know the emergency that we're under. Look, there's terrorism right here at home. They happen to be our friends who believe that they're doing the right thing by being environmentalists. Well, in a perfect world, we would like the earth to stay pristine. But, you can't have 38, 40 million people living in one part of America and expect them, what? Not to bathe? Not to drink? Not to eat? No, water is essential.

The day has come when those of us who have been quiet for far too long must stand up. We need water in California and we need it today.

— Mark Bedor

Editor's Note:

We certainly share Mr. Rodriguez's frustration, but the culprit here probably is not so much the EPA and environmental factions as much as it a series of back-room agreements made by the State of California. Frankly, the issue is not the federal government, rather it is the state that seems to have sold the people and their property out. This mess more than likely could have been resolved if the state - as a *coordinating* agent and not as a *cooperating* agent had stopped the intrusion of the EPA. (*Black's Law Dictionary* 6th Edition page 335, defines "Coordinate" as *Equal, of the same order, rank, degree or importance; not subordinate*. Further, *Black's Law Dictionary* 6th Edition page 334, defines "Cooperate" as *To act jointly or concurrently toward a common end*.) Instead, through cooperative agreements the state apparently agreed to support the Endangered Species Act in exchange for some kind of federal dollars. (The vehicle for funneling federal funds into the states is the Pittman-Robinson Act.)

See: <http://wildlifelaw.unm.edu/fedbook/pract.html>
and the Dingel-Johnson Act and
<http://wildlifelaw.unm.edu/fedbook/djact.html>

So, in essence, the state, it appears, sold out its citizens for federal dollars, thus falsely empowering the EPA and it's ability to impose the Endangered Species Act within a sovereign state. In short, we have allowed this to happen. We gave them permission.

But don't feel bad for not seeing this. Below is a link to case law that shows how complicated this mess is. The court has defined under the Clean Water Act the definition of "waters of the United States."

See: <http://www.epa.gov/oalj/orders/crownid.pdf>

Can the state do something? Probably, but it would be like buying a new car, driving it for 25,000 miles and then deciding it wasn't such a good deal after all. In PARAGON's estimation, this is not as much a federal issue as it is a state issue. When something is not applicable within a state (ESA, Clean Water Act), the federal government always needs the states to waive their sovereignty and buy into their program. That means, follow the money, if you can, and see who sold the people out. The federal courts are courts of equity and the definition of equitable is what is fair to all parties.

"The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. . . . The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State." *The Federalist No. 45*, pp. 292-293 (C. Rossiter ed. 1961) (J. Madison).

Some further information:

New York v. O'Connor delivered the opinion of the Court. "Just as the separation and independence of the coordinate Branches of the Federal Government serves to prevent the accumulation of excessive



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power in any one Branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.

Where Congress exceeds its authority relative to the States, therefore, the departure from the constitutional plan cannot be ratified by the “consent” of state officials. An analogy to the separation of powers among the Branches of the Federal Government clarifies this point. The Constitution’s division of power among the three branches is violated where one Branch invades the territory of another, whether or not the encroached upon Branch approves the encroachment....

The constitutional authority of Congress cannot be expanded by the “consent” of the governmental unit whose domain is thereby narrowed, whether that unit is the Executive Branch or the States.

State officials thus cannot consent to the enlargement of the powers of Congress beyond those enumerated in the Constitution.”

Printz v. United States, 521 U.S. 898 (1997) (Pg 935)
“We held in New York that Congress cannot compel the States to enact or enforce a federal regulatory program. Today we hold that Congress cannot circumvent that prohibition by conscripting the States’ officers directly. The Federal Government may neither issue directives requiring the States to address particular problems, nor command the State’s officers, or those of their political subdivisions, to administer, or enforce a federal regulatory program. It matters not whether policy-making is involved, and no case-by-case weighing of the burdens or benefits is necessary; such commands are fundamentally incompatible with our constitutional system of dual sovereignty. Accordingly, the judgment of the Court of Appeals for the Ninth Circuit is reversed. It is so ordered.”

Regarding federal versus state jurisdiction, *Erie Railroad Co. v. Tompkins*, 304 U.S. 64 (1938),[1] was a decision by the Supreme Court of the United States in which the Court held that federal courts did not have the power to make up general federal common law when hearing state law claims under diversity jurisdiction. In reaching this holding, the Court overturned almost a century of federal civil procedure law, and established what remains the modern law of diversity jurisdiction for United States federal courts.

See: *Erie Railroad v. Tompkins*, 304 U.S. 64 (1938)
http://en.wikipedia.org/wiki/Erie_Railroad_Co._v._Tompkins

Further information can be found on the PARAGON website at www.paragonfoundation.org.



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photos courtesy Ritch Rand

Ritch Rand

Rand's Custom Hats



For Over 30 Years,
a Western Original

BY DARRELL ARNOLD

Editor's Note: We welcome Ritch Rand and his fine hats as a new Sponsor.

In challenging times such as these, economic conditions have many businesses teetering on the brink of failure. Given that, it is heartening to know there are still entrepreneurs out there who are strong enough and smart enough to weather the storm. One such hearty soul is Montana's Ritch Rand, founder and chief driving force of Rand's Custom Hats.

Starting on the proverbial shoestring back in 1970, Rand has evolved into a master hatter, and has built his business into a thriving company. "Back when I got started, in the early '70s," Rand says from his Billings, Montana shop, "a custom hat cost \$15 and a complete renovation would set you back \$5. Times have changed."

Today, Rand displays more than 400 models of hats in his 9,000-square-foot store in downtown Billings, and his

custom hats range from \$350 all the way up, based on fur quality, banding and accessories. He employs a dozen full-time employees and provides goods and services to retailers all over the Western and outdoor enthusiast worlds.

Besides being a master hatter, Rand is also very aware of the importance of branding and marketing his products. His catalog business is booming and he

is successful at selling hats on the Internet. "That amazed me but it's a testament to our approach of helping people feel comfortable with their purchase in the cyber world. But, in order to get our product





out in front of people, we've had to develop catalogs, CDs, demonstration DVDs, mailings and other marketing strategies. We distribute hundreds of catalogs at both wholesale and retail markets and shows every year. We also have hats on display in museums around the country, and we are sometimes on the History Channel and on the Outdoor Channel on

television. I've also co-written two editions of a book about hat making, *The Cowboy Hat Book*, published by Gibbs Smith, that's available all over. So we've tried to stay ahead of the curve."



Getting to where he is today wasn't easy, but Ritch found a way to make it happen. "I was raised in Oregon," recalls Rand. "My family was homesteaders and ranchers in Oregon and my father was in law enforcement most of his life. My brother and I, growing up in the 1960s, had the great luck to be able to hunt and fish and be outdoors every weekend, whether it was horses or dogs or something. We were a very outdoor family. There weren't the zero

tolerances of today on certain things then, so guns and hunting and fishing and being an outdoor person wearing boots and a hat was very commonplace."



After completing a college education at Boise State University and Portland State University, Rand found himself, in his early 20s, "between life positions," he recalls, with no particular sense of direction. "There was a lady, a Mrs. Rowell, who had been in the hat business in Boise for many years. She was actually retired but made me a couple of hats and she

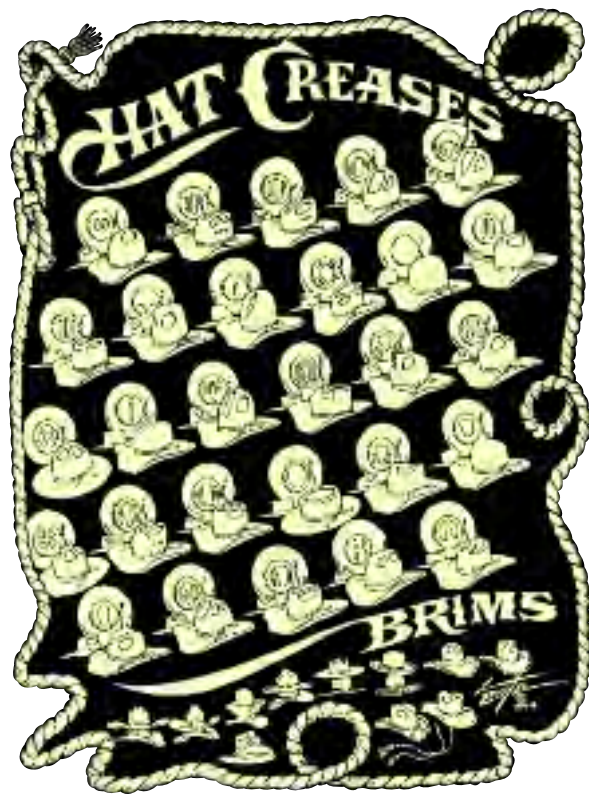
spurred my interest at the time."

"Originally, her hat business was called Zims, in Boise. That hat shop was there in the late 1800s or early 1900s and Mr. and Mrs. Rowell acquired it around World War II. It was in downtown Boise as a haberdasher's shop where they

had men's furnishings – boot shines, hat cleaning, men's clothing, etc. And, when Mrs. Rowell's husband passed away, I asked her if she'd be interested in training me to make hats. She really wasn't interested. She was elderly at the time, and didn't really have the energy. But, with a little persistence," he smiles, "she became a little more enthusiastic about passing on what she knew. I had no money. I think I took out a loan on my car and borrowed \$2,500 to buy her equipment and I started making hats in the basement of my house."



With all this industry going on in his life – Rand was married at the time and raising two children – he also attended millenary design classes, took marketing courses and extended his business learning. "I did a lot of things in addition to running the hat shop," he says. "The school of practical experience was the best learning tool, but there was always some education and common sense to back that up."



Eventually, Rand moved the business from Boise to Billings. "We had to move to get into a more Western-oriented area and we've been in downtown Billings for more than 25 years."

The hat business is very competitive. Large manufacturing companies like Stetson, Bailey, Resistol and

seven or eight others dominate the industry by producing quality hats in a manufacturing process. Because they are so large, they influence access to the basic products that one must have to build a hat. Rand continues, “The supply of goods and services in the hat business is very challenging. If you don’t have long-term relationships with suppliers, you probably can’t be in the hat business – and that’s everything from basic hat bodies – fur felt, ribbons, bands, almost every



Ritch Rand and the one that didn't get away.

part of the ‘parts’ process is, frankly, relationship based. So, we have continued to stockpile products over the years. As an example, every time I was able to buy ribbon (for banding and edging), I would buy extra in order to have some left over. I now stock about 6,000 rolls of ribbon and trim. I have rooms full of this stuff. So then, it comes down

to the hat bodies and the chemicals, such as form stiffeners and water repellents. To protect ourselves, we have developed our own water repellent and our own stiffeners over the years and even sell it to some other makers.”

Rand explains that the all important hat bodies come from specific sources and has long-term relationships with them. Quantity is always an issue. If a hat maker can’t buy a certain amount per year, those manufacturers are not as easy to do business with.

The actual hat making side really hasn’t changed in over one hundred years. A quality, fur felt hat has over thirteen hand operations. According to Rand, “But before one even starts, it takes an enormous amount of what is really antique equipment and manpower to manufacture hats and hat bodies. Some are made in Texas, some in Tennessee, some in Czechoslovakia and some in South America. The real issue is you have to meet certain health standards in processing this stuff. You cannot grandfather it in so it’s a difficult process.” The question begs asking, if it’s so hard to do, why do you? “I love the business and the people in it,” he replies.



Rand’s has created some of the great hats in Western film as well as recreated some classics. For example, the hats from the film *Tombstone*, like Val Kilmer’s “Doc” hat, and the great shape of Randolph Scott’s film headwear.

Rand’s is probably the largest custom hat shop in the country, making several thou-



Whether you’re headed for the branding pen or the roping arena, Rand’s can build a great hat for you.

sand custom hats per year. In addition, they do corporate work, making hats in certain styles, colors and sizes for a company that wants to retail them or give them as promotional gifts. Some of the innovations Ritch Rand has developed have been patented and are well accepted in the industry. He says, "We have a patented hat rack, the Car Seat Stirrup, that helps carry a hat in a car without it being crushed. And, we've created different designs of curling irons to roll and trim the edges of hat brims. In addition, we've created different styles of hats and trims that seem to have stuck to the wall and become classic shapes."

What's next? "In the next five or ten years," he says, looking out into his showroom, "we may scale back our facility a little bit because so much of what we are now doing does not require the client to actually walk into our shop. We can do so much through the Internet and through our mail order catalog business."

Regardless of how he does it, Rand will always try to lead the industry in product quality and customer service. He says, "We take more pride in the product and in helping our customers. Without them – and we are fortunate to have tremendous customer loyalty – we would be out of business," he says proudly. "People like being treated in a hands-on way with something as personal as a hat. All of our people enjoy what they do. We have folks working here who have been here for 15 or 20



years. We had one hatter retire recently after 19 years."

"We fit the hat to the person more than most people realize. We take the eyes, ears, nose, skin color, shoulder, height and weight of the person all into consideration. Then we design a hat around what their need is. If you're going on a safari, we need to know that. If you are a cowboy, we need to know that, too. We are outdoors people, horse people, we live in the West, we eat and breathe the West, and when people describe what they are doing, we can jump right on board and create something special for them."

How long does it take to get a custom Rand's hat? Ritch Rand says within 90 days of the initial order. "We have a very complete catalog and website at Randshats.com so no matter where you are on the planet, we can get the information to you. Then," he continues, "if they want to order, we walk them through the fitting process either over the phone or via e-mail. We ask a lot of questions about crown height, brim width, the angle of the crease and the trim. We try to leave no detail unturned. The hats are packed and shipped to the customer's door. And when that Rand's white hat box arrives," he smiles, "you'll have something that is still made in the United States, right here in Montana, and we're very proud of that."



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NAIS Update: The Extraordinary Power of Ordinary Citizens

In the Fall 2009 edition of *The Cowboy Way*, we described how ordinary citizens took steps that in this day and age are considered quite extraordinary. When the U.S. Department of Agriculture (USDA) decided to impose on every U.S. rancher a federal ranch and livestock registry scheme contrived in the halls of the World Trade Organization (WTO) by multinational ear-tag manufacturers and meatpackers, these ordinary citizens said to their government, "No." On American soil, this international plot is known as the National Animal Identification System (NAIS).

These ordinary citizens said "No," to USDA's insistence that every U.S. livestock owner must register their ranch with the federal government. "No," to USDA's insistence that every head of U.S. livestock be permanently affixed, at the owners' expense, with an electronic ear tag that contains a unique international number. "No," to USDA's insistence that every U.S. livestock owner, including owners of horses, cattle, hogs, sheep and goats, notify the federal government within 24 hours each time their livestock is removed from one federally registered property and unloaded at another.

Those who said "No" are many. Some attended one of USDA's 14 official listening sessions held this spring across the United States and these ordinary citizens walked up to USDA's microphone to deliver their message, "No." At the listening session in South Dakota, for example, nearly 400 ordinary citizens exercised their right to inform the government that it was on the wrong track. Other ordinary citizens wrote letters or made phone calls to their respective members of Congress and to USDA, and they, too, said, "No." R-CALF USA along with 92 other organizations sent a joint letter to Congress to ask for the complete elimination of any federal funding for NAIS.

The U.S. House of Representatives appeared to be listening to the citizens as it tried to zero out completely the \$14.3 million USDA wants to add to the \$142 million in taxpayer money the agency already has spent on this international boondoggle. But, the U.S. Senate was unwilling to exert its U.S. sovereignty over the WTO's request and offered up a cool \$7.3 million to keep the international NAIS chip in the game. When the dust settled between the two houses, USDA was given \$5.3 million to breathe new life into NAIS.

While we wait to learn what USDA intends to do with this additional \$5.3 million, R-CALF USA and other groups are preparing to send another joint letter to USDA urging it to use the money to distribute all the computers and other hardware that USDA purchased for NAIS to the animal health agencies within each of the 50 states. With this newer equipment, the states can improve their communications between and among each other in the event that a disease outbreak necessitates an investigation across state lines.

In addition, we are asking USDA to use this money to provide Congress and the people of the United States with a full and complete report of all the testimony provided by the ordinary citizens who attended USDA's 14 NAIS listening sessions. Perhaps such an official report can serve as a historical reminder that U.S. citizens are unwilling to forfeit their individual rights and freedoms just so a handful of multinational ear tag manufacturers and multinational meatpackers can gain global market shares for their products at the expense of U.S. ranchers.

The late, great Yogi Berra said, "It ain't over till it's over," and it isn't over for NAIS. Ordinary citizens must continue to take extraordinary steps by calling their members of Congress to urge them to stand up for the rights and freedoms of the U.S. ranchers who produce our food, as well as to urge Congress to protect those same rights and freedoms for those of us who consume food.

As described in the following pages, Congress continues to demonstrate its propensity to impose burdens on individuals and on individual businesses while turning a blind eye toward the powerful corporate entities that are placing our food safety and food security at risk.

If this concerns you, you as a citizen, have extraordinary power to effect the current direction of our government, and your power is greatly enhanced when you join an organization like R-CALF USA.



Ways to help U.S. Ranchers and Stock Growers

Become a member: R-CALF USA memberships are available for both cattle producers and beef consumers. Send \$50 for a 1-year membership or \$140 for a 3-year membership to the address below and indicate whether or not you own cattle.

Contribute: There are two ways to make a donation. Donate to R-CALF USA and your expense may be tax deductible as a business expense, or donate to R-CALF USA's charitable 501 C3 organization, USA FREE (United Stockgrowers of America Foundation for Research, Education and Endowment). It is important to indicate which organization (R-CALF USA or USA FREE) you are donating to and send to the address below.

R-CALF USA Custom Visa Platinum Rewards Card: Sign-up today for free at www.r-calfusa.com or call 406-252-2516 for an application. For approved applicants, a \$50 donation is made by the bank after the first use plus ongoing contributions with every use.

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www.r-calfusa.com 406-252-2516**



R-CALF United Stockgrowers of America
P.O. Box 30715
Billings, MT 59107
Fax: 406-252-3176
Phone: 406-252-2516
Website: www.r-calfusa.com
E-mail: r-calfusa@r-calfusa.com

September 9, 2009

United States Senate
Washington, D.C. 20510

Re: R-CALF USA's Position Regarding U.S. Senate's Efforts to Improve Food Safety

Dear United States Senator:

R-CALF USAⁱ represents thousands of independent farmers and ranchers who raise and sell cattle and we appreciate your efforts to address the increased incidences of food-borne illnesses that have recently plagued our nation. The frequent outbreaks of food-borne illnesses reveal that the U.S. food system is now systemically and fundamentally flawed.

We are deeply concerned that Congress does not recognize the systemic and fundamental nature of our food safety problems and, therefore, is overlooking the problem's root causes as it proceeds to enact remedial legislation. We urge the U.S. Senate to identify the root causes for our current food safety problems before joining with the U.S. House of Representatives to impose onerous conditions on independent U.S. farmers and ranchers that would give the government more control over such farmers and ranchers without achieving the food safety improvements that Congress seeks.

We have carefully reviewed the Food Safety Enhancement Act of 2009 (H.R. 2749 or House Act) recently passed by the U.S. House of Representatives. We find that even though the House Act exempts our segment of the food industry by exempting livestock, farms that raise livestock, and meat products regulated by the U.S. Department of Agriculture (USDA),ⁱⁱ the House Act will exacerbate the nation's food safety problems and damage all segments of the industry, including ours.

The House Act does not address or even acknowledge the root causes of our nation's food safety problems. The House Act attempts to mitigate the increased incidences of food-borne illnesses by expanding the failed components of our current food safety system. Instead of improving our food safety system, the House Act perpetuates current failures and hampers genuine food safety reform.

A. FOOD SAFETY PROBLEMS WILL PERSIST UNLESS CONGRESS ADDRESSES THEIR ROOT CAUSES

The root causes of our failed food safety system, as evidenced by the increased incidences of food-borne illnesses during the past decade, are unique to the United States and are three-fold:

1. Current Food Policies Promote and Facilitate the Continued Consolidation and Contraction of Independent Farmers and Ranchers and This is Inherently Dangerous to Both Food Safety and Food Security.

The people whom for over a century have literally dedicated their lives and livelihoods to producing the safest, most wholesome food on the face of this earth have and are being systematically driven from their farms and ranches and

replaced with industrialized production units that have an inherent propensity to cut food safety corners to maximize profits – all because our national food policy has long failed to recognize the invaluable contribution to food safety and food security made by independent farmers and ranchers.

Industrialized food production units have systematically eliminated independent farmers and ranchers by using food production methods that are unsound from the perspective of food safety. Specifically, these methods increase the likelihood that harmful contaminants will be introduced into food. As U.S. state and federal governments have tried to impose effective food safety standards, the industrial food producers have successfully lobbied for regulations that impose additional costs on all producers, including farmers and ranchers, but do not interfere with the industrial food producers' ability to continue to use the unsound production practices which are the cause of the food safety problems in the first place.

The replacement of farmers and ranchers with industrialized production units is starkly exemplified by the ongoing trend in the number of U.S. livestock operations. Since 1980 the number of U.S. hog operations has declined 90 percent, from 667,000 to 64,760 operations; the number of U.S. dairy operations has declined by 80 percent, from 335,270 to 67,000 operations; and the number of beef cattle operations has declined by 53 percent, from 1.3 million to 757,000 operations.ⁱⁱⁱ In addition, the number of cattle feedlots likewise has declined, resulting in the ever-increasing concentration of the feeding segment of the live cattle industry.^{iv} Since 1996, the U.S. lost 25,000 small farmer-feeders – those with feedlot capacities of less than 1,000 head.^v During this same period, the number of large feedlot operations with capacities of over 50,000 head increased by 29 percent.^{vi}

Adding *any* additional regulatory burdens and costs on independent U.S. farmers and ranchers without first correcting the failed national policies that are driving these independent farmers and ranchers out of business at an alarming rate would be woefully irresponsible and would immediately put food safety and food security for U.S. citizens in serious jeopardy. The unabated consolidation and contraction of independent farmers and ranchers in the U.S. is inherently dangerous to our food supply and food security as is now clearly evidenced by increased incidences of food-born illnesses.

2. Sound U.S. Food Safety Standards were Weakened When Congress Acquiesced to International Standards that Prohibit It From Targeting Food Safety Problems Originating in Foreign Countries with Stricter Standards – Unless Congress First Applies Such Stricter Standards to the Entire U.S., Regardless of Whether Such Stricter Standards Are Even Applicable to the U.S. Food Production System.

Rather than to first determine and address the precise sources of food contamination through a scientific risk and hazard analysis of the various sources of food available in the U.S., i.e., raw food grown by independent U.S. farming operations, raw food grown by industrialized, corporate farming operations, processed food from independent U.S. food processing operations, processed food from industrialized, corporate food processing operations, and raw and processed food from importing countries, Congress, beginning in the mid-1990s, already has uncritically accepted and adhered to international food safety standards that have severely restricted Congress' ability to effectively address U.S.-specific food safety problems at their source. For example:

The United States can no longer require foreign countries wishing to export meat and poultry products to have meat and poultry inspections that are 'at least equal' to those of the United States; instead, foreign inspection systems must be [only] 'equivalent to' domestic inspection systems.^{vii}

FSIS, acting as a regulatory agency of the United States, may not impose import requirements on inspection systems or establishments in an exporting country that are more stringent than those applied domestically.^{viii}

These self-inflicted limitations are the direct result of Congress' unwitting passage of the Uruguay Round Agreement Act of 1994, which was drafted for the purpose of bringing the U.S. into compliance with the General Agreement on Tariffs and Trade (GATT),^{ix} and which subsequently led to the United States' entry into the World Trade Organization (WTO). These limitations also are the result of the U.S. Department of Agriculture's (USDA's) unwitting attempt to harmonize once sound safety standards with the agency's perceived obligations under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).^x The effect was clear – Congress lowered our essential safety standards to allow higher-risk imports into the United States.

As a result, the United States is currently unable to limit imports from countries that – using similar types of industrial food production and processing units that are creating problems in the U.S. – practice even more unsound and unsafe food production measures than those used here.

Congress has effectively stripped itself: 1) of its needed authority to protect the U.S. food supply from food imported from countries known to practice inadequate food safety measures; 2) from being able to increase inspection of foreign processing plants; and, 3) from being able to otherwise strengthen import inspection measures to more thoroughly evaluate the safety of imported foods.

An annual inspection of foreign processing plants – which now emphasizes the adequacy of the plant's written Hazard Analysis and Critical Control Points (HACCP) plan to declare it "equivalent to" the U.S. system – provides no assurance that the plant is meeting food safety standards 365 days each year or that food entering the U.S. is safe. The House Act perpetuates this failed approach to food safety. It imposes additional burdens on the independent farmer and rancher while protecting the use of unsound practices by the industrial production units in the United States and globally.

Unless Congress first reclaims its sovereign right to protect U.S. citizens from unsafe food, Congress' only recourse for ensuring the safety of imported product, as is clearly evidence in the House Act, is to encumber the entire U.S. food production system with a regulatory regime designed to address food safety problems in foreign countries with highest-risk food, e.g., food from countries that lack an adequate veterinary and food inspection infrastructure and those that may still use chemicals and antibiotics banned in the United States.

This internationally established, universal approach to food safety totally ignores proven domestic food production practices and is patently unfair to U.S. food producers. It also represents a colossal waste of government resources including taxpayer dollars. Treating the entire U.S. food

industry as if it were the lowest common denominator in the food safety equation in order to prevent the introduction of tainted food from importing countries is unthinkable – but that is exactly the premise that underpins the House Act.

A clear example of how the House Act treats U.S. farmers as if they are the lowest common denominator in the food safety equation is its directive to impose upon them the international concept of food traceability. However, even the principles for traceability established by the international Codex Alimentarius state:

An importing country should consider that a food inspection and certification system without a traceability/product tracing tool may meet the same objective and produce the same outcomes (e.g. regarding food safety, provide the same level of protection) as a food inspection and certification system with traceability/product tracing.^{xi}

It is unconscionable that Congress would choose to encumber U.S. farmers with a traceability regime recognized globally as nonessential in countries where other, less obtrusive but equally or more effective means of achieving food safety is practiced. Has Congress lost so much faith in its own ability to restore our nation's once exemplary food safety system that it is now resorting to penalizing farmers and ranchers with a nonessential and onerous traceability system?

Tracing contaminated food to its source will never be as effective as preventing food contamination. While there is an exemption for our segment of the industry at the outset under the House Act, once such an encumbrance is forced upon one segment of agriculture it would likely be applied to all segments of production agriculture in short order. The panacea over tracing food from the farm or ranch will give the public a false sense of security while doing nothing to prevent tainted food from entering our nation's food system.

The traceability requirements imposed on fruit, vegetable, nut and fungus farmers by the House Act are nearly identical to the requirements proposed in USDA's National Animal Identification System (NAIS), which have been vehemently opposed by the nation's producing farmers and ranchers for several years. R-CALF USA views the implementation of traceability requirements on U.S. farmers and ranchers as completely unacceptable. R-CALF USA supports the tracing of contaminated food products from the affected consumer to the processing facility where the contamination has most likely occurred.

Congress must understand that international standards, such as those unnamed but nevertheless referenced in the House Act, do not emphasize food safety. The stated goal of the WTO – the international organization that administers the international agreements that deal with food safety and animal and plant health and safety – is to “help producers of goods and services, exporters, and importers conduct their business, while allowing governments to meet social and environmental objectives.”^{xii}

Thus, it is the WTO's objective to facilitate the importation of food into the U.S., which is the world's largest consuming

economy. The U.S. Congress and the 50 states are the only government organizations vested with the responsibility and authority to protect U.S. food and the U.S. food supply, and this responsibility and authority should not be delegated to any international governmental body or organization. Congress must not abrogate its and our states' exclusive responsibility and authority to protect our nation's food and food security to international governmental organizations as the House Act has accomplished by demanding and/or encouraging compliance and consistency with international standards.

Congress must not adopt international standards in its attempt to mitigate the very food safety problems that are the result of Congress' previous acquiescence to international standards. Such action would do nothing to improve food safety, but would result in a direct loss of individual, state, and federal sovereignty. Instead, Congress must restore our previously relaxed food safety standards and insist that all food entering the U.S. meet or exceed U.S. health and safety standards.

3. Congress' Adoption of the Internationally-touted HACCP Food Safety Inspection System Severely Hampers Congress' Ability to Ensure that Even Existing Food Safety Requirements Are Properly Followed Either Here or Abroad.

Rather than to authorize and empower state and federal food safety officials to directly inspect, monitor and enforce existing safe-food processing standards in the U.S., beginning in the mid-1990s Congress uncritically adopted a radical, hands-off approach to food safety inspection and enforcement by implementing the internationally recommended Hazard Analysis and Critical Control Points (HACCP) system. The HACCP approach replaced direct state and federal inspection, oversight and enforcement with essentially an honor system that presumes food safety practices are consistent with a company's written intentions to practice safe-food procedures.^{xiii}

This system, as evidenced by massive meat recalls originating in meatpacking plants presumed compliant with HACCP safety standards, has unequivocally failed to meet Congress' objective of ensuring safe food processing, packing and manufacturing. Continued reliance on the experimental HACCP system, which is now proven to produce fatal food, would be irresponsible and self-defeating for any food safety reform effort.

B. RECOMMENDATIONS

The three destructive components of our current food safety strategy listed above – 1) the replacement of independent farmers and ranchers with industrialized food production units; 2) the uncritical acceptance of and adherence to international standards; and, 3) the uncritical adoption of the international-based HACCP strategy, which

is now proven to produce fatal food – are the root causes of today’s food safety problems. *Any* attempt to remedy our food safety problems by merely building upon these failed components as was done in the House Act would result in complete failure.

R-CALF USA implores the U.S. Senate to take immediate steps to correct and reverse the three above-listed fundamental deficiencies to our current food safety policies. Once these deficiencies are corrected, Congress must reestablish the food safety standards previously weakened when Congress acquiesced to international standards and then direct the agencies responsible for food safety to immediately begin hands-on inspection and enforcement of U.S. food safety standards for all imported food products, as well as for both domestic and global food processing facilities where food contamination is known to frequently occur.

Congress should accord international standards no more weight than is accorded other food safety standard recommendations, such as those established in studies by U.S. land grant universities. Under no circumstances should the U.S. Senate presume that international standards – which are specifically designed to facilitate trade – are appropriate standards to be imposed on U.S. farmers and ranchers or that HACCP is an acceptable means of restoring food safety at processing facilities where food safety problems are known to originate. International standards should be viewed as no more than an available reference for Administrative agencies and should not be referenced or cited in U.S. food safety statutes.

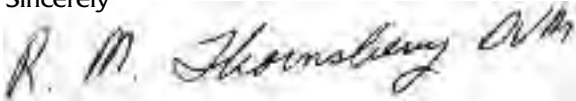
The U.S. Senate should not take any action to impose any additional regulatory burdens on any U.S. farmer or rancher, including any requirement to register their farms and ranches with the federal government or to participate in a federally mandated food traceability program.

If the U.S. Senate suspects that a particular segment of independent farmers and ranchers is contributing to food safety problems (as was obviously the case in the House Act that proposed new regulatory burdens for farmers that grow fruits, vegetables, nuts and fungi), then the Senate must conduct a comprehensive risk and hazard analysis to determine the specific practice(s) that caused or contributed to the food safety problem and the specific type of farming operation involved in that practice (i.e., an independent farming operation or an industrialized food production unit) to determine the specific corrective actions needed.

Individual U.S. farmers and ranchers deserve no less from Congress than to be presumed careful, conscientious, and law abiding food producers – a reputation earned by them while feeding this great nation during the past two centuries. The House Act is void of this basic respect.

R-CALF USA firmly believes that H.R. 2749 or any comparable legislation would exacerbate our mounting food safety problems because it builds upon, rather than corrects, the three fundamentally flawed components of our current food production system. R-CALF USA has conducted a section-by-section analysis of the direct and indirect affect H.R. 2749 likely would have on U.S. cattle farmers and ranchers and we invite you to view that analysis on our Web site at www.r-calfusa.com under the food safety link.

Sincerely



R.M. Thornsberry, D.V.M
President of the Board

ⁱ R-CALF USA stands for the Ranchers-Cattlemen Action Legal Fund, United Stockgrowers of America.

ⁱⁱ See H.R. 2749, The Food Safety Enhancement Act of 2009 (hereafter H.R. 2749), Sections 5, 101.

ⁱⁱⁱ See Farms, Land in Farms and Livestock Operations, U.S. Department of Agriculture, National Agricultural Statistics Service, February 2009. Data for 1980 obtained also from USDA NASS but in its earlier species reports for cattle and hogs.

^{iv} See, Structural Changes in Cattle Feeding and Meatpacking, Clement E. Ward and Ted C. Schroeder, Managing for Today’s Cattle Market and Beyond, Oklahoma State University and Kansas State University, respectively (in 2002 there were 41,365 feedlots that fed 23.4 million of cattle); see also Cattle on Feed, USDA National Agricultural Statistics Service, Feb. 20, 2009, at 14 (in 2008 there were 2,170 feedlots that fed 22.5 million cattle).

^v The number of U.S. feedlots with a capacity of less than 1000 head shrank from 110,000 in 1996 to 85,000 in 2007. See Cattle Final Estimates, 2004-2008, USDA NASS, March 2009, at 75, available at <http://usda.mannlib.cornell.edu/usda/nass/SB989/sb1019.pdf>; see also Cattle Final Estimates, 1994-98, USDA NASS, January 1999, at 81, available at <http://usda.mannlib.cornell.edu/usda/nass/SB989/sb953.pdf>.

^{vi} The number of U.S. feedlots with a capacity of over 50,000 head increased from 45 in 1996 to 58 in 2007. See Cattle Final Estimates, 2004-2008, USDA NASS, March 2009, at 74, available at <http://usda.mannlib.cornell.edu/usda/nass/SB989/sb1019.pdf>; see also Cattle Final Estimates, 1994-98, USDA NASS, January 1999, at 80, available at <http://usda.mannlib.cornell.edu/usda/nass/SB989/sb953.pdf>.

^{vii} 60 Federal Register, at 38,688.

^{viii} 69 Federal Register, at 51,195.

^{ix} See 60 Federal Register, at 38,688.

^x See 69 Federal Register, at 51,195.

^{xi} Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification and Certification System, Codex Alimentarius, CAC/GL 60-2006, at 1.

^{xii} Understanding the WTO, World Trade Organization, Chapter 1, Third Edition, Revised February 2007, at 9, available at http://www.wto.org/english/thewto_e/whatis_e/tif_e/utw_chap1_e.pdf; see also Understanding the WTO, World Trade Organization, Chapter 1, Third Edition, Revised February 2007, at 30, available at http://www.wto.org/english/thewto_e/whatis_e/tif_e/utw_chap2_e.pdf.

^{xiii} See, e.g., 61 Federal Register, at 38,806 *et seq.*

Help R-CALF USA help you to keep your family's food sources safe and secure. Join us today.



While you probably know that the beef your family eats – from a fast food hamburger to a succulent delicious steak off of your grill, to that yummy pot roast that simmered in the slow cooker all Sunday afternoon – started off being raised by a cowboy. What you might not know is that it might have been raised and even processed outside of U.S. borders.

Did you know that the U.S. imports beef from 14 countries, and that *none* of these countries holds their cattle producers to the strict health and safety standards that we do?

Do you want to feed your family a healthy, delicious, wholesome U.S.A. beef product that meets our stringent rules? Or something from another country, where there are weaker, more relaxed animal health and food safety laws?

If you care about the origin and safety of your food, then you and America's cowboys will make a great team. America's cowboys want to keep providing the safest and healthiest food to America's consumers. We are partners! But we need your help.



Join R-CALF USA. We work tirelessly to provide a healthy, safe supply of U.S.A. beef to America's consumers. Respond to R-CALF USA's requests to contact your Senators and Representatives when R-CALF USA informs you about the key issues affecting food safety and food security that are being considered in Washington DC.

With a \$50 Associate membership, you will receive four issues of this beautiful *The Cowboy Way* magazine per year, eight newsletters per year, and frequent member e-mails keeping you up-to-date on the latest congressional issues affecting America's livestock producers and America's food supply.

Go to www.r-calfusa.com or call us at 406-252-2516 to join.

We Are R-CALF USA: Richard and Margene Eiguren



Eiguren kids at spring branding

Currently, she serves as R-CALF USA's Oregon Membership Chair.

"I want the future to be a place where viable family ranching businesses can flourish," Margene said. "I want ranching traditions preserved for our children and grandchildren in recognition of the valuable contributions the ranching industry makes to this great country."

"Our Western cowboy traditions and the product we produce, as well as the contribution that ranching makes to main-street businesses, are necessary and extremely valuable segments of our U.S. economy," she continued. "Our ranches and our beef are very necessary components to this nation's liberty."

"I appreciate that U.S. consumers are very concerned about food safety and I want them to know that this NAIS (a proposed mandatory National Animal Identification System) has nothing to do with food safety, despite what NAIS proponents will tell them," she added.

"Consumers need to know that contamination of meat that causes food borne illnesses does *not* happen at the ranch, but at poorly supervised packing plants where raw meat can be exposed to unsanitary conditions. The fact that contamination is occurring demonstrates that our U.S. inspection system is in dire need of improvement. The current HACCP (Hazard Analysis Critical Control Point) inspection system, in effect, allows packers to police themselves. The recent large meat recalls have failed to trace the contamination back to the offending meatpacker. Instead, the contaminated meat was traced only to the small meat processors who unknowingly purchased the contaminated meat from the larger meatpackers."

"Unfortunately, it is the small processors who are being put out of business even though they are not the cause of the problem," Margene emphasized. "Consumers can get involved by learning the facts about HACCP and contacting their congressional delegations to make sure meat is properly inspected and that contaminated meat is traced back to the meatpacker – the actual source of contamination. Healthy cattle produce healthy meat. Ranchers are not responsible for the packers' unsanitary conditions."

"I ask cattle producers, 'How can you not get behind and support an organization that is plainly fighting for the producers' and consumers' best interests and no one else's?'" Eiguren concluded.



Richard and Mike Eiguren at spring branding



Eiguren ladies of the ranch



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THE LIVING WORDS of the CONSTITUTION

PART 9

NICOLE KREBS

AMENDMENT II

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” When reading this amendment, we must keep in mind that “[t]he Constitution was written to be understood by the voters; its words and phrases were used in their normal and ordinary as distinguished from technical meaning.” *United States v. Sprague*, 282 U. S. 716, 731 (1931). It would not have included “secret” or “technical” meanings that an ordinary citizen of that time would not know.

The Amendment could be rephrased, “Because a well regulated Militia is necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.” See J. Tiffany, *A Treatise on Government and Constitutional Law* §585, p. 394 (1867); Brief for Professors of Linguistics and English as *Amici Curiae* 3. Although the sentence structure of the Second Amendment is unique in our Constitution, other legal documents of the founding era, particularly individual-rights provisions of state constitutions, commonly included a

statement of purpose at the beginning. See generally Volokh, *The Commonplace Second Amendment*, 73 N. Y. U. L. Rev. 793, 814–821 (1998).

The phrase “right of the people” was used by our Founding Fathers twice in the Constitution and Bill of Rights. The first was in the First Amendment regarding the Assemble and Petition Clause (“the right of the people peaceably to assemble, and to petition the Government...”) and the second in the Fourth Amendment concerning Search and Seizure Clause (The right of the people to be secure in their persons, houses,

papers and effects...). If we look at the Ninth Amendment, we will notice, while not the exact words, the Founders acknowledged “the people” again (The enumeration in the Constitution ... shall not be construed to deny or disparage others retained by the people.) All three of these instances clearly refer to individual rights, not “collective” rights, or rights that may be exercised only through participation in some corporate body.

The 1773 edition of Samuel Johnson’s dictionary defined “arms” as “weapons of offence, or armour of defence.” *Dictionary of the English Language* 107 (4th ed.). Timothy



Cunningham's important 1771 legal dictionary defined "arms" as "any thing that a man wears for his defence, or takes into his hands, or useth in wrath to cast at or strike another." *A New and Complete Law Dictionary* (1771). The term was applied, then as now, to weapons that were not specifically designed for military use and were not employed in a military capacity. Although one founding-era thesaurus limited "arms" (as opposed to "weapons") to "instruments of offence **generally** made use of in war," even that source stated that all firearms constituted "arms." J. Trusler, *The Distinction Between Words Esteemed Synonymous in the English Language* 37 (1794) (emphasis added).

We turn to the phrases "keep arms" and "bear arms." Johnson defined "keep" as, most relevantly, "[t]o retain; not to lose," and "[t]o have in custody." Johnson 1095. Webster defined it as "[t]o hold; to retain in one's power or possession." Thus, the most natural reading of "keep Arms" in the Second Amendment is to "have weapons." "Keep arms" was simply a common way of referring to possessing arms, for militiamen *and everyone else*.

At the time of the writing of our Constitution, as now, to "bear" meant to "carry." See Johnson 161; Webster; T. Sheridan, *A Complete Dictionary of the English Language* (1796); *Oxford English Dictionary* 20 (2d ed. 1989). When used with "arms," however, the term has a meaning that refers to carrying for a particular purpose – confrontation. In numerous instances, "bear arms" was unmistakably used to refer to the carrying of weapons outside of an organized militia. The most prominent examples are those most relevant to the Second Amendment: Nine state constitutional provisions written in the 18TH century or the first two decades of the 19TH, which enshrined a right of citizens to "bear arms in defense of themselves and the state" or "bear arms in defense of himself and the state." It is clear from those formulations that "bear arms" did not refer only to carrying a weapon in an organized military unit.

The Founding Fathers considered the right to keep and bear arms to be an unalienable right connected with the preservation of life, liberty and property. As Thomas Jefferson said, "The strongest reason for people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

To read more on the 2ND Amendment, please read our Amicus Brief located under News on our website.



KatieO

954-638-9118
katieojewelry.com

Contributors 



Mark Bedor (*The Silver Spur Awards, Something's Fishy: California Water and the Delta Smelt, Ice Climbing in the Rockies*) writes from his home in Los Angeles. His work has appeared in *Western Horseman, Cowboys & Indians, Persimmon Hill, American Cowboy*, among others.

Since childhood, **Guy de Galard** (*Will James*) has had a passion for horses and the American West. Born in Paris, France, Guy began riding at age 6. Guy first heard about Wyoming while reading *My Friend Flicka*, at age 10. A self-taught photographer, Guy first took up photography while attending business school in Paris. After his move to the United States 23 years ago, Guy started to portray what naturally inspired him the most: horses and cowboys. Guy's writings and images have appeared in *Western Horseman, Cowboys & Indians, Range, The American Quarter Horse Journal*, as well as French and Italian Western lifestyle magazines.



Dan Gagliasso (*Cowboy Artists of America Show and Sale, The Real Lonesome Dove*) is an award winning documentary film director/ producer and screenwriter. He recently optioned his true-life adventure script, *Lawyers; Guns & Money*, to New York City based producers, No Ego Production. A past recipient of the Western Writers

of America Spur Award, he rode bulls on the amateur rodeo circuit during his college years.

Long time western writer **Darrell Arnold** (*Rand's Custom Hats, Horseback to Health*) published *Cowboy* magazine for fifteen years from his home ranch in La Veta, Colorado. Before that he spent five years as the Associate Editor at *Western Horseman*. Darrell has written several books including *Tales From Cowboy Country* and *Cowboy Kind*.



photo courtesy Darrell Arnold



Thea Marx (*Ranch Living*) is fifth generation born and ranch raised on the Wind River Indian Reservation near Kinnear, Wyoming. Much of her career, including her book and website, *Contemporary Western Design.com*, has been dedicated to Western

style, but her heart will always be on the ranch.

Nicole Krebs (*The Living Words of The Constitution, Part 9 – 2ND Amendment*) is the Associate Editor of *The Cowboy Way* – as well as being the friendly voice whenever anyone calls the PARAGON office. She is married to Anthony Krebs, a sergeant in the United States Air Force, and they have a beautiful daughter, Brittany. Nicole has a rich history working with non-profits, and her list of awards is without peer. Somehow she also finds time to edit the PARAGON newsletter, *In The Loop*.



Marilyn Fisher (*A Visit With Michael Reagan, Interview with Mrs. Louis L'Amour*) is Curator of Collections for the Reagan Ranch and Reagan Ranch Center in Santa Barbara, California. The Reagan Ranch is owned and preserved by Young America's Foundation, who stepped forward in 1998 to save the ranch retreat of Ronald Reagan, the 40TH President of the United States. Young America's Foundation is a non-profit, 501 (c)(3) that provides student outreach to college students throughout the country. For more information go to YAF.org, or phone 1 (800) USA-1776.



GB OLIVER



In the last issue, we visited with PARAGON's Executive Vice President, GB Oliver. He gave us background about the formation of the Foundation and a little history of his family's ranching background. In this issue, we conclude the interview with Mr. Oliver's discussion about the heart of PARAGON's purpose and its mission of providing information and clarity regarding our law of the land – the U.S. Constitution – and how citizens can utilize its strength.



photo courtesy GB Oliver III



TCW: You indicated that some people had a lot of confusion early on, coming to PARAGON for legal advice, as the mission of the Foundation is really about educating yourself to take that responsibility. Is that correct?

GB Oliver: Precisely. The problems most of us face today concerning these issues are that we have lost sight of rights our Constitution gives us, and the limits it puts upon government. Article 1, Section 8 of the Constitution is very

explicit as to the powers of the Federal Government, and all other powers belong to the States and to the people. Somewhere along the way, we, as a society, stopped reading the rulebook. Without ever understanding the venue you are in, or the powers you have been afforded, you give consent to the government, and the government swallows you whole.

Every elected official and every government employee

swears an oath to protect and uphold the Constitution. When we have a conflict with government, instead of asking them to show where they have authority or jurisdiction over the subject matter, we assume they have it and lawyer up. The attorney immediately engages the government on the issues the government wants to argue. The attorney you hire is licensed by the court, which means your attorney will not question the jurisdiction of the court. When you receive a summons to appear in Federal District Court, that's where your attorney is taking you, either that or risk his license to practice law. Our hopes are that others do not make the same mistakes that the PARAGON Foundation has made in the past. No reason to take the same ground twice.

PARAGON can provide citizens with vast amounts of information and our experience, but there is no substitute for studying and understanding – individually – what your rights actually are, and then, understanding the limitations of your opponent.

TCW: Do you find now that when people call, they're more willing to seek this information out or do you still get people wanting you to do it?

GB Oliver: Most calls are hoping to turn their situation over to the Foundation. They feel overwhelmed and scared; after all, we are conditioned to believe that government is all powerful. There is nothing in this world that creates stress like facing a problem without information or understanding. There are no silver bullets in these issues, a tough concept to grasp in a society where we have been conditioned to believe that there is a magic pill for every illness. Most just want to hand the problem to someone else and hope it will magically go away. Why would you be willing to risk everything it has taken a lifetime to build and hand that to somebody and not follow through? That always fascinates me.

Perhaps ten percent of the people who call are searching for information, willing to invest the time and energy into understanding those basic concepts that are essential in protecting your liberties and property. Those are the people that will be successful. Once they understand the power they possess and the limits of government, the world becomes a less stressful place. One must understand that you are a citizen of the sovereign state in which you reside; you don't live in a territory or a Federal enclave. Understand that Federal Courts are courts of limited jurisdiction and, in most cases, have no jurisdiction over you unless you cede that jurisdiction to them. The United States Supreme Court has ruled repeatedly that you are not required to appear in any court until that court can show it has jurisdiction over the subject matter. Sometimes the most powerful weapon in your arsenal is a registered letter asking where they have authority and jurisdiction over you and your property. As a citizen living in a free society, you have

a right to ask those questions, and they have a fiduciary responsibility to answer them.

TCW: Part of the fear, I think, that people feel, is they're going up against the Behemoth that is the government with unending pockets. And so, they go to an attorney figuring the attorney understands the Constitution and the law as well as the government who's dishing it out. Do you find that attorneys today are versed in the Constitution?

GB Oliver: No. In fact, one of the attorneys that we use shared with me about two years ago that there are only two law schools in the United States where Constitutional law is mandatory and not an elective. Imagine, if you will, the foundation of all our laws and the bases of all of our rights is now an elective in most law schools.

Law schools, like the public school systems, have fallen under Federal control by accepting Federal grants. When a law school accepts Federal monies, they are no longer in control of their curriculum. Attorneys are taught to argue case law, and that argument in these situations will have you floating in the bathtub like a rubber duck, and your opponents will shoot you out of that tub at their leisure. Your attorney is not selling you down the river on purpose; they are simply approaching these cases the way they were trained.

Let me give you an example of some of the mistakes we have made. The United States Fish and Wildlife appears and informs you that they have discovered an endangered species on your property. The United States Government designates your property as critical habit and limits your ability to use your property. Most strong-hearted attorneys will immediately choose to challenge the USFW in Federal District Court based on their lack of creditable science. The Government's case always looks so weak, so absurd, that it is almost impossible not to drop your head and charge full-speed ahead. As you will find out, your legal fees will soon be choking you under the table, the case will take on an eternal feel and, after all the dust settles, your chances of prevailing are about 4%. If the property owner understood that the Federal Endangered Species Act had no authority within the boundaries of a sovereign State, and had requested, through registered letter, that the agency show where it gets its authority before you comply with their demands, you will have thrown a claw hammer into the agencies gearbox.

TCW: Do you find that if people take the time to sit down and reacquaint themselves with the Constitution that they start to understand the power that they have as an individual?

GB Oliver: You bet. If you go back and read the Declaration of Independence and the Constitution, and really focus on what it says, it is empowering. Those two documents are the demarcation line between hope and hopelessness. We were blessed with unalienable rights, rights given by our maker.

Governments were created among men to protect those rights, not give them to us. When we understand those principals, we are no longer the victim, the anger will subside and we no longer need live in fear. Without an understanding, you will stumble into a courtroom behind some well-meaning attorney, arguing some peripheral issue. You will have given consent to the Government and traded away the powers granted to you by the Constitution. They

the daunting task of a door-to-door conflict with an armed society, will falter before the mission can be accomplished.

These issues are of too great an importance to our nation to stand on the sideline. We believed it to be PARAGON's duty to support this case.

TCW: The most interesting thing that seemed to come out from the entire case was that many people had the light go on and realized that that part of the Constitution was there, to not only protect the people from an outside enemy, but to literally protect the people from the government itself. Do you feel that helped define the fact that the power again really does lie with the people and not the government?

GB Oliver: Exactly. I think that Justice Scalia, who wrote the opinion for the majority in *District of Columbia v. Heller*, made that abundantly clear. He used the words "The People" fifty-four times in the opinion and made reference to the fact that our Founders intended that the people's



photo courtesy GB Oliver III

GB Oliver (center) helping at PARAGON President Bob Jones' branding. Bob Jones handling the iron.

are the masters of the game – getting you mad and hooking at anything that moves. They show you an opening and you take it. It's like sending a cow up a loading chute and then they just slide the pipe behind you; once in the government chute there is no backing out. With education and understanding, you need never see the inside of that chute.

TCW: PARAGON got involved recently in the Washington, DC gun control issue, and in fact filed an Amicus brief that went all the way to the Supreme Court. What made you decide to get involved in that specific case?

GB Oliver: Our Founding Fathers understood the value of an armed society. The Second Amendment is the most concisely written amendment in the Constitution, and held such value to our Founders that they listed it second, only behind our guarantee to free speech. "The people's right to keep and bear arms, shall not be infringed." They believed it to be the sole deterrent against an overbearing tyrannical government running over the rights of the people. They had seen its value in the Revolutionary War. Even the most efficient and powerful military on Earth, when faced with

right to be armed was a deterrent to an oppressive central government. The Justice Department's interpretation of the Second Amendment was that the phrase "The People" meant the military. Their argument was that "The People," as used in the Second Amendment, had an entirely different meaning than the words "The People" when it was used in the Preamble of our Constitution, the First, Forth and Tenth Amendments. Justices Stevens, Breyer, Souter and Ginsburg all agreed with the Justice Department, with Justice Stevens even bemoaning the fact that the majority of the court ruled on "the literal reading of the amendments text." Go back and read Justice Stevens words, they would have made Stalin and Hitler proud. When the majority of the Supreme Court makes their decisions based on their feeling instead of the literal text of the Constitution, as Justice Stevens suggests, we will be without the rule of law or the ability to defend it.

TCW: If you were to tell people what they should do at this point in order to try to begin to stop the hand wringing that's going on, the woe is me, the government is too big and we can't

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control it, what would you suggest they do in order to start empowering themselves?

GB Oliver: Get a copy of the United States Constitution, read it, study it and understand it. Get a copy of the back issues of our magazine, Nicole breaks down a segment of the Constitution in each issue. In fact, we have a lot of reading material available on the subject. It is vitally important that we understand the magnitude of power given to you by this document. It is what secures the rights of the people and limits the powers of government. Every elected official and every Federal employee swears an oath to uphold and protect it, the rulebook that they are required to play by.

Our form of government placed the most power in the hands of the elected officials closest to the people, your county commissioners and the local sheriff. They are the only elected officials that swear an oath to protect your safety, well-being and your property. But they, like us, have not a clue that they have that kind of power. The sheriff is the chief law enforcement within the county, over the State Police, the FBI, BATF, IRS and the Federal Marshals. There are communities across this country that have educated themselves and their elected officials, had the courage to stand up and challenge the intervention of the State and the Federal government in their lives and took back their liberties. Over time, we have been brain-washed into believing that all power originates in Washington, and, when we observe that three-ring circus, we feel helpless to enact change. The Federal charade will only last as long as "The People" are without understanding. Americans need to focus on their local government; it is there that we can effect change and those are the elected officials that control our destiny.

TCW: *So you're an optimist?*

GB Oliver: Absolutely, every fiber in me believes we will win. The truth will always prevail and our truth is self-evident, our rights granted by the Constitution are inalienable. We can give them away by our own consent, but they can't be taken from us. Now I'm not going to sit here and tell you that I was always this optimistic, early on in this Foundation's history we all probably did a lot of acting. But I had the privilege of knowing and associating with people who were and are the patriots of our day. People like Tom Linebery, Bob Jones, Charlie Lee, Bud Eppers, Wayne Hage, Helen Chenoweth and Dan Martinez. These are people who have dedicated their lives to the principals of freedom, who have never taken a step back in the defense of their beliefs. What I know came from these people, and that information, along with their strength, is what powers the PARAGON Foundation. Above all, the foundation of America is still strong; the heart of America is still honest and hard-working, with principals that are not for sale. Those values and principals fill our sails everyday.



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CRS REPORTS TO CONGRESS REGARDING CONGRESSIONAL LIMITS OF POWER AND LIVESTOCK WATER USAGE IN FEDERAL GRAZING AREAS

BY DANIEL MARTINEZ

The following are two CRS reports to Congress. The first deals with sovereignty and the limits of Congress' powers. The second deals with legal issues relating to livestock water usage in Federal Grazing Areas. The Congressional Research Service (CRS) generated both of these documents and we are presenting their summaries here. To read the entire documents as PDFs, please visit our website at www.paragonfoundation.org.

Federalism, State Sovereignty, and the Constitution: Basis and Limits of Congressional Power

Summary

The lines of authority between states and the federal government are, to a significant extent, defined by the United States Constitution and relevant case law. In recent years, however, the Supreme Court has decided a number of cases that would seem to reevaluate this historical relationship. This report discusses state and federal legislative power generally, focusing on a number of these “federalism” cases. The report does not, however, address the larger policy issue of when it is appropriate — as opposed to constitutionally permissible — to exercise federal powers.

The U.S. Constitution provides that Congress shall have the power to regulate commerce with foreign nations and among the various states. This power has been cited as the constitutional basis for a significant portion of the laws passed by Congress over the last 50 years, and it currently represents one of the broadest bases for the exercise of congressional powers. In *United States v. Lopez* and subsequent cases, however, the Supreme Court did bring into question the extent to which Congress can rely on the Commerce Clause as a basis for federal jurisdiction.

Another significant source of congressional power is the Fourteenth Amendment, specifically the Equal Protection and Due Process Clauses. Section 5 of that amendment provides that Congress has the power to enforce its provisions. In the case of *Flores v. City of Boerne*, however, the Court imposed limits on this power,

requiring that there must be a “congruence and proportionality” between the injury to be remedied and the law adopted to that end.

The Tenth Amendment provides that “powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” While this language would appear to represent one of the most clear examples of a federalist principle in the Constitution, it has not had a significant impact in limiting federal powers. However, in *New York v. United States* and *Printz v. United States*, the Court did find that, under the Tenth Amendment, Congress cannot “commandeer” either the legislative process of a state or the services of state executive branch officials.

The Eleventh Amendment provides that “[t]he Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State.” Although this text is limited to preventing citizens from bringing diversity cases against states in federal courts, the Supreme Court has expanded the concept of state sovereign immunity further to prohibit citizens generally from bringing suits against states under federal law generally. There are exceptions to this limitation, however, and Congress also has a limited ability to abrogate such state immunity.

Finally, Congress has the power under the Spending Clause to require states to undertake certain activities as a condition of receiving federal monies. Such conditions, however, must be related to the underlying grant, and the financial consequences of non-compliance cannot be coercive.

YOUR RIGHTS

Legal Issues Related to Livestock Watering in Federal Grazing Districts

Summary

In response to several congressional inquiries on the subject, this Report examines the legal history of livestock watering in federal grazing districts. Little analysis of this history appears to have been done in the past, despite the crucial importance of water to the management of the federal rangelands. Livestock watering has been the subject of a distinct sequence of Congressional enactments that imposed federal policies different from those that pertain to water rights in the context of homesteading and settlement. The Department of the Interior has recently proposed regulations that in part relate to water rights in grazing districts. The proposed regulations also raise the controversial issue of state versus federal authority over the public lands and water.

In the early years of range use, Congress attempted to prevent private control over water and public lands used for common livestock grazing. To this end, the federal government reserved springs and other water sources. The Stockwatering Reservoir Act of 1897 required that water in privately or publicly constructed livestock watering reservoirs on the federal rangelands remain under the control of the Secretary of the Interior and be available to other users. This law contrasted with laws governing reservoirs for irrigation purposes, under which state law controlled the use of water.

In 1934, Congress enacted the Taylor Grazing Act (TGA) to halt the continuing deterioration of the federal rangelands and to stabilize the livestock industry, pending the disposal of the lands. Congress directed that lands in TGA grazing districts were withdrawn from entry and acquisition of private title (except for mining patents), unless and until particular lands were reclassified by the Secretary as more appropriate for non-grazing use.

Legal opinions of the Department of the Interior have concluded that water in grazing districts may be privately appropriated under state law and the proposed regulations reflect this view. The fact that Congress has frequently deferred to state water law in order to contribute to stability of state water rights and water planning lends support to the contention that it has done so with respect to livestock watering in grazing districts.

On the other hand, the Supreme Court has held that federal statutes authorizing appropriation of water under state law apply only to lands that are available for entry and disposal under the public land laws.



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photo by Jim Lovely

Army Sgt. Steve Champney stands with “T-Bird” – a mustang “repurposed” as part of the USAF Academy’s Warrior Wellness Equestrian Program.

HORSEBACK TO HEALTH

The Air Force Academy’s Warrior Wellness Program

BY DARRELL ARNOLD

Every horseman believes the old adage, “the best thing for the inside of a man is the outside of a horse,” and lifelong horseman Billy Jack Barrett has recently applied that belief to a new and exciting horsemanship program at the Air Force Academy Equestrian Center, north of Colorado Springs, Colorado.

Barrett has been managing the Academy stables since 1980, when three-star General Kenneth Tallman talked him away from his career as a licensed racehorse owner/trainer.

At first, Barrett turned down the job. What he was already doing was exciting, and he didn’t really want to switch to running a military-style ranch. But, the general convinced Barrett that they needed a qualified man to run the program or they would just have to shut it down permanently.

“They asked me,” says Barrett, “to at least come on board and stay long enough to get the program revitalized and lined out. Look what happened. I’ve been here for 30 years.”

On a military installation, the horse concession is not to be in competition with those in the civilian community. It is to provide an affordable program for the military families. It can be active duty, retired or Department of Defense civilian employees. Some of the people may board their own horses there, while others pay a fee to ride the government horses.

“When I went to work at the Academy,” says Barrett, “it was a small program. We had about 35 privately owned horses and another 20 or 25 saddle horses for rentals. We immediately started building barns and expanding the riding programs.

“We’ve built six barns since I’ve been there, and one of the things I’m most proud of is we’ve found ways to fund the program without using taxpayer dollars.” One of those ways was by applying for grant money available from the tobacco industry, money that was earmarked for outdoor recreation for the military and their families. Today, the Air Force Academy has some of the best riding programs and facilities in all branches of the military.

“We have a full-service program of trail riding for soldiers and their families,” says Barrett. “We have boarding. The Air Force Academy lies on 19,000 acres, and a thousand acres of that is designated for the equestrian center. Our facilities are scattered out over a three-quarter mile area.” A little over a year ago, Barrett was inspired to start up a new program, one that has caught the attention of bases and commanders throughout the country.

“I met a fellow out there one day who turned out to be a Command Sergeant Major in the Army. His name is Pat Valdez, and he was a patient (from the nearby Fort Carson Army Base) in a unit made up of the Army’s ‘Wounded

Warriors.’ This man was a real war hero, and I invited him to go for a ride. He talked to me about the Wounded Warrior Unit and how he’d like to bring some other soldiers out to ride. I told him to bring them on out and we’d go trail riding and get them out in the fresh air.



photo by Lynn Gauronski

The Air Force Academy’s Equestrian Program, part of the Warrior Wellness program, is very popular.

“He said, ‘We don’t have any funding for that,’ and I said, ‘It doesn’t matter. I need help checking fence.’ He said, ‘How many can I bring?’ and I said, ‘How many do you want to bring?’ He said, ‘Seventeen.’ I said, ‘Bring all seventeen of them.’

“Then he brought the hospital commander out with him and they told me the staff was overworked, overwhelmed and exhausted. So, I told them to bring them out, too.

The soldiers started coming out, and we went to checking fence. My rationale was if they’d come at a time



photo by Lynn Gauronski

Graduation Day

Billy Jack Barrett talks about the Air Force horses:

“Originally, I went around and bought older, retired ranch geldings. Then when the market for those same horses escalated, I started having a hard time finding them. Then I went and visited with an old Army buddy, Ted Richards, who is a Sioux Indian that works for the Bureau of Land Management (BLM). They provide horses for the Colorado Department of Corrections so some of the inmates can train mustangs and make them suitable for adoption to the general public.

“We adopted some of those inmate-started mustangs and brought them back. We expanded that program by having some of the cadets gentle them further until they were safe enough and gentle enough for our overall program. Once we got them in our program, they have become in high demand. One of those horses was used for the Security Forces Mounted Patrol, a group that patrols football games at the Academy and rides the Academy boundaries. One of the mustangs from the Academy won the competition among the Security Forces.

“The mustangs are not bred for cutting or racing or reining. What they do well is walk up and down the trail carrying people safely. That’s one of the things we have to keep in mind because we have a lot of dignitaries who aren’t experienced enough to ride a high-powered horse. We want and need a good, safe mountain trail horse.”



Trail rides are a big part of the Wellness program.

when we weren’t really busy – when the horses were fed and shod but just standing around – we might as well be putting them to use. So we started that program on less than a shoestring, checking fence,” says Barrett.

The military quickly realized what a valuable tool it was for the mental and physical rehabilitation of these soldiers who had little to do but sit around the hospital and wait for their various appointments. There was too much idle time.

“They were being wounded warriored to death,” says Barrett. “We put an optimistic twist on things and called what we were doing the Warrior Wellness Program.” Then Boeing stepped up and made a donation to the program so that Barrett’s staff could all be trained and certified as equine assisted therapists. Barrett adds, “I now have a young soldier from the Wounded Warrior Unit who has been assigned to work with me at the stables. That is his day job for the Army.”

Barrett then started up a cooperative program with the Pikes Peak Community College (PPCC), which was being forced, for financial reasons, to close its farrier science program. Barrett arranged for them to move their equipment and their instructor out to the Academy facilities.

“We now run a farrier science program at the Air Force Academy for these soldiers,” says Barrett, “and they come out of there as certified farriers. As they leave the military, that training just might help them transition into a tough economy. We just graduated our first class of four certified soldier farriers.”

And, the snowball keeps growing larger and larger. Barrett has recently been asked to look into developing a veterinarian technician program, which would provide further training and opportunities. In addition, the Academy has a Center for Character Development for its cadets, and the cadets have been training wild mustangs furnished to them by the Bureau of Land Management. Barrett is tying that program in with the Warrior Wellness Program, too.

Barrett says, “We have a cadet rodeo team and a cadet equestrian team. These cadets go out and compete in intercollegiate competition as a club sport. We have our eye on the day when the NCAA approves these programs as varsity sports so the Academy could then field cadet varsity rodeo and equestrian teams. We are tying in a lot of cadets, and it is great character development for them to be working with these war heroes coming back from Iraq and Afghanistan. It gives them a whole different perspective on the soldiers.” Barrett is very excited about where this idea can go to help. “We have all these programs going – a riding instructor who gives lessons for every discipline, we have the cadet rodeo team, the cadet equestrian team, we have more than 200 cadets that participate. They help support the special rodeo with the PRCA during the Pikes Peak or Bust Rodeo, where they help the physically and mentally challenged children and people in the community. When the Make-A-Wish Foundation calls up, if they have a child in the area, I’ll assign a group of cadets to that child. There is a lot of involvement. We have a coach that’s working with the rodeo team. We have a professional barrel racer; we have a gal who was a top ten cutting-horse performer before she came to the Academy as a cadet. And we have some interested in endurance riding.”

Working with the Academy horses has provided a great personal service to the many cadets and wounded warriors, but they aren't the only ones who have benefited from Billy Jack Barrett's efforts. Barrett recalls a special day at the equestrian center: "One day, Sergeant Major Valdez came out from his office to get on a horse, and he was wearing his camouflage uniform. There was another fella standing there in cowboy hat, boots and blue jeans. Of course, I knew who they both were, but they didn't know each other. They were standing there talking, and the fellow in the boots and blue jeans asked, 'Well, Sergeant Major, what are you doing out here?'"

"Sergeant Major Valdez said, 'I'm with the Wounded Warrior Unit, and when I get to the point during the day when I can bite nails in two, they send me out here to blow off steam and relax and calm down. I climb on a horse for my therapy.'

"The other guy introduced himself, 'I'm Gene Renuart, and I'm out here for my therapy, too.' He didn't mention that he was General Gene Renuart, the four-star general of the Northern Command. I thought how interesting it was to have a sergeant major wounded warrior turning to horses for his therapy and for this general, this leader of men, relieving his own stress in the same way."

Another man whom Barrett helped find solace is General Joe Rashey, who was in the Pentagon during the Clinton administration. "He'd fly straight out from the Pentagon or the Oval Office," says Barrett, "and come out and get on a horse. One time he came out and rode for three hours before he ever said a word. When he needed to clear the cobwebs, he'd come out and get on a horse and we'd ride the mountains until he felt like he could go face humanity again."

These and others high in the military command have come to realize the therapeutic value of quiet time spent horseback seems to make all the difference. These men understand the value the horse programs provide for the wounded warriors.

The next big thing on Barrett's agenda is to expand the Warrior Wellness Program into a year-round enterprise. "In order to have a year-round Warrior Wellness Program and programs for the cadets, we need an indoor arena. Colorado weather can change on a dime. The indoor arena will provide a year-round forum for all of the mission-essential programs at the USAF Academy Equestrian Center. The arena itself will be used to generate additional funds to help support the Warrior Wellness Program. This is important work that can help so many soldiers and their families. Our income comes from our trail riding and our boarding. We actually pay the Air Force Academy a light bill and a utility bill to run the program for them. We have no taxpayer funding.

But, word has gotten out about our Warrior Wellness Program, and we are now having corporate sponsors take a look at us. It appears that we have a real opportunity to have corporate sponsorship build us a world-class indoor arena and facility. We would have facilities to provide more schooling and vocational training for soldiers like horse shoeing, equine therapy and cadet leadership programs. It's really escalating."



photo courtesy the USAF Academy

Round pen work and application are all part of the program.

During this past summer, Barrett started another program called Operation Purple that provides two hours of riding lessons and two hours of horseback riding for children of deployed soldiers. The Academy also provided horseback riding for 71 families – spouses and children – of those killed or missing in action. Those programs were supported by private donations.

"The thing is that the Air Force is seeing that there is a lot higher priority than just simply taking care of the horses that are being boarded. Some of these people are self-centered, but this provides them an opportunity to think twice. We have 80-plus families that keep horses out there. A lot of our people out there are spouses of deployed soldiers. We have husbands who are taking care of children while their wives are deployed and we have wives who are there with their horses and family while their husbands are deployed. They all realize the value of just getting out in the barn and taking care of their animals."

Barrett is justifiably proud of the recent programs he has implemented, and he feels his program has set a standard higher and a mission more noble than simply boarding military-owned horses or offering trail rides. "Recently," says Barrett, "I met with five three-star generals, including the Admiral of the Naval Academy, the commanders of West Point and the Coast Guard and the AFA. They've asked if we could set up a model operation for all branches of the military. We would run a program to support and train personnel for other military installations so they could have an equine therapy program."

Barrett summarizes, "What we are doing with this program pretty much started the cowboy way – we just saddled up and started riding."



WILL JAMES



photo courtesy Luella Preuninger and Joe Hayes

Will James at the Rocking R Ranch, Pryor, Montana

The Story of a Canadian/American/Western original

BY GUY DE GALARD

Success stories often start with a simple dream. Will James was born in Quebec, Canada on June 6, 1892 as Joseph Ernest Nephtali Dufault. As soon as he could hold a pencil, he displayed a natural talent for art. By age four, while laying flat on his belly on his family's kitchen floor, he would spend his time drawing horses, cows and dogs on a piece of wrapping paper. He would spend hours observing animals, studying their movements, the expression in their eyes or the work of their muscles. His almost photographic memory enabled him to translate accurately to paper whatever his mind had recorded while

picturing his dream life. He was fascinated by the stories of Buffalo Bill and Sitting Bull, loved horses and dreamed of wandering over the western landscape. But above all, Will wanted to be a cowboy. Simple as that. No more, no less. As he could not see cowboy life in the making, he would imagine what it would be like.

In 1907, Will's dream became a reality. With only \$10 in his pocket and a bag of provisions, the fifteen-year-old headed west without a backward glance, toward the plains and mountains of Saskatchewan and Alberta. Three years later, he crossed into the United States and ran wild horses

in Idaho. Will's teens and twenties were spent working on ranches in Montana, Wyoming and Nevada. He also completely reinvented himself. Thinking that he wouldn't be taken seriously if he admitted to being born French Canadian instead of on the Montana range, he fabricated the early years of his life. He adopted the name of William Roderick James and passed himself off as an orphan, raised by a French Canadian trapper named Jean Beaupre. Along the way, he went on to earn his spurs from being a "nighthawk" or night horse wrangler, to becoming a respected bronc buster. He soon learned it was a good idea to only work for big outfits so there was no risk of having to get off his horses to fix a fence or do other manual chores.

He also developed a reputation for drawing horses and telling stories about them. Will James drew horses that jumped right off the page at you. He drew horses from the experience of riding them. "What I drew is what I seen and felt while looking through a horse's ears," he once said. Will was living his dream, free to roam, hiring on when he wanted and sitting tall in the saddle.

In 1914, while working on a Nevada ranch, James and another cowhand named Lew Hackbury made the bad decision to make some easy money by rustling some cattle off the ranch – bad deal when it is supposed to be "riding for the brand." Hackbury went on to sell the cattle, but James was caught. On April 17, 1915, he was convicted of grand larceny for cattle rustling and sentenced to 12 to 15 months



I Wanted to See a Cowboy Stretch His Rope on a Range Critter (1932).
Yellowstone Art Museum, Billings, MT.

Reprinted with permission of the Will James Art Company, Billings, MT.

in the Nevada State Prison in Carson City, but was released a year later for good behavior. During his time in prison, James longed to be free to ride and roam the country he loved. "Now I know what a mustang feels like when corralled," he told one of his infrequent visitors at the prison.

The first job Will took upon his release from prison was milking cows for the Plymouth Land and Stock Company. He managed to bluff his way through for two weeks before hiring on with the Rickey outfit out of Bridgeport, California. During that time, he struck up a friendship with another cowboy, Fred Conrard. While working on the Rickey Ranch, a horse kicked Will on the left side of his jaw, splitting and loosening most of his teeth on that

side. After the wreck, he decided to travel to Los Angeles to seek a qualified dentist to repair the damage. To pay for the dental work, and to occupy his time while in the City of Angels, James hired on with the Jones Stable, which assembled cowboys, stuntmen, horses, cattle and wagons for the early Westerns that were being filmed in a yet undeveloped Hollywood. By spring, Will's dental treatment was complete and he was becoming homesick for the desert ranges. He soon headed north to Nevada and hired on with the Pine Creek Ranch for their spring roundup. But, he felt that wandering lust again and, once the spring work was done, James drew his wages. "As much as I like my job, a same old failing of mine began to get a holt on me again," he wrote in his book, *Lone Cowboy*. After a stint on the Spanish Ranch, north of Elko, he made his way to Great Falls,



photo courtesy Luella Preuninger and Joe Hayes

Will James outside his studio at the Rocking R Ranch, Pryor, Montana.

Preserving the Will James Legacy:



photo by Gary de Gaulard

In January 2008, these two guest cabins, along with his studio, were moved 60 miles from the Will James Ranch to the Big Horn County Museum in Hardin, MT.

In October 2007, Earl Holding, owner of Sunlight Ranches, donated the log studio and two small cabins that were part of the Will James Ranch, known as the Rocking R, to the Big Horn County Historical Society Museum in Hardin, Montana. The Will James Society generously donated \$2,000 toward the project of transporting and restoring the structures. The cabins were moved to Hardin in January 2008. Diana Scheidt, the Museum Director, coordinated the 60-mile move from the Will James Ranch to the museum. On September 19, 2009, the three buildings were officially dedicated. Over 160 members of the Will James Society attended the ceremony, making it one of the non-profit organization's largest gatherings ever. The museum plans to restore the studio to its original condition. Interpretive displays are also planned for the two smaller cabins, which James rented to dudes when he lived on the ranch during the 1920s and 1930s.



Reprinted with permission of the Will James Art Company, Billings, MT.

Will James' last saddle is on display at the Yellowstone Art Museum in Billings, MT. It was restored by Montana saddlemaker Chas Weldon.

Montana to find work and seek the advice and critique from cowboy artist Charles Russell, whose work James had admired for years. But, his visit proved to be disappointing, as the famed artist didn't pay much attention to him. Discouraged, James returned to Nevada in the spring of 1918. Soon, he was drafted into the Army and sent to Fort Kearny, California. During his nine months in the military, James was only afoot for the first month and a half. When the officers saw how well he could ride, he was assigned to buck out and gentle the horses the Army was buying. He eventually served as a mounted scout. The same day he was discharged, he boarded a train and headed back to cow country.

In March 1919, James decided to spend a few days in Reno, Nevada and reunite with his old friend Fred Conradt and another man he had ridden with in the past, Elmer Freel. The three became close friends and decided to identify themselves with a brand, the "One Elevens" (111). Usually flat broke, the three men liked to put on bronc riding exhibitions to make some extra cash. While trying out one of Conradt's broncs, a horse named Happy, Will was bucked off and landed head first on a railroad track, suffering a



photo courtesy Lucille Preuninger and Joe Hoyes

The artist, horseback

severe concussion. While recovering from his injury, the lonesome cowboy pondered his future and recognized his bronc riding days were probably over. He wasn't satisfied with being a cowboy any longer, he wanted more. He knew the time had arrived for him to make a try at becoming a successful artist.

First, he enrolled in the California School of Art in San Francisco but quit after three months when famed Western painter Maynard Dixon told him that art school would hinder his free style and crisp technique. Although Will had already sold some of his work, his first big break came when he showed some of his drawings to *Sunset Magazine* Associate Editor Joseph Henry Jackson who liked his work and published one of the drawings titled *A One Man Horse*. He later did a series of four drawings for *Sunset*, illustrating the life of *Keno the Cow Horse*. Encouraged by this first success,

photo by Guy de Gaulard



The Will James Ranch as it appears today. In 1988, the 12,500-acre property was purchased by the Holding family and is now part of Sunlight Ranches.

James sent a sketch to Charles Russell and asked him again for his critique. This time, the response came as a big compliment to James. "I know you have felt a horse under you. Nobody can tell you how to draw a horse or a cow," wrote back Russell.

In July 1920, Will returned to Reno to marry 16-year-old Alice Conratt, Fred's younger sister. The couple migrated from Reno, Nevada to Sausalito, California, on to Kingman, Arizona and finally wound up in Santa Fe, New Mexico. But money was scarce and Will turned to his old profession of riding and applied for a job on a nearby ranch, the Springer Ranch. Ed Springer introduced Will to Burt Twitchell, Dean of Students at Yale University. As a result, James went to New York, but his attempts at launching his career in the large eastern markets failed. Discouraged and uncertain about his future, he returned to Reno.

Seeing her husband's despair, Alice encouraged him to start using his storytelling ability and write about his cowboy life on the range. A week later, he sent the manuscript called *Bucking Horses and Bucking Horse Riders* to *Scribner's Magazine* in New York, one of the most popular magazines at the time. Although written in Will's cowboy vernacular, an easy loping kind of style, the story was accepted and published in 1922. Driven by this unexpected success, Will went into an intensive work period. In the next six months, he wrote seven more stories that *Scribner* compiled into a book, *Cowboys North and South*, which was published in 1924 and drew praise nationwide. In 1925, *Drifting Cowboy* came out, followed a year later by *Smoky, the Cow Horse*, his most famous book, considered by many as the most beautiful and poignant horse story ever written. *The New York Times* called it the *Black Beauty* of the cow country.

With the profits from *Smoky*, James purchased a ranch,



the Rocking R, south of Billings, Montana, at the foot of the Pryor Mountains. James had finally realized his dream of having a cow outfit of his own. He built a stone house and behind it constructed a log studio. Sometimes, to keep the ranch afloat, he would take in "dudes" and put them up in small log cabins on the property. During his long periods of isolation and intense work, however, Will and Alice started to grow apart. With the fame came frequent book signings and parties. Will started to drink heavily. During one of his long drinking spells, James sold his beloved Rocking R Ranch. Alice filed for legal separation and

received the property, which she sold to pay off all of their debts. Despite a growing addiction to alcohol and his failing health, James continued to write and went on to publish a total of 23 books. On September 3, 1942, at the age of 50, the lone cowboy cashed in his chips. His ashes were spread near Montana's Pryor Mountains.

Some have said that Will James was a genius, others, that he was a drunk. Regardless, he became America's quintessential cowboy and left a heritage of lore. The work he did stood the test of time and outlived the man himself.



The First Saddling or Practicing at Home (1929).
Yellowstone Art Museum, Billings, MT.

Reprinted with permission of the Will James Art Company, Billings, MT.



The National FFA Organization, formerly known as the Future Farmers of America, is a national youth organization of 506,199 student members – all preparing for leadership and careers in the science, business and technology of agriculture – as part of 7,429 local FFA chapters in all 50 states, Puerto Rico and the Virgin Islands. The National FFA Organization changed to its present name in 1988 in recognition of the growth and diversity of agriculture and agricultural education. The FFA mission is to make a positive difference in the lives of students by developing their potential for **premier leadership, personal growth and career success** through agricultural education. The National FFA Organization operates under a Federal Charter granted by the 81ST Congress of the United States, and is an integral part of public instruction in agriculture. The U.S. Department of Education provides leadership and helps set direction for FFA as a service to state and local agricultural education programs. Visit www.ffa.org for more information.

Celebrating 40 Years of Women in FFA

BY ANDREW WALKER & DUSTIN PETTY

If the 33 original members of the Future Farmers of America found themselves in Indianapolis during the national FFA convention, they would probably be surprised by what they saw. FFA members...in skirts?

For the first four decades of its existence, FFA was strictly a boys club, hoping to develop the next generation of agriculturalists – male agriculturalists. But almost from the beginning, there was a struggle to create opportunities for anyone who wished to join this premier leadership organization. The first recorded steps toward equality took place in the 1930s when Massachusetts law required all high

school classes and clubs to offer equal membership to both genders. With this development, some started pushing for women in the FFA. But in 1933, the national FFA delegates rejected the plan, telling Massachusetts they had three months to eliminate their ranks of female members or face losing their charter.

A year later, delegates relented and instead of granting full and equal rights of membership, the national organization voted to allow states to include girls as members if they chose. Participation at the national level was still out-of-the-question. When the Future



Homemakers of America (FHA) formed in 1945, girls finally had a group of their own. Countless stories within the vast archives of FFA tell of partnerships between FHA and FFA chapters. But “separate but equal” rarely worked and it was only a matter of time before women would get their blue corduroy.

In 1968, a proposal was again presented, saying loud and clear that women should be included in the ranks of the Future Farmers of America. When the motion was made to amend the constitution, a delegate used the parliamentary procedure technique of *objecting to consideration of the question*. Delegates became confused, sustaining the objection, thus stopping the vote for equality. Those determined to bring about equality weren’t going to allow a repeat in 1969.

Bob Craig, the 1969-1970 Michigan FFA State president, was one of those individuals.

“There was no way that we were going to be tricked again,” Craig said. “If the proposal wasn’t adopted this time, state associations were talking about pulling out [of FFA]. Why should we be part of an organization that discriminated against women?”

There were still those who opposed the measure, worrying that females would cause a disruption within the organization. “When our delegates went to the convention, I told them not to vote for the girls,” said Bob Stein, former advisor of the Standish-Sterling FFA in Michigan. “I felt that the girls had a strong home economics club (FHA) and we had ours. I was worried about chaperoning girls on trips and how their presence would disrupt the work of the chapter.” As women were finally admitted in 1969 – with Bob Craig seconding the motion – the Future Farmers of America was now open to all American youth that hoped to take advantage of its promise of “better days through better ways.”

One of the organization’s first female leaders was Julie Smiley of the Mount Vernon FFA in Washington. “I didn’t think of myself as the first woman,” said Smiley. “I just wanted to be good at what I did and it was probably some

of the most fun I ever had.” Smiley doesn’t remember much animosity toward her but acknowledges that there were those that worried this wouldn’t work and something might go wrong. But that day never came. Because of her groundbreaking tenure as a national officer, she was offered a scholarship to Texas A&M University.

Today, half of all leadership positions in FFA are held by women, which comprise 41 percent of the organization. “I think it would have been a challenge to have been one of the original girls in FFA,” said Adrienne Boyette, 2008-2009



photo courtesy The National FFA Organisation

The face of our country’s agricultural future shines in the faces of kids of the FFA.

Florida FFA vice president. “But the struggle made us stronger and today, it’s great to see how accepted females are in FFA.”

But what about those who originally opposed a feminine presence in FFA? “I can’t speak for everyone,” said Bob Stein, now enjoying retirement, “but I was dead wrong. Girls have been a wonderful addition to the organization, and I’m proud of the way I adapted to them and they adapted to me. FFA is stronger today because of the young women in our membership.”

Apparently, this idea is recognized by others, as well. During the 82ND National FFA Convention, the U.S. Senate adopted a resolution co-sponsored by Sen. Mike Johanns celebrating the 40th anniversary of women’s admittance into FFA and the contribution they’ve made to the organization.

No greater honor could have been bestowed than the knowledge that the growth FFA has experienced over the last four decades is because one day in 1969, the organization’s doors were opened to a brighter future and a grander legacy.

Two Wisconsin students named Stars in Agricultural Placement and Agribusiness

Tony J. Crescio receives top honors for his agricultural enterprise

So what do peppermint, onions and carrots all have in common? These crops have helped Tony J. Crescio become more familiar with his family's agriculture background. The 21-year-old has been farming with his family for as long as he can remember, and that experience may now earn him top honors. The National FFA Organization has named the Randolph, Wis., resident 2009 American Star in Agricultural Placement, one of the organization's highest honors.

Each year at the national FFA convention, 16 national finalists vie for the organization's top awards: American Star Farmer, American Star in Agribusiness, American Star in Agricultural Placement and American Star in Agriscience. These awards honor students who have developed outstanding agricultural skills and competencies through their supervised agricultural experience (SAE); demonstrated outstanding management skills; earned the American FFA Degree – the organization's highest level of accomplishment; and met other agricultural education, scholastic and leadership requirements. Each finalist was interviewed by a panel of judges, who named the top candidate in each area. The winner was announced in an onstage convention ceremony and received a plaque and an award of \$4,000. The runners-up will also receive plaques and \$2,000 each.

Crescio works with muck soil at Jack's Pride Farms Inc. He began when he was in middle school, and the more he worked with his family, the more he became fascinated with the crops and the equipment that was needed to help with a successful harvest. Crescio wanted to be able to help with all areas of the farm and develop a solid based onion, carrot and mint oil production business. Over the years, he's been able to learn all aspects of the farm. He has even received recognition as a national agri-entrepreneurship winner for starting a small business creating air fresheners and soaps with mint oil.

"With my goal to become a partner in our farm corporation, I have farmed 40 acres of my own peppermint for the last four years," Crescio said. "The money from this has helped me pay for school, as well as assisted me in saving money to buy into the corporation."

Crescio, the son of John and Irma Crescio, majored in mechanical drawing at Madison Area Technical College. He is a member of the Randolph Cambria-Friesland FFA chapter where Keith Gundlach is his advisor.

Benjamin Alsum receives top honors for his business acumen

INDIANAPOLIS – When you mention business to Benjamin R. Alsum of Randolph, Wis., be sure to be specific. This 21-year-old doesn't have just one area of expertise; he has three—cattle raising, customized baling and produce. It's this entrepreneurial spirit that has Alsum vying for one of the National FFA Organization's top awards. He has been named 2009 American Star in Agribusiness, one of the organization's highest honors.

Alsum's experience with the produce business began when he was in middle school. His family sold sweet corn, vegetables, pumpkins and Indian corn at various stands across central and southeast Wisconsin. In 2005, Alsum purchased 2 percent of Alsum Sweet Corn. This endeavor was made possible through his expanding business, Ben's Bovine Beauties. This business venture – along with a customized baling business – began early in Alsum's FFA career. They taught him the importance of enterprises and allowed him to increase his ownership of Alsum Sweet Corn to 25 percent. He hopes to grow it to 40 percent by the end of the year. "Much of my success should go to FFA and the experiences I have gained from being an active member," Alsum said. "Interacting with other FFA members and traveling to FFA events and activities have given me a diverse background in experiences, many of which relate to my SAE and its success."

Alsum is the son of Scott and Lona Alsum. He is a member of the Randolph Cambria-Friesland FFA and his advisor is Keith Gundlach.

Oklahoma student named Star Farmer finalist

Slade Don Nightengale receives top honor for his cattle operation

Agriculture has been a way of life for as long as Slade Don Nightengale can remember. In fact, at the age of 8, Nightengale was an entrepreneur, beginning his own stocker cattle operation with the money he earned from driving a tractor. That entrepreneurial spirit has now earned him top honors.

The National FFA Organization has named the Cordell, Okla. resident 2009 American Star Farmer, one of the organization's highest honors.

When Nightengale first enrolled in agricultural education classes, he had an operation with 22 head of cattle – an inventory that he knew he wanted to grow. He was able to secure funding and soon purchased 128 head of cattle. He then rented 160 acres of land from a local landowner, with 45 acres of cropland and 115 acres of native grass pasture. Utilizing some of his father's equipment in





exchange for labor, he was able to plant the cropland. Today, he has 450 acres of planted wheat, 478 head of cattle and a lease for 1,000 acres of grass.

"I didn't know what to expect when I enrolled in agricultural education classes in eighth grade," Nightengale said. "Completing five years of high school agricultural education, being involved in FFA and having a supervised agricultural experience program taught me many valuable lessons. Production agriculture requires record keeping, marketing and financial skills. My agricultural education classes and FFA have helped me develop these skills to prepare me for my career in production agriculture."

Nightengale, son of Kevin and Sherry Nightengale, is working toward a degree in business finance at Southwestern Oklahoma State University. He is a member of the Cordell FFA chapter and his advisor is Brian Dowdle.

Minnesota student named Star in Agriscience

Amy Lynn Robak receives top honor for her conservation efforts

Conservation and agronomy have always been important to Amy Lynn Robak. Her efforts to help farmers make economical and environmentally friendly decisions about crop nutrients are winning the 21-year-old top honors.

Robak has always had an interest in natural resources and conservation. When she expressed these interests to her FFA advisor, Alan Stemper, he helped her set goals that would dovetail with her interests and help her continue to learn more about these areas. She began work at the Benton County Soil and Water Conservation Office, and was able to work with farmers who were concerned with environmental and natural resource issues on their land.

"I simply wanted to learn new technologies in the field of agronomy such as crop nutrient tools," Robak said. She was able to learn about soil conservation practices and how nutrient management can benefit local farmers. Robak credits her father, Richard Robak, with getting her interested in conservation methods such as crop rotations and manure applications.

Robak is currently attending University of Wisconsin-River Falls, majoring in conservation/agronomy.

"My nutrient management research project influences me enough to pursue a minor in Land Use Planning focusing on agriculture preservation," Robak said. "I plan to pursue graduate school at the University of Minnesota-Twin Cities to obtain my degree in soil fertility. I want to help farmers develop economically sound farming practices with my future career." Robak is the daughter of Richard and Linda Robak. Her FFA advisor is Alan Stemper.

Roses are Red, Jackets are Blue; We're in the Rose Parade, Bringing Ag to America

BY ANDREW WALKER

As 40 million viewers tune in on their televisions to watch the Tournament of Roses Parade New Year's Day in Pasadena, Calif., they will witness the power of blue and gold. A press conference held Oct. 20, during the 82ND National FFA Convention detailed the partnership between FFA and Rural Free Delivery Television (RFD-TV) in creating a float for the parade. The float is called *FFA Today on RFD-TV*, fitting the theme "A Cut above the Rest." The float features three large statues of members working with science implements, blueprints and agricultural products. In addition to the FFA emblem, it will contain a number of symbols important to the organization, including the owl and plow. The far end of the float will feature a barn, skyscrapers and a satellite to incorporate the diversity shown throughout the entire organization.



Viewers will be able to witness the best and brightest of FFA as the parade makes its way down Colorado Boulevard. All six of the 2010-2011 National FFA Officers, the four Stars Over America winners and National FFA Advisor Larry D. Case will be riding on the float. It will also be flanked by walking state representatives from all 50 United States, Puerto Rico and the U.S. Virgin Islands.

It is the goal of RFD-TV to show the diversity and depth of FFA. Not only will this float be one of the largest in the entire parade, measuring up at 30 feet tall, 18 feet wide and 75 feet long, but it will serve as a source of pride for all past and present FFA members and supporters. State president of the Nebraska FFA Association Katie Frenzen feels that this will be a great opportunity to get the word out about the mission of FFA.

"The best part of the float is that it will get the FFA message out to all people. Diego Zaragoza, President of the Puerto Rico Association, looks forward to the significance of what the float means for FFA and members in Puerto Rico. "Our members will be excited because someone from Puerto Rico is going to attend this event," he said.

A Visit with Michael Reagan



photo courtesy Michael Reagan

BY MARILYN FISHER

The Cowboy Way had a chance recently to talk with Mike Reagan about his Reagan Legacy Foundation. The Foundation plans to educate young people worldwide of his father's principles and to commemorate the historic contributions of the Reagan presidency to the fall of communism and the end of the Cold War era.

TCW: Mike, what compelled you to start the Reagan Legacy Foundation dedicated to your father's legacy?

MR: It was the fact that as I travel around the world, and even in the United States, there are a lot of people within the younger generation who know that Ronald Reagan was the President of the United States, but really don't understand who in fact he really was. I saw that there really was no program to educate people in the European Eastern Bloc countries, or here in the United

States – other than Young America's Foundation – really teaching who he was and why he was able to accomplish what he did.

TCW: So, you decided to take your father's history to the world.

MR: I felt that with the Reagan Legacy Foundation, I could begin to do that here by getting out and visiting schools, and then going to Eastern Bloc countries and visiting with the young people, to let them know who Ronald Reagan was. I

found other people were excited about that, because I realized, I'm as close as they're going to get to Ronald Reagan and people do have a lot of questions.

TCW: *What do they know about your father?*

MR: They know he was the 40TH President of the United States. They know that there was, you know, some involvement in the fall of the Berlin Wall. They know about the Brandenburg Gate speech, but the young people in the Eastern Bloc today are being educated to believe that the Americans, in fact, *put up* the Berlin Wall to keep the Communists out of the American side. That's because we're not doing our job of telling these people what really happened.

TCW: *How will you tell them what really happened?*

MR: What we want to do is bring the kids from Europe here, then take young people from here to there, and then send them back to college or high school. When they're in college and they've got some professor telling them what he thinks he knows, then you've got a young kid saying to the professor, "Excuse me, have you been to the Czech/Austrian border? Have you seen the 200-meter death strip on either side of the Iron Curtain? Have you seen the watchtowers? Have you been to the Berlin Wall, or the ghetto in Prague? Have you been to the ghetto in Warsaw? Have you been to Krakow? Don't tell me this can't happen overnight, because August 12TH, 1961, wherever you spent that night, you woke up on the morning of the 13TH and you were there until reunification of Germany in 1989."

TCW: *You'll take them to where history actually happened.*

MR: One thing – most kids in the Eastern Bloc have never been here and don't understand our education process, what we go through – and the kids from our end have never stood on the Austrian-Czech border and seen the Iron Curtain. They've never been to Berlin, seen the remnants of the Berlin Wall and felt what it was like to live behind the Wall. They've never been to Warsaw and visited the ghetto of Krakow. There's one thing to learn about it in books. There's another thing to stand in the middle of it, and realize it, and then you really do understand it.

TCW: *This will give students an edge with their teachers. What do you think your father would say about this educational outreach?*

MR: I think he would just be – he would be overjoyed. You know, look at the support he gave Young America's Foundation when he was alive, because he understood the importance of education. He really did. And to think that his son, I would hopefully think that his son is out there trying to educate people about Ronald Reagan and the importance of being free and how to stay free.

TCW: *RLF educates the public about Alzheimer's disease. You also support other institutions and charities that conduct education and research on the Reagan presidency. Anything you'd like to add to that?*

MR: I look at the things people really equate with my father – like Alzheimer's disease. Because he was the most – one of the most – famous people with Alzheimer's, my wife and I have a scholarship fund to the John Douglas French Alzheimer's Foundation we call the "Adopt a Scientist." And so, the Reagan Legacy Foundation, by raising money, will fund that also.

TCW: *What other groups will you work with?*

MR: Of course, there's Eureka College, my father's alma mater. We'll be working with them on the education side, speaking there and at other universities and what have you. What I'm doing is I'm getting out. I'm saying, "Okay, I'm not going to be closed in to four walls and you have to come to me." I'm trying to figure out a way to get to you, so I can



photo courtesy Michael Reagan

Reagan has a syndicated radio show, learn more at www.reagan.com.

help educate you. One of the plans with the RLF will be to bring high school and college age kids from Europe to the United States in small groups during the year, take them to my father's Presidential Library in Simi Valley, and bring them to the Reagan Ranch Center in Santa Barbara.

TCW: *Your father's foreign policy credo was "Peace through Strength." It's also the motto of the USS Ronald Reagan. RLF offers scholarships for sailors and airmen serving aboard the aircraft carrier. Tell us about the program.*

MR: And, in fact, the USS Ronald Reagan recently returned from the Indian Ocean, flying sorties over

Afghanistan. Why? To help a group of people stay free. Our men and women put themselves in harm's way so that others may have a chance to enjoy the same freedoms that we do. That's really why the RLF started a few years ago – we started it to fund scholarships for the ongoing education of the men and women who serve. We not only take the young men and women who serve on the ship, but also the children who are left home by those on the ship who may want to go to school and need help with scholarships, so that they can move forward in life.

TCW: *We need to support our military and that's a great way to do it. It's something that gives Americans hope for the future.*

MR: That's right. I go down to that ship, well, you know, a lot. I've been there as much as I can be, and I haven't missed a deployment yet. I haven't missed a big day with the USS Ronald Reagan and I meet all of the kids on the ship. And, you know, they're conservative, they're liberal, they're moderate, but they're serving their country. That's what they're doing.

TCW: *Your father was the "Great Communicator" – a builder of relationships whether or not he agreed with someone.*

MR: My father may have disagreed with you politically, but he found ways to build coalitions with you. That's one of the things I want to do, really make people understand that you can disagree with someone politically, but somehow you can build a coalition with that person. Hence, my father worked with Pope John Paul II and with Lech Walesa, Lady Margaret Thatcher and, ultimately, a guy named Mikhail Gorbachev. By building that coalition, these leaders were able to effect a dramatic change in the world, because they found areas of agreement – areas where they could come together. They didn't care, because the bottom line is, are you for freedom or not? Oh, good, you are. Then that's where we're going to build a coalition and that's what we're going to do. We're going to give freedom to the world and let people choose, but they can only choose it if they choose from a position of freedom.

TCW: *I hear you're about to open a permanent Ronald Reagan Exhibit in Berlin honoring your father at the historic Checkpoint Charlie Gatehouse section of the Wall where he first visited in 1978. It's an honor that this well-known European museum is willing to memorialize your father's accomplishments.*

MR: The Ronald Reagan Exhibit overlooks the Checkpoint Charlie Gatehouse. So, when you go to the Checkpoint Charlie Museum, you look out the window



photo courtesy Reagan Presidential Library

Mikhail Gorbachev and Ronald Reagan

from the Reagan Exhibit and you're looking down at the Checkpoint Charlie Gatehouse.

TCW: *Your father fought fiercely for freedom for people not just in this country but also around the world. **The Cowboy Way** thanks Ronald Reagan for his strong leadership and optimism. We wish you and RLF great success. Thanks for your time today.*

MR: Thank you.



The Reagan Legacy Foundation is a non-profit, charitable organization founded by Michael Reagan, son of former President Ronald Reagan. The organization seeks to advance the causes President Reagan held dear and to memorialize the accomplishments of his presidency. It supports other institutions such as the Ronald Reagan Presidential Library and Foundation, Young America's Foundation's Reagan Ranch Project and the Ronald W. Reagan Leadership Program and museum at Eureka College, the President's alma mater.

To learn more about The Reagan Legacy Foundation, check www.reaganlegacyfoundation.org.



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Miller - authentic western clothing from Denver, Colorado since 1918.
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of the American West and the rugged western lifestyle.
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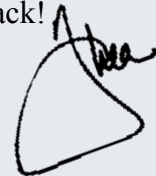
Thea Marx

RANCH LIVING

WITH THEA MARX

Living on a ranch is one of the most rewarding and exhausting professions on this planet. Rarely do we have time to read long stories or articles, so I have compiled Ranch Living into fun vignettes focusing on products that I know are tried and true, just discovered or couldn't be overlooked. Every issue will have one page dedicated to an artist who I feel you should know about and a recipe that I swear by. I look forward to hearing your feedback!

May 2009 close gracefully and full of blessings for you!



ARTFUL WARMTH AND THOUGHTFUL CONSERVATION

The artful combination of soft alpaca and strong, warm bison hair makes the most beautiful blankets and pillows I've ever seen. They are cozy and warm, the brown bison woven with yarns of colorful alpaca. Blankets are a dime a dozen, you can find them in every box store, gift store and sometimes grocery stores for heaven's sake, but you won't find blankets like these anywhere but from Native Vogue. Tana Blackmore, the founder of Native Vogue, left a successful fashion career to return to her native Pryor, Montana ranch to give back to the land and the people of her ancestry. Raised among the wild horses, cattle and wide-open spaces of south-central Montana, she learned early on the gifts of the natural world. She is now raising buffalo on the Happy Heart Ranch and utilizing their abundance to create as the Crow Indians did several centuries ago. Following tradition, every part of the buffalo is used. From Native Vogue you will find that the unique, ultra-soft, warm blankets are a must, the horn jewelry looks as if it should be shown in a salon on 5TH Avenue and sofas and chairs are just aching for the chic pillows in their corners. Put Native Vogue on your wish list. You will be happy you did. Visit www.nativevogue.com or call 406-245-6070.



JEWELRY AS ART

Want Western without the ruggedness, something more reminiscent of the blueness in the sky and the golden sunsets? All you have to do is put on this glorious set carefully created by Bozeman, Montana jeweler Sam Ferraro and you will feel like the belle of the ball. In an elegant amalgam of turquoise, diamonds and gold, the set is as fit to wear with your favorite white shirt as it is with an evening gown. Educated as a biologist with practical experience as a miner, Sam has always called the West home. In a crowd, you will never miss the man, with his signature black hat, flowing silver mustache and gracious smile, or his jewelry with lines so graceful and full of thought they never fail to awe your senses. Working in diamonds and the art of pavè is one of Sam's gifts, though you never know what his talented hands and creative spirit will design next. To see other beautiful examples of his work, go to www.samferraro.com or call him to have him sculpt the piece of your dreams at 406-587-2721.



IT'S ALL IN THE BAG



That is style, workmanship, elegance and incredible materials. Good grief, could a girl want anything more? Not this girl, especially handling this out-of-this-world, gorgeous handbag made by Denice Langley. The attention to detail in this piece will blow your mind. You shouldn't be putting your lipstick in it; you should be putting it on your mantel

for display. Watch out Kate Spade! Denice is hot on your tail! This handbag is the most dynamite representation of a handcrafted accessory I have logged to date. Not only is it carefully hand tooled, but all the silverwork is her creation, too. Each bag is an individual because no one else makes them so carefully, one by one, like Denice. She carefully chooses her own genuine crocodile insets, lines them with pig suede and puts the zippered pockets inside. She even makes the tiny brass feet that the bag rests on. Hermes. Louis Vuitton. Denice Langley. Three names that are synonymous with unmistakable design and good taste. To have your own Birkley bag, go to www.denicelangley.com or call her at 970-564-5184.

A LITTLE STORE THAT BRIMS WITH STYLE

She's as ranchy as they come and brimming with style. Every time I see her, I know I am in trouble because she is wearing something I love. In the small, tiny, blink of an eye town in southwestern Kansas is a sassy little store called Cimarron River Company. Some years ago,



Connie Miller coerced (very gently, mind you) her husband Jim into applying his knowledge of southwest jewelry for a retail space of their own. Connie could then follow her passion for fashion alongside ropin', ranchin' and cows. Ever since, this tiny enclave has been the hot spot for gorgeous pawn jewelry and new designs by award winning Native American artists. Extraordinary jewelry is not all Cimarron River Company is known for. Gorgeous one of a kind furs, cool shirts, art pieces and working cowboy gear are among the fun things you will peruse online or at one of Connie's famous "look sees." Get to know Connie and Jim and Cimarron River Company at www.cimarronrivercompany.com or you can call Connie at 620-353-3331. You'll hear the smile in her voice and enjoy every moment of your time with her.

FROM THEA'S KITCHEN

Wild meat is a favorite of my family. In fact, hunting camp each year is treated pretty much like a vacation to the Caribbean, except for all the hard work and cold. Did I say vacation? To those of us who work in offices, the wilderness feels like heaven, even trudging through deep snow and stomping frozen feet doesn't take the joy out of it. The ultimate reward is to fill the freezer with an elk that will provide the cuts for a sophisticated, yet easy recipe like this:

Elk Tenderloin in Red Wine Marinade

Marinade:

- 1 cup red wine
- 2 Tablespoons soy sauce
- 2 Tablespoons sesame oil
- 1 Tablespoon balsamic vinegar
- 1 garlic clove, crushed
- 2 Tablespoons finely chopped fresh Rosemary leaves or
- One Tablespoon dry Rosemary leaves
- 1 Teaspoon honey

Elk Tenderloin weighing 2-4 pounds

For the marinade: In a small saucepan, over medium low heat, heat the marinade ingredients for 3 minutes. Remove and let cool.

Place the tenderloin in a baking dish; cover the meat in the marinade. Make sure to turn to coat. Cover with plastic and refrigerate for at least an hour.

Prepare a very hot grill and sear the tenderloin for 3-4 minutes on each side for medium rare. Slice into medallions and enjoy the mouth-watering goodness!

STYLE WEST 2009

What happens when you close a US Highway to Yellowstone National Park, roll out the red carpet runway and put fabulous Western clothing on it? You get crowds of people and disbelief from the highway department that you actually had the audacity to ask.

Ask I did and in September 2009, the first ever Style West Fashion Show took place on US Highway 14-16. It just so happens that this highway runs through downtown Cody, Wyoming, gateway to Yellowstone National Park, home of Western Design and one of the best little downtowns in America! In a vivid combination of couture



designers and Cody's own boutiques, the show featured designs of leather, silk, fine embroidery and even the latest in fly-fishing gear. Three thousand people came that glorious evening in September to the heart of Cody where two blocks were closed to see the runway show and participate in Boot, Scoot'n Boogie. Boot, Scoot'n Boogie celebrates art and business working together in the historic cow town. Every downtown merchant flung their doors wide for open houses, strolling musicians serenaded the public while painters painted, rodeo clowns entertained and local chefs gave tastes of exquisite treats they had created for the evening. Just a block away at the

Cody Auditorium, the Style West exhibition opened featuring 30 of the most creative emerging and established artists, designers and craftspeople in the West. Beautiful pieces of furniture, fashion, home accessories and jewelry were on display for anyone to see and purchase. Style West is a part of the Celebration of the Arts Week in Cody every September that includes the Buffalo Bill Art Show and Sale, Cody High Style and the Buffalo Bill Historical Center's Patron's Ball. For more information, and to learn more about Style West, go to www.contemporarywesterndesign.com or call Thea at 307-587-8008.





BEST IN THE BUSINESS Winners from the Fall Shows

Cody High Style Best of Show – Dan Rieple

Hat Trick, Slam Dunk, all out blown away! I don't know the proper words, but I do know one thing, Dan Rieple of Fine Ideas Furniture in Larkspur, Colorado took away three awards from Cody High Style (think Oscars) at the Buffalo Bill Historical Center for the writing desk he calls "Least of These." One of the most exciting things about the piece is it is

made of scrub oak, generally considered a trash wood, not much good for anything but burning. Dan has reached out of the proverbial box with the fortitude it takes to build a mansion out of aluminum cans. I've seen a lot of furniture over the past 15 years and I have to tell you this is one of the most extraordinary pieces I have ever witnessed. Bravo Dan!!! www.fine-ideas.com or 303-663-6955



Cody High Style Best Collection

You say chic, historical, Western and high-tech don't mix? Well, think again. Designer Meredith Lockhart of Thistle's West won Best Collection at Cody High Style with a close knit group of ensembles in black and white with red accents. Made of hand-painted silk, supple buckskin and high-tech computer imagery, the collection made its mark on the judges and public alike. Not only are the pieces beautiful, they are fitted with Meredith's deft tailor's touch, the quality is outstanding and they are timeless. The collection is definitely worthy of the Buffalo Bill Historical Center's nod and is a perfect representation of fine Western fashion. www.thistleswest.com or 913-886-2247



WESTERN DESIGN CONFERENCE JACKSON, WY

Best Artist Fashion-iota

Interpretations of the West by couture fashion designer, Machteld Schrameyer of *iota* won the Best Artist – Art to Wear Fashion at the Western Design Conference in Jackson, Wyoming in September. A native of the second most densely populated country in the world, the Netherlands, Machteld found profound inspiration in the expanse of emptiness of the West, its colors and the sheer scale of vastness. Combining the beautifully tactile shearling and deerskin with her French couture schooling at Ecole de Couture de Charles Montaigne in Amsterdam, Machteld's designs show her creative ability as well as the ability to adapt the pieces so they are stunning on many body styles. Living in the West, she has adapted a mantra, "Every piece I create must look good with boots and jeans." Elegant, edgy, sophisticated and good with Western attire they certainly are! www.iotawestenburg.com or call for Machteld for a design just for you at 917-386-7284.



Best of Show WDC and Best of Show WDC2

Winning Best of Show at the WDC was emotional for Harriette Allison of Lucky Star Gallery. The winning piece was one that started out being a collaboration and ended up a tribute to Sioux artist and Western design favorite Sonny Tuttle who was killed in a car crash in July 2009. The chair of vivid yellow leather artfully incorporated the ledger drawings on one of Sonny's fringed shawls with a beautifully made piece of furniture. The piece was not only an audience favorite but also a symbol of the potency of friendship and camaraderie in the Western design field. To learn more about the chair Harriette created, visit www.luckystargallery.com.



KATHY L'AMOUR



photos by Christopher Marvona

The Cowboy Way visits Mrs. Louis L'Amour to chat about the current state of the West – from methane drilling in Colorado to her husband's literary legacy.

BY MARILYN FISHER

This fall, I had the honor of visiting with Kathy L'Amour, widow of the famous writer Louis L'Amour, at their ranch near Durango, Colorado. The L'Amour Ranch is a classically beautiful property with a vintage log home, large barn, granary, out buildings and a pond with a lazy willow tree – all set in a glorious southwestern Colorado landscape where wildlife roam free. The leaves were just beginning to change color and the cattle were lazily grazing on the rolling golden meadows. I arrived at noon and was greeted at the ranch house by a beautiful woman with dark

hair and a welcoming smile. After a delicious lunch, we sat by the fireplace in a room filled with family photos, L'Amour memorabilia and shelves filled with books. Time flew as we talked about everything from coal bed methane drilling to Louis' legacy. We wrapped up our visit with dinner at a wonderful local restaurant called Kennebec Cafe in Hesperus, Colorado. Kathy was generous at recalling memories of her beloved Louis and we thank her for her willingness to spend time with *The Cowboy Way*. The following are highlights of our conversation.

Gas Methane Drilling in the Durango Area

TCW: *There is a constant need for more energy in this country. How is this rush to drill for coal bed methane affecting the Durango area of Colorado?*

KL: I think that the problem with gas and oil is that we need it and I fear that we aren't going to have enough cars that don't need it soon enough to protect us and that's the short side – that's the downside of all of this.

TCW: *The mineral rights to the ranch that you've enjoyed with Louis and your children may be auctioned off by the BLM as a methane drill site. This area of LaPlata County is rich in this resource and companies have tapped into the energy. It's a property rights issue and an environmental issue on many levels. So, with that in mind, what does this mean for your ranch?*

KL: Well, it could be devastating for my ranch if they achieve what they are talking about and if the gas and oil leases actually come up for auction. We are at risk here. There's not a lot that we can do other than making people aware of what the dangers are – probably the greatest danger is what it will do to the water table. I think that should be something that we need to address very strongly.

TCW: *Colorado is very careful with its water supply.*

KL: This part of the country does not have a lot of water and the companies will need a lot of water if they're going to drill. So, where are they going to get it? Well, they're going to get it from the ranchers, probably. I don't know if they know where they're going to get it. But I can't imagine even contemplating drilling here without gaining access to the water. I don't know the order in which this happens because I haven't been involved in it before this. But that problem and what it will do to this whole water system and what it will do to this part of southwest Colorado could be devastating.

TCW: *Your ranch sets in such a beautiful, wild area.*

KL: We are on a scenic byway. It's been wonderful to be on this beautiful roadway that leads into Durango. It's spectacular countryside and it's something that we've tried very hard to help in every way we can. We try to lead – be good stewards of the land, leave it better than we found it. I spend a lot of money on weed-killing, on roads being kept up and on the trees and wildlife here. This was a great research center for Louis and very important to him and his work and is a great place for us to have. What will happen when they put drilling rigs on this land is pretty sad. And I think that

this part of Colorado is so – the beauty of it is so critical to the success of it. And, I know that gas and oil drilling brings in money, but they leave behind a desert or a very disturbed imprint on the land and that saddens me. It would have made Louis very unhappy to think this could ever happen.



photos by Marilyn Fisher

TCW: *When the drill sites are played out and there's no longer a need to drill on a particular site, then what's left behind is usually devastating for the landscape.*

KL: Yes – the roads coming in across your land – it's horrible. We've all seen it, you know. So it's natural to want to fight it. It's also natural for some of the people in this area to want it to come in. It's a double-edged sword and it can be good and bad. And I think, certainly if the people who are the drillers and the people who are promoting this could form some kind of really strong case to protect the land, it would be a wonderful thing. I don't know if we're going to have that. I haven't seen it happen anywhere. Right now, it's hitting close to home.

TCW: *You have little choice as a surface property owner, but could the drillers decide to pass you by?*

KL: I'm hoping that maybe it'll pass by us. Maybe they won't develop here. But I know it's going on all around us. I know my neighbors have been impacted. They've got, you know, these big pipelines going across their land and they've all fought that and they've all lost. The pipeline goes in and the rancher usually suffers. And the companies don't seem to have the responsibility to want to put the land back like it was. I think that's so sad, because it's the rancher's land too. You know, we don't own anything really here. We're just here for a while. It would be nice for it to be better because we had been here, not worse. So that's the seriousness of it.

TCW: *Colorado is a state that is very careful about its water supply. So, when you have a drill rig that consumes million of gallons per drill site – that’s a lot of water that cannot be properly reprocessed.*

KL: Well, you know, water is king in the Southwest. And the guy who has it is the guy who will keep on going. And we are going to lose it – lose control of it, lose the real benefits of it. And when we don’t have it any longer, there will probably be no going back. It’s not something that can get fixed after the fact. The sadness of it all is that once they’re in and once the water’s gone and once the bad water is back in the ponds, I don’t know what will happen to this part of Colorado. I would think the most important thing here is the tourism – the mainstay. When we don’t have a beautiful landscape, when that train can’t go up that gorge and look at something magnificent, and when you can’t drive to Mesa Verde through beautiful land, what will there be? And for our children, our grandchildren and so on, I feel it’s important to try to leave the beauty of this land as it is.

TCW: *Do you see any support from your state representatives on the issue?*

KL: Well, I think they’re supportive, but I don’t know whether they’re supportive enough. You know, the local people, some of them, support this fight. And some of them support the gas and oil coming in. They want the money. And, you know the word has gone down to the BLM to sell those gas leases.

TCW: *Colorado legislature passed bills in 2007 supposedly revamping the Colorado Oil and Gas Conservation Commission – the agency responsible for overseeing energy development on private lands. Do you know anything about this commission and their attempts to strengthen the rights of surface owners such as yourself?*



KL: Well, from what I hear, that’s what’s happening. I mean we may be in a better position than others have been before us. We may have a better voice. We may have a government that cares more and isn’t going to run just rough shod over everybody to gain gas and oil, but we need gas and oil. And we would be dumb to think we don’t. I just think it needs a lot of study. We don’t even have a completed vision of what the development for this area should be for the next few years. That study is supposed to be done in 2010. We don’t have a clue as to what’s going on here and what’s going to be beneficial. Maybe there’ll be gas and oil discoveries that will benefit our country that will be less invasive to the landowner, but most things in the way of progress have been to the detriment of the landowner.

TCW: *Landowners have no real voice, or control?*

KL: We just need to be sure we’re doing the right things, as sure as anybody can be. And I think when things go through too fast, when anything happens too quickly, that’s a dangerous thing for everybody concerned. And most of those things that happen that way do not get turned around. My husband was very positive about this country. And when people would say, “Oh, America is just in terrible shape,” he would always object to that and say, “Listen, America’s in a state now – of where you are when you build a big building and there’s lumber lying around and there’s a mess over here and there’s metal lying there and the building’s almost done and when it finally gets done, that stuff all has to be cleaned up.” And I think we’re in a process now of trying to clean up and hopefully it’ll be pursued in a really smart way and we will benefit and we will have a beautiful country. I can’t imagine this area where I am with an oil rig out my front door.

TCW: *You have neighbors who go both ways on this issue.*

KL: I have a friend who looks at one [drilling rig] out her front door who has to haul water in because the water is no good. And that’s got to be devastating. I mean, I don’t know how you can even stay on the land with one of those rigs going. And I’m sure that the ranchers all around here are feeling the same way, most of them, as I am. But it’s also hard for a rancher to turn down money. Ranching is not always a very successful business. Scratching in the soil is a lot harder than walking to the bank. And it’s not that I don’t understand them. I just want to say, “Just stop and be sure that what you’re doing’s right, because I don’t think we can go back. And we’re trying to go back just to clean up our act and we can’t do it.”

TCW: *The BLM has a huge role in leasing the mineral rights that lie below private land throughout the west and they handle permit requests to drill as well as inspections on gas methane leases. What has your contact with the BLM been?*

KL: I've just been to a couple of meetings. You know, I haven't been in a war with the BLM like a lot of my neighbors have that have big pipelines going through their land. So I felt in the few meetings that I went to that the word comes down to the local BLM people, "You've got to auction this land – that's your job." They don't want to lose their job and they're not equipped to answer you honestly, or they don't know the answers, but they never want to say that. And only after a couple of those meetings did I realize that this is not a really honorable way to run a meeting. At the last meeting, we just interrupted them and started asking questions that were pertinent to us. We did not feel we needed a lesson in geology. That's how they conduct their meetings – they start with the ancient world and progress from there and take up so much time doing that at a meeting – and then the meeting is over. I couldn't sit there and listen to that for two hours. That was not what I cared about – what the strata of the earth is. We do know that they want it and we don't own it.

TCW: *The BLM has no interest in rancher's rights.*

KL: You know the BLM is not there to protect the rancher. It's there to see that those rights are auctioned off and to the best benefit. And that's its job and that's what it's supposed to do. But it's not good enough. And it isn't fair to the landowner.

TCW: *Mineral rights are being leased at such a rapid rate that the BLM is having a hard time keeping staffed up to be able to process every one of these requests for leases. In some ways they're becoming less efficient than they were before. But have they contacted you in person?*

KL: No. They don't contact you. They put a little notice on their bulletin board. If you don't happen into the building and see it, you don't even know there's a meeting. We've had a couple of meetings out here in this area that I did not know about. One I did find out about because my neighbor called me, but he hadn't known about it before. So they do not provide you with adequate knowledge of what's going on.

TCW: *So landowners have to keep each other informed of BLM activities.*

KL: It's up to you to find out, which puts you on the mat for contacting them all the time. And then they don't know much when you do contact them. It may be the way they feel is the best, but it's not the best for us and you better realize that if you're a landowner. They're not there to help you. And I would never encourage anyone ever, ever to buy a piece of land ever again without owning the mineral rights.



Author Louis L'Amour in an early PR/author's photo.

Now, that said, there are many places where there's just no way and if you're determined to live there, you're going to live without owning your mineral rights. When you go out to buy land, you should definitely have all the mineral rights. And I would encourage people to do that.

TCW: *Have you had any contact with a land owner's rights advocacy group called San Juan Citizen Alliance out of Durango?*

KL: They've been at a couple of the meetings and they're for us, of course, whether they will be able to do anything. This is very difficult to do anything about. The word comes down, "Sell those leases." The BLM guy can't do anything but put them up for auction. And the gas and oil guy can't do anything if he's running his business but come in and buy them and everything else around that isn't BLM. It's like a vicious circle.

TCW: *Is there anything else you want to add on this?*

KL: I think it's important for people to be united with their neighbors. I think that that is probably one of the things that seem to make a difference to your congressman and your senators, and all. And I think that we are living in a society that's rather detached and so we're not close to our neighbors. Now, we have come fairly close, but you know there are many neighbors that have said to me, "I own my gas and oil rights." They didn't know that they didn't have them. And you're not likely to know until this hits you in the face. So I would say, wake up and be aware. And I think that it's really important for all of us to try to do the best we can with our land. As I said, I have fought

to try to keep this land like it is. I think it's sad that we can't all do that, but we can't. And we don't all have the wherewithal to do that. So the best you can do is the best you can do.

TCW: *Is the county hoping for more commercial development?*

KL: You know, I think that the local representatives, the county commissioners, think they're doing the best for their county and that the money brought in will be the best for their county. And I'm not trying to tell them their job, but many times money and development are not the best things for your county if you're not building a real commercial city here. We're not doing that and I don't think that'll ever happen here.

TCW: *It's not what the Durango area is known for.*

KL: We can't support anything like that. There isn't that kind of money here. There's not that kind of population here. You have to have people to do that. So the people that come here come for a love of the land and those people are the ones that really need to be aware of what's going on and try to be good stewards of the land. There are people who will take this very well and be happy to see gas and oil come in. I just want them to think about what is happening with the water, because the water is what's going to suffer. Probably more than the look of the land, the more detrimental thing will be the lack of water.

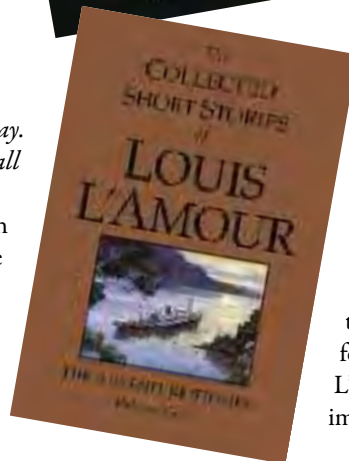
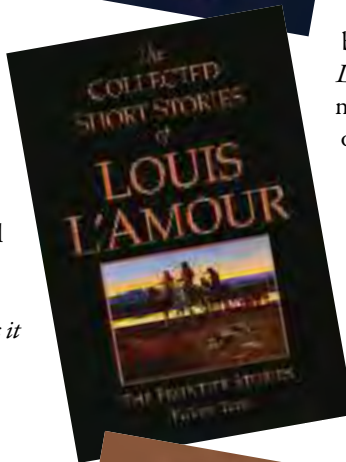
TCW: *You want your beautiful ranch to stay as it is now.*

KL: I want it just like it is.

Louis L'Amour's Works Still Live

TCW: *Tell us about Louis' literary portfolio today. You are still working with Bantam Books after all these years?*

KL: Oh, yes. We are very much working with Bantam. We have well over 120 books that have sold over 300 million copies. Our ongoing publishing business includes hard covers, paperbacks and audio books on CD, as well as works that can be downloaded onto Kindle or iPod.



TCW: *What is the Continuity Program?*

KL: We do a collection that's called the Continuity Program. You buy a book a month of Louis' in a simulated leather binding and they're produced on acid-free paper. So, it's a 300-year book that could last that long and all the books are in that set. And, we've had a lot of people complete the set. I don't have the exact numbers – maybe 40 or 50 thousand people have completed all the books. These kinds of things don't last that long as a rule or people fall out of the picture. But Bantam does a fabulous job and they have been great publishers and advocates of Louis' works.

TCW: *And it's a family business that is carrying on the L'Amour legacy.*

KL: It's a family business. The artistic side is managed by our son, Beau, and I handle the business side with support from our daughter, Angelique, and her family. We do quite well with our website, louislamour.com and we are able to reach out to the public with any kind of questions or concerns or information that they need about Louis. There are lots of extra things on our website. Our latest book called *The Collected Short Stories of Louis L'Amour: The Frontier Stories, Volume 7* hits newsstands in early November. That will put all of Louis' short stories in a seven-volume collection.

TCW: *What is the focus of the other volumes?*

KL: *Volume 6* is the crime stories and it is very interesting. And *Volume 4*, which is the adventure stories, is about things that happened either to Louis or someone he knew, so they're autobiographical in a sense. And, of course, we have our great book *Frontier*, which is essays by Louis and photographs by David Muench that tell the story of America from the East Coast to the West, and on into outer space.

TCW: *What about film and TV versions of Louis' works?*

KL: We have movies and television shows totaling over 45 done from Louis' works. We feel very confident about the future for Louis L'Amour. As for any writer, the most important thing is that his work will last. Not

too many writers last too long past their lifetime, maybe four or five years. We are at 21 years after Louis' death and still going strong. We produce a calendar every year and a lot of things that are extras. But the most important thing is that his words will go on for a long time, because he was a great storyteller. And that's what most people expect from a book that they pick up – just to be taken away to somewhere else. I think Louis did that incredibly well.

TCW: *His stories carry the reader to another time and foreign lands. I understand Louis wrote from 9 to 5 daily and managed to have breakfast and dinner with the family daily. He must have been a very focused and hardworking writer.*

KL: He had this enormous energy, which I think comes off the printed page. It seemed to come out of him through the typewriter onto the page. And I think that people feel that when they read him – they have got to turn the next page. He had a lot of different interests. He was a man with a lot to bring to the public when he told a story. It wasn't anything one-dimensional. It really superseded that. He was an incredible citizen of the world. He was someone to really study and learn, to see what could be done if you really willed it be done – and if you worked towards it. And he was a very hard worker. He wrote every day. He never rested on his laurels. He never felt he was good enough. And I think when you keep on trying like that you attain some level of expertise. And the sad part is that he didn't live longer. He had a lot of stories started. He could have easily written another 100 books. It wouldn't have been a problem at all.

TCW: *Many Americans west of the Mississippi claim him as their own – an expert of the old West and its history. Few writers today can say that they travelled and worked in the West and knew people who personally knew Billy the Kid, Bill Tilghman and other Western legends as Louis did.*

KL: That's right, but, as you may know, he didn't start out to be a writer of Western novels. That came later.

TCW: *I remember the old radio Westerns. Can we still hear Louis' works on the radio?*

KL: You know, we're not on radio now. We would be open to it, absolutely. We would love

to be on again. A lot of people enjoyed it. You see you can buy everything now on CD. And you can download material on your Kindle or iPod. I mean there are just so many ways to get the story.

TCW: *I understand that your son Beau is working on a biography of Louis. What can you tell us about it?*

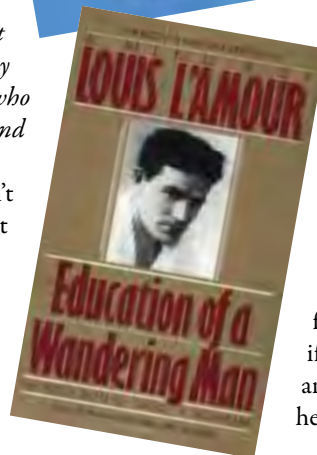
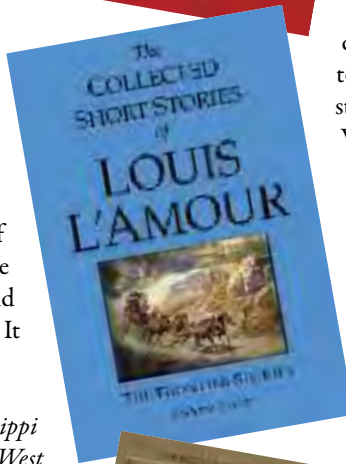
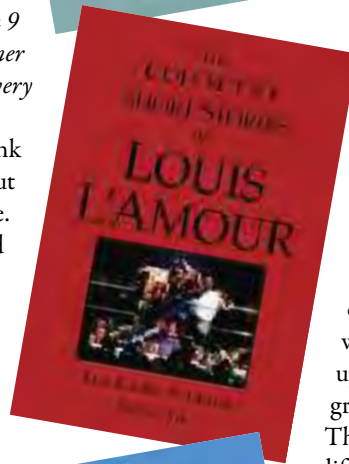
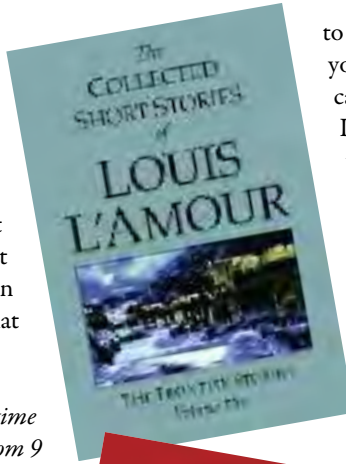
KL: Well, it's been an enormous amount of work and it's gone on for a long time because he does a lot of other things. So this is a side issue for him, as well as being in charge of the artistic end of our business. He can't devote himself 100 percent, so it has taken a long time. We just about have the research done. It wasn't easy to do research on Louis because he moved so much as a young man and this is the story of him as a young man and his beginnings. It will be interesting and fascinating, I think, because of that. And this is what made him who he was. But it's not a story of a man who grew up in a town and went to school and graduated from college and went to work. This is a man who moved a lot. So it's been difficult to get everything in place and we want to be as honest and truthful as we can. The status of it is probably years from coming out. We try not to let people get too excited over it. When it's done it's done. And it's sort of like when someone would ask Louis, "Well, how long does it take you to write a book?" He said, "It takes as long as it takes."

TCW: *How long would it take Louis to write a book?*

KL: Some were quicker than others and you never know. You can't say it'll be done in six months or eight months or whatever. He was pretty good at knowing what he could accomplish in a year. He could write three books a year.

TCW: *That is more than most authors can produce in one year.*

KL: He knew he could do that. He felt that he wrote better when he wrote a lot. He also felt that the public wasn't so apt to forget you if you wrote a lot. He used to say he'd stand around in bookstores as a young man and he'd hear people come into the bookstore and ask



about a writer and they couldn't remember his name and maybe he hadn't a book out for two or three years. And he thought, "Hmm. That's a lesson to be learned." You need to keep something in front of the public all the time. He was very canny about the book business. He was probably one of the smartest men in it. And, of course, he saw it through so many changes. You know, he started when pulp magazines were around. And he wrote everything for every different genre of publishing. So he really knew the business and, being an avid reader who wanted to buy books, he had a great interest in how they were sold and what they cost. There were times when he did not have the money to buy two or three books at all. Or sometimes, he'd go for several days on a sandwich a day so he could buy a couple of books he wanted. There were no paperback books when he was trying to get an education. He was the best educated person I ever knew, and he was self-educated.

TCW: Tell us about Louis' personal library.

KL: There are about 20,000 books and they are books from all different aspects of life – history, culture, art. He was fascinated with everything, as most writers are. So we have a great library on the Far East, ancient medicine, trade, travel, cultural diffusion in the 14TH-16TH centuries. He was fascinated with Shakespeare and other great English writers – the American writers and the French writers too. I mean he read everything. Never did a year go by that he didn't read well over 100 non-fiction books, never. And he kept lists of them, so we know that. It is a library that he purchased book by book and, sometimes, purchased many books to arrive at the one he finally wanted to put in his library. So the interesting part of his library is not the rare books, although we have some of those. The interesting part of the library is the man who chose them because they show such a wide scope of interest.

TCW: Did your husband have a favorite of the movies that were made from his books?

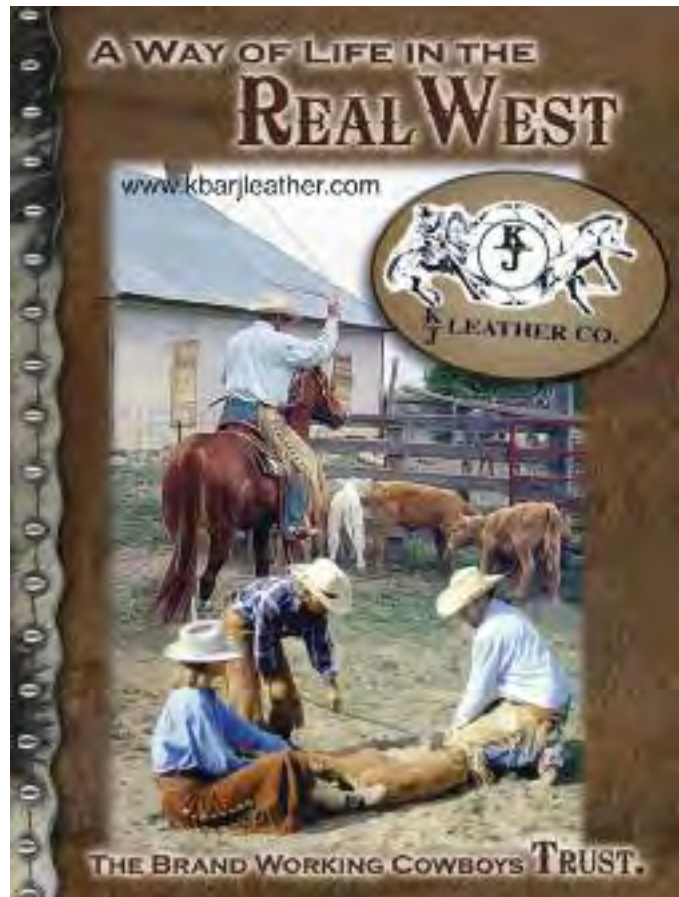
KL: Well, you know, he liked *Hondo*. In the writer's head are the characters as they write the book. So that develops in the writer's head and then somebody else takes it to make a film. And so now it becomes this living thing. He loved seeing his books made into movies – he was happy and thrilled. Perfect it couldn't be, nor could it be for any writer. He also liked *The Sacketts*. And, there were some that were terribly disappointing. But Louis had a very healthy attitude. When he sold a book to the movies, he sold the film rights and that meant that whoever was buying it could do whatever they wanted. And he let go of it because he was always in the midst of writing something else. So he never

made it so precious that he couldn't stand what they did. His whole life was like that. Even when he first started to write and he was getting rejection after rejection, he always had other stories out there. He had over 200 rejections before he ever had a story published. Now, that takes a man with a lot of courage and stamina and a lot of inner knowledge that he *is* going to make it. He always had maybe ten other stories out, so he had this protection created by himself. It kept him going.

TCW: One of my personal *L'Amour* favorites was *Conagher*.

KL: Yes. He would have been happy with *Conagher*. He never saw it though. You see that was filmed the year Louis died. So it didn't come out until after that. But he would've loved that and, of course, he was a fan of Sam [Elliot] and Katherine [Ross].

TCW: Louis' passion for America lives on. Kathy, thanks so much for your time today. We've covered a lot of topics on Louis. We look forward to checking out your website, louislamour.com to see what's new and exciting.





Ice Climbing in the Rockies: A New Western Adventure

BY MARK BEDOR

Ironically, few things in the natural world are as beautiful and dangerous as a waterfall. We love to look at them and edge closer to their power, yet shudder at the terrifying thought of being swept over the edge by their powerful current and plummeting to a very unpleasant landing. Your intrepid reporter is acutely aware of this potentially fatal attraction as I look up at the frozen waterfall I'm about to climb in the Rocky Mountains.

"You really think I can climb that?!" I ask with just a bit of concern. My expert guide and teacher Kenny Gasch assures me it will be no problem. Gulping hard, I'm game to give it a go!

It's my very first day experiencing the very adventurous sport known as ice climbing. On this brisk but pleasant January day, Kenny has brought me to a huge canyon known

as the South Fork of the Shoshone River, about an hour outside Cody, Wyoming. The nooks and crannies of the high canyon walls are packed with the ice of literally hundreds of frozen waterfalls, some of them hundreds of feet tall.

Kenny tells me, in the U.S., ice climbing doesn't get any better. "The ice definitely is world class," beams my guide, as he points out the places he's climbed, and the ones still on his list. "We do have the largest concentration of frozen waterfalls in the U.S.," he adds.

This area attracts ice climbers from all over the world. Thirty-one-year-old Line Antoft has come here with two friends from Denmark to climb Cody's ice. "The ice is really good here," she explains. "I've never seen so much ice before. And it's actually the biggest location with so much ice in



such a small area.” There is very little snow in this particular part of Wyoming. “If you have too much snow, you have avalanches coming down on you – something I try to avoid. But here you can just go and climb and not have to think about avalanches.”

Avalanches? Hmm... I’m having this conversation in my hotel lobby a couple nights before my big day at the waterfall. I’m sure I’ll cry like a baby after that comment. Ah, but with Kenny, there’s nothing to worry about. Before he discovered climbing, the 53-year-old Wisconsin native was building houses in Cody and living the cowboy lifestyle. He and his family owned horses, took pack trips and loved it. But, in 1994, his 13-year-old son Leif wanted to climb Wyoming’s famous Devil’s Tower, and wouldn’t give up on the idea. So, Kenny and his boy took the training, got the gear, did the climb and never looked back. “And we were absolutely hooked,” Gasch recalls. “It was like this epiphany.”

Within two years, Kenny was climbing ice. Today, he’s retired from the contracting business and works for Jackson Hole Mountain Guides. He also owns and operates a Cody hostel that caters to ice climbers, as well as warm weather adventurers like the kayakers who come to Cody in the summer to shoot the local whitewater.

Ice climbing started in the 1800s in the French Alps, where it was used as a teaching tool for mountain climbing. It eventually evolved into its own sport. And it’s not cheap. Ice climbing requires much more gear than rock climbing. A pair of ice axes goes for \$500, ice-climbing boots cost \$350 and the “crampons” that clamp on to the bottom of your boots and allow you to walk on or up ice are \$150. Then there’s the clothes, the helmet, the ropes, the ice screws and the \$500 a day for a competent guide, none of which is optional. And that’s why the average ice climber is 35 or 40, although Kenny has ice-climbing friends in their 60s still going strong.

It’s money well spent to be with a guy like Kenny. As we

strap on the gear and backpacks, I know I am with someone who really knows what he’s doing. Our adventure will start on frozen and flat Deer Creek. There we’ll strap the crampons on to my climbing boots and begin by getting the feel of walking on ice. “You just wanna make sure you walk flat-footed like a duck,” Kenny advises. “And use your tool (ice ax) as a cane.”

The frozen creek heads right up into the wall of the mountain. We’re soon climbing higher and higher above the valley floor. And, once the creek gets a bit elevated, Kenny stops to rope me in through my climbing harness. We’ll be tethered together the rest of the way. Kenny will go ahead, anchor himself in and then have me come up. Even just walking up the increasingly steep slope of a frozen creek there’s no room for error. If you slip and fall, you’ll soon be flying back down that sheet of ice at sixty miles an hour. People have died that way. And getting killed would ruin my day.

As we go higher up the mountainside, the flat creek



photos courtesy Mark Bedor

begins to bend and climb as well. I get my first real taste of actually climbing on a “bench” of frozen ice about waist high. I essentially crawl up the thing, slamming my ax into the ice and pulling myself up. Then Kenny offers some corrective guidance. “You should not have used your ax,” he gently advises, saying it uses too much energy. “You want to try and stay as erect as possible.”

As we go on, I learn that you need to get as much power as you can from your feet and legs. The crampons are like a bunch of little ice axes on the bottom of your feet, plus a couple more sharp prongs that jut out from the toe. As the ice gets increasingly vertical, those toe picks let you slam your foot straight ahead into a wall of ice, get a grip and push up with your legs.

Meanwhile, you have an ice ax in each hand. You reach ahead as far as you can with one hand, slam that ax into the ice, make sure it’s secure, then pull up on that ax as you push up on your leg. I’m getting practice at all of these things as the frozen creek gets increasingly steep and vertical. Remember, I’m roped in the whole time to an expert guide who is also securely anchored above me before I start moving. It all gives me great confidence. I’m also very glad I work out as often as I do. You have to be in shape to do this. It’s mandatory. However, I have a torn rotator cuff and wonder how that bad shoulder will affect me out here. But, with Kenny’s guidance, I’m putting way more weight on my legs than my arms. And my shoulder is never an issue.

Suddenly, I find myself staring up at that big waterfall! Now, ice climbs are graded from one (walking on flat ice) to six (don’t ask!). This waterfall rates as a two plus, or maybe a three. Kenny climbs it first, anchors in the rope and repels back down. Then it’s my turn! Ok – here goes! With Kenny reminding me to depend on my feet, I begin the ascent. I reach as high as I can with an ice ax and slam it in. Then I pull up a leg, slam the toe of the crampon into the ice and push up on that foot. I reach as high as I can with my left hand, slam in the second ax and then pull out the first. Kenny is calling out encouragement as I go higher and higher.

I don’t look down. I have too much to do! My fingers are getting increasingly numb. But look! I’m halfway up! Then three quarters! Finally, I reach the lip of the waterfall, the place no one wants to be when it’s not frozen. But arriving here today feels pretty darn good. A few more slams of the ice ax and I’m off that frozen wall and standing on the flat surface on top as Kenny cheers below! Only halfway, though, as now I have to go back down. Repelling is actually the easy part. But it’s also a bit unnerving. If your partner has a heart attack and drops the rope, you’re toast. But, no worries. We make it fine.

We won’t go back the way we came. Instead we’ll step off the frozen creek and walk down the mountain. No snow, no problem. There is one spot in the trail that’s a “no-fall” zone

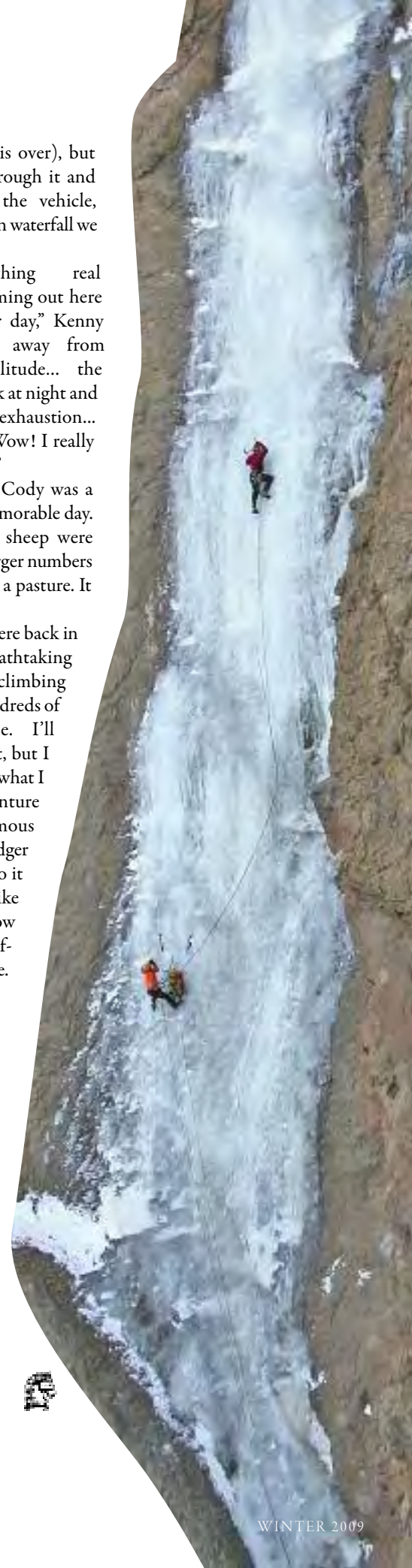
(if you slip, your life is over), but Kenny coaches me through it and we’re soon back at the vehicle, looking up at that frozen waterfall we just climbed.

“There’s something real exhilarating about coming out here on a beautiful winter day,” Kenny shares. “You’re out away from everything... the solitude... the wildlife. You come back at night and there’s a real peaceful exhaustion... that satisfaction, of, ‘Wow! I really did something today!’”

The drive back to Cody was a mellow ending to a memorable day. Big herds of bighorn sheep were along the road. Even larger numbers of antelope were off in a pasture. It was like a zoo.

An hour later, we were back in Cody, looking at breathtaking photos of the pros climbing giant ice waterfalls hundreds of feet high. Awesome. I’ll probably never do that, but I feel pretty good about what I did do. It was an adventure that even the famous mountain man Jim Bridger would envy. You can do it too. Kenny and pros like him will be glad to show you how for a truly different Western adventure.

For more information, visit www.jhmg.com/winter or call Kenny Gasch at 307.250.0763.



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The PARAGON Foundation offers a heartfelt thank you to all of our sponsors who have supported our efforts over the past year and into 2009. We came upon this old postcard from the late 1920s. Its message about a place where the handclasp is a little stronger. Out where the West begins. Its words carry our appreciation.

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MICHAEL & SHELE NEESE: PHOTOGRAPHING WESTERN FASHION – 1985 - 2009



Clockwise from top: Studio Seven Production's Michael and Shelle Neese, Polaroid for Comstock Heritage Western silver catalog, Fashion shoot with Eva Longoria, pre-*Desperate Housewives*, Polaroid for Schaezlein & Sons Silversmiths magazine editorial.

Western fashion has come a long since the 1970s. Along with its stylistic evolution has been movement creating a more “lifestyle” design in Western fashion photography. During that evolutionary period, Michael and Shelle Neese’s Studio Seven Productions has been producing advertising, editorial, web and fashion photography in the great Southwest: Santa Fe, Albuquerque, Los Angeles, Colorado, Arizona & Texas. Photographer Michael Neese and fashion editor/stylist Shelle Neese developed the “Santa Fe Look” for many clients since 1981, and have been credited with actually pioneering this rustic look for fashion and product photography that is taken for granted today.

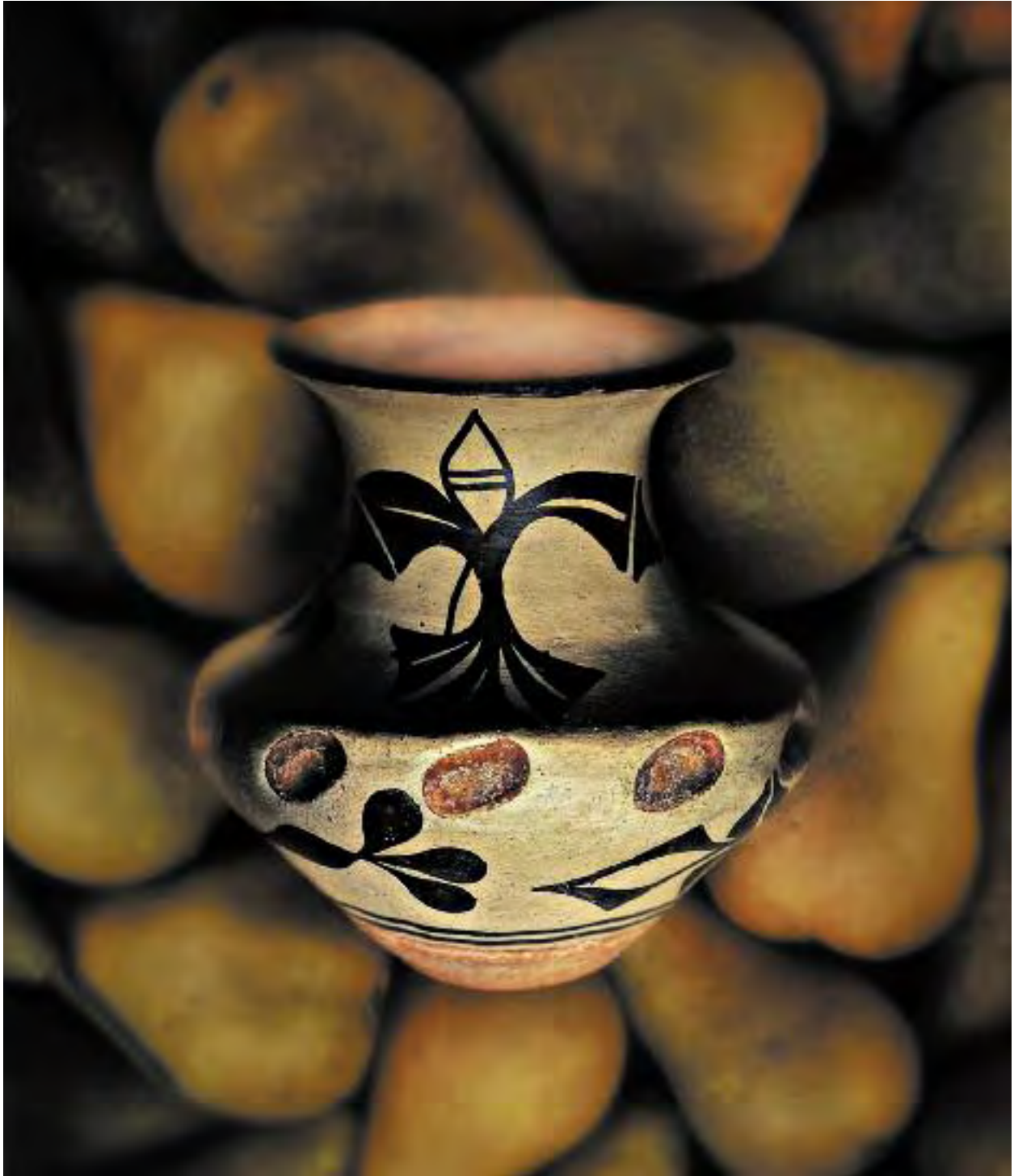
“It all started with a \$50,000 diamond ring photographed on a muddy cowboy boot,” says Michael, “creating the juxtaposition of elegant products in a setting of Native American, Old Western or cowboy props. I have to give credit to the Native American heritage as a strong influence in our visual style.”

Their trademark look was made famous with the help of Christopher Cates and Billy Martin’s of New York (Doug Newton), with the landmark production of a product catalog for the retailer. The effort won the National Addy First Place award (co-winner with the Kentucky Derby catalog) in 1991.

“Shelle has developed a trademark look for fashion styling that has broken the barriers of traditional Western, incorporating the juxtaposition of high fashion elegance with southwestern accessories or props. Some of our favorite celebrities that we have worked with include Jennifer Tilley, Matt LeBlanc, Val Kilmer, Ali Landry, Joe Rogan, Crystal Bernard among many others – including Eva Longoria, shown above, before she was *Desperate* and a housewife.”

Many of the photos to follow in this exclusive portfolio will be part of a book the two are working on illustrating *25 Years of Modern Western Fashion*. Some of Studio Seven editorial clients include: *Modern Arabian Horse Magazine*, *Cowboys & Indians*, *Damernas* (Sweden), *Living West*, *People*, *First*, *Elle*, *Town & Country*, *Santa Fean*, *Polo Magazine*, *Women’s Day*, *JCK*, and *Modern Jeweler*.
www.studiosevenproductions.com

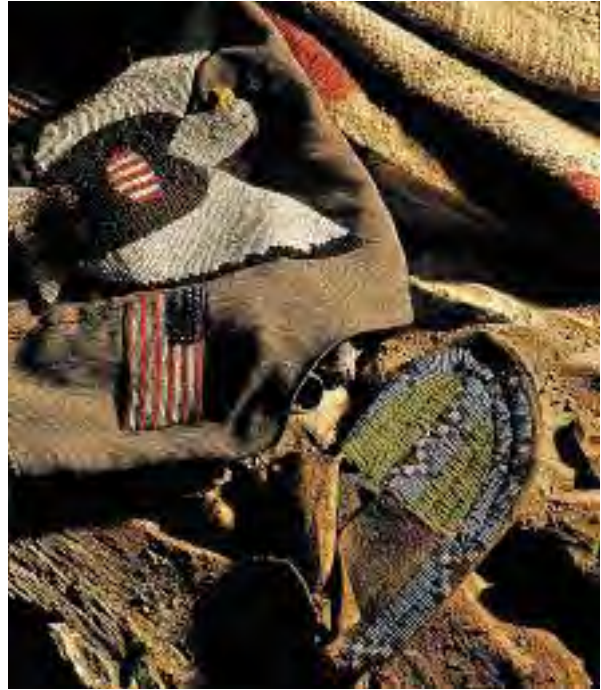




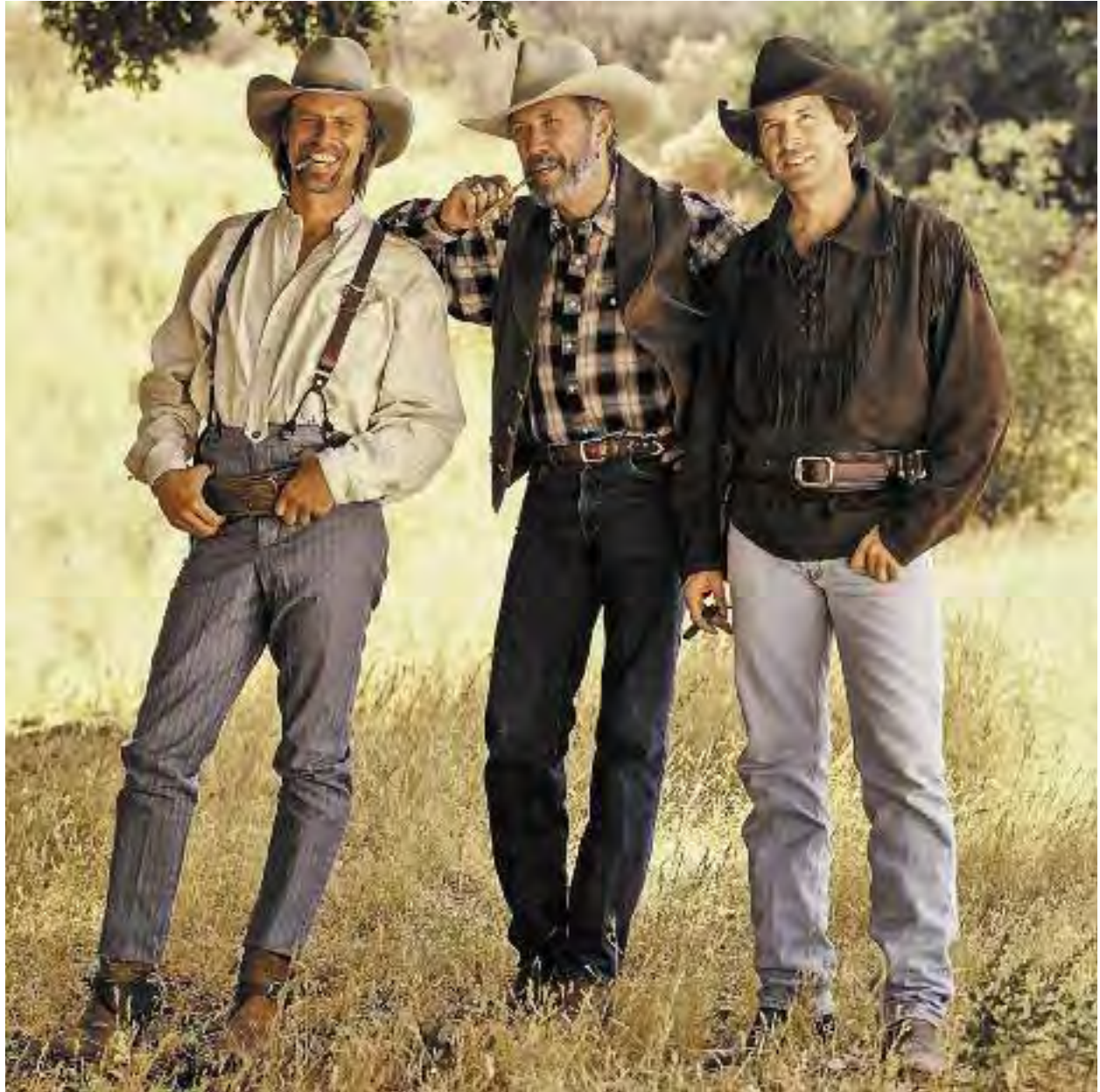
Still Life. *Ancient Pot and Pears*. 2000



Fashion shoot. Ali Landry at the Reata Restaurant, Beverly Hills, California. 1997



Advertising product shots. Kevin O'Farrell hats, Comstock Heritage silver home accessories and still-life product presentations. 1994 – 1998



Editorial photography. The Carradine Brothers – Keith, David and Robert. Paramount Ranch. 1996



Editorial photography. *Western Silversmiths*. 1998



Catalog image. 1996



Western boot maker editorial images. 1996 – 2001





Editorial shot from Michael and Shelle Neese's book, *Cowboy Ties*, written under their author aliases, Hunter and Shelkie Montana. Published by Gibbs Smith, 1994



Fashion shoot. Lisa Edelstein – pre - *House M.D.* 2004



Karl Urban as Capt. Woodrow T. Call in *Comanche Moon*, 2007

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THE REAL LONESOME DOVE



photo courtesy the Yellowstone Banks of Montana Collection

Crossing the Yellowstone

Nelson Story and the First Texas to Montana Cattle Drive

BY DAN GAGLIASSO

“I want to see that Montana country, Gus. Before the bankers and the lawyers all get it.”

*— Capt. Woodrow Call, **Lonesome Dove***

The winter of 1866 in the gold fields of Montana Territory was a rough and rugged one. The snow was piled high and food supplies were sparse. Road agents and renegades stalked lone travelers and Red Cloud, leading the Lakota Sioux and Northern Cheyenne, had virtually closed the Bozeman Trail to freight wagons and commerce, even when the weather was good. But, one man with his eye on the far-reaching future of Montana had other ideas.

Nelson Story was only 28, yet he had spent a third of his life on the frontier. First as a bullwhacker on freight wagon trains out of Fort Leavenworth, Kansas and later in Colorado as a freight company owner himself, which eventually took him to the early gold fields of Montana. He had fought off Cheyenne Dog Soldiers on the Southern Plains, the toughest and most elite warriors that tribe could muster, and rode with the Vigilantes in Virginia City when they were the only law in a lawless territory.

Freighting was the life's blood of the 1860s frontier. Steamboats only occasionally navigated the sparse and shallow waterways, railroad spurs were, in most cases, still years away and there was no refrigeration for vegetables, fruits, poultry and meat. Whatever was sold in the isolated mining town came in by huge freight wagons often eight feet high and fourteen feet long, several coupled together and pulled by up to twelve oxen averaging ten to twelve miles a day. Merchants paid by the pound for their goods to be hauled and marked up their wares as high as the market would bear.

Hunting could be good in the spring through the fall. Elk, deer, antelope and even buffalo were all around until snow fly, but, with the Sioux and the Northern Cheyenne riled up over the gold seekers traversing the Bozeman Trail to Alder Gulch and Bannock, hunting was dangerous at best, lethal at its worst.

Montana had gold, but no beef. Fifteen hundred miles south, Texas, bled near dry by four years of the Civil War, had cattle and no gold. Nelson Story set out to do something no one else had ever done, herd cattle on a drive north 1,500 miles, farther than any other cattle drive had ever gone. In the process, he would create a legend of guts, determination and self-reliance synonymous with the settling of the American West.

By the spring of 1866, Story had built up a tidy fortune of \$40,000 through his freighting operation, as a merchant and from an eventually profitable mining claim. His young wife Ellen was damn well industrious herself and started a business in Virginia City selling pies and cakes out of their rough-hewn log store. Nelson Story wasn't the type to just sit back and watch that money dwindle, he was going to turn it into something bigger.

As the snow began to thaw, Story left his wife with some trusted friends, sewed \$10,000 in bank notes into the lining of his frockcoat and headed for Texas. With a brief lay over at his old haunt, Fort Leavenworth, he hired two old friends, Thomas Allen and William Petty, and headed for Fort Worth. Considering Story and party were Northerners, the former Johnny Rebs around town didn't give him any Texas-style trouble. He quickly sized up twenty-one young, tough looking cowhands, a good *concinero* cook and started buying cattle. One knowledgeable historian once called those early Texas cowhands "men who didn't scare," and there was more than a good amount of truth to that statement.

Most Texas cowhands right after the Civil War still had a healthy respect for the skills and traditions of the Tejano vaqueros from which they had inherited many of their own skills. If it wasn't for the vaquero's knowledge and horsemanship coupled with the grit and outdoors skills of



photo courtesy the Yellowstone Banks of Montana Collection

Chief Joseph's Retreat

the Tennessee, Kentucky and Southern frontiersmen, there would have never been an American cowboy. It's likely that at least one or two of Story's trail hands were actually Tejano vaqueros. More than a few Mexican Texans had even fought in the Civil War on both sides, almost always as cavalrymen.

Beef cattle, stock to be sold and slaughtered at market, were bringing as little as a few dollars a head in Texas and there were over 3,000,000 of them on the ranches, some even roaming free. But, up the trail in the burgeoning cow towns like Sedalia, Kansas, an enterprising boss man could realize ten times that amount per steer. The Texas ranchers selling to Nelson Story were scratching their heads though. He was putting together a mixed herd with a good number of cows and calves along with those beef steers that showed he was going to start his own ranching operation. These cattle were longhorns, because that's what Texas cattle were in those days, and those wide, sharp horns could puncture, maim or even kill under an unlucky set of circumstances.

Story soon had 1,000 head of Texas cattle gathered and was ready to head north. There is some disagreement over whether or not the Montanan told his men that he

planned to take the herd 1,500 miles all the way to the Gallatin Valley, but it is highly unlikely that he didn't tell them, especially with the future dangers from Sioux and Cheyenne warriors. Mounted on his favorite horse, Sancho Panza, Story looked over at his trail boss and nodded his head. Like hundreds of cattle drives after them, they pointed the herd north and moved out, unknowingly about to make history.

Grand adventure or just another job driving cattle, no one had ever attempted to take a herd 1,500 miles before. There would be over half-a-dozen dangerous river crossings, since 1866 had been a particularly wet winter and the rivers were running deep and wide. There were also rampaging Jayhawker renegades, demanding tribute for perceived Civil War losses in Kansas, just out of sheer thievery and gall. None of this included the accepted dangers of stampedes, quicksand, prairie dog holes, ornery steers and bad-tempered horses. This was a cattle drive that would go more than twice as far and take twice as long as the earlier drives to Kansas and those Texas boys seemed to be more than up for it come hell, high water, crazed Jayhawkers or angry Sioux warriors.

A measure of the caliber of men Story hired was soon exhibited after the herds' first stampede. Two experienced hands managed to get to the head of the stampeding longhorns and turn the leaders back onto the main body of steers, but after a quick head count, Story discovered two of the Texans were missing. Low-and-behold, come around noon, the two missing hands showed up driving several dozen steers that had broken away from the main stampede.

The Story trail drive soon crossed the Red and Cimarron rivers paying a fair passage of ten cents a steer to the local Cherokees and Choctaws. Oklahoma was then Indian Territory, the home of the Five Civilized Tribes who pretty much lived in towns and on farms and ranches themselves. They weren't belligerent, just concerned since lots of Texas herds had been coming their way and they needed to protect their own pastures and crops. Story willingly paid the one hundred dollar levy; after all, he'd have done the same if he were in their place. The next group of "collectors" would find out much different.

As the herd approached the Kansas state line, they began to meet other smaller herds that were being turned back by large groups of Jayhawkers, former Union guerilla fighters armed to high hell waiting as a "welcoming committee." More than one Texan had fought back and more than a few a Texan bodies were left on the Kansas prairie. Some of the Kansans had legitimate fears of tick fever that was sometimes known to be infecting Texas cattle, but most were just hard cases looking to make the former rebel Texans pay for having lost the Civil War.

Nathan Story made a calculated decision and refused to pay the Jayhawkers' extortion that amounted to over a



Nelson Story

Engraving copied from *Progressive Men of Montana* p. 1256

Engraving by The Lewis Pub. Co., Chicago



Trail Herd

thousand dollars. Then he turned the herd west, well below the Kansas line. There was no good sense to getting into a fight that could be avoided, there were going to be battles that would have to be fought up ahead when they reached the Powder River country and Sioux Territory.

Story and his herd only had to cut westward a short piece, going around the Jayhawker threat and then headed back northeast near the meandering Arkansas River. Once the herd was parallel to Fort Leavenworth, Story took leave of the cattle and rode several days further east to his old stomping grounds, the largest military post in the west at the time. It was here, through his old friends and business contacts, that he bought several freight wagons and merchandise for his and his wife's store in Virginia City. Then he hired some experienced bullwhackers to handle the wagons and with them rejoined the herd.

One more item was taken care of in Fort Leavenworth that hopefully would pay dividends in Sioux country, the purchase of thirty early Remington Rolling Block .50 caliber carbines that could fire a dozen metallic cartridges a minute. Virtually all of Story's men were armed with some sort of percussion six-shot revolver, mainly Colts and Remingtons that took paper cartridges or loose powder and ball and were primed with percussion caps atop a nipple on each chamber of the pistol's cylinder. Metallic cartridge pistols and rifles were still a few years away from being the norm in the post-Civil War west, though metal cartridge long guns like the famous Henry repeater and Spencer had seen some use in the Civil War. At the time, carbines or rifles were usually not part of a trail herder's normal arsenal on the trail. But, during these early cattle

drives, Texans in particular really did feel damn near naked if they didn't have a sidearm buckled on.

Story and his men now drove the herd northwest along the Platte River then headed up the North Platte reaching Fort Laramie in mid-September without any major problems. But, the officers at Fort Laramie had ominous news, though the 18th U.S. Infantry had established a series of forts including the sprawling Fort Phil Kearny along the Bozeman Trail, Lakota war leader Red Cloud had managed to bring together almost 3,000 Sioux and Cheyenne warriors. Red Cloud's rough brand of leadership – he was known to brutally whip warriors who disagreed with him with his riding quirt – had done something no other Plains warrior war leader had ever done. He was able to keep this huge gathering of fiercely independent-minded warriors together, strategizing organized attacks and keeping the Army off their guard, scared and holed up.

When Nelson Story had left Montana that spring, the Sioux had certainly been dangerous trouble, but this kind of well-organized warfare from the most individualistic of Plains Indian warriors was a new and very real threat. The Sioux had only recently forced the once powerful Crows out of the Powder River country. Army officers at Laramie advised Story against going any farther towards the Powder River and into the Yellowstone country, there would be no troops available to escort or protect his herd. But, Story himself had fought Cheyenne Dog Soldiers and many of his Texas hands had battled the fierce Comanche; they weren't going to depend on a bunch of *bluebelly* infantry to protect them or their herd.



Crossing the Yellowstone

Two former Yankee soldiers did join the drive at Fort Laramie with their own mule drawn wagon and two good saddle horses. John Catlin and Stephen Grover were Civil War veterans out of Indiana headed for the Montana gold fields, and joining up with Story's herd was just plain good sense. There was always safety in numbers and it was normal procedure for travelers in those days to wait for a larger, well-armed party to join up with to cross dangerous territory, especially with the Lakota on the warpath.

The rest of September found the herd heading north across arid high plains between the Cheyenne River and the Powder River. There was a lot of parched grass and choking dust, but no water. For almost four long days, they went without water, occasionally losing an old emaciated cow or steer. At dawn on the fourth day, they finally started into a broad green valley and looked out at the Powder River thankfully watering cattle, horse and man alike. Now all they had to worry about was Indians.

The Sioux finally hit the herd south of the Army post of Fort Reno. A small band of warriors hollering high-pitched war whoops, firing their guns and waving lances, bows and blankets managed to wound two men and run off fifty or sixty head. Story broke out the Rolling-Block carbines, grabbed the reins to his horse, Sancho Panza, and ordered a group of men, including Catlin and Grover, to follow him.

Years later, John Catlin told an interviewer, "Even after three years on the skirmish lines in the Civil War, I had never seen a fighting man like Nelson Story. He hunted a fight and, when he found it, he knew how to handle it. There were always two big Colts' Navy revolvers on his hips. He was always splendidly mounted and could ride like the wind. He hollered 'Come on boys,' and rode away. Of course we followed him – we'd have followed him to hell."

Before the day was out, Story and his men caught up with the Sioux raiders who had stopped to butcher one of the steers in the Badlands. The drovers' carbines opened

up, killing or wounding a number of warriors and they recovered the rest of the cattle. Legend has it that one of the warriors who escaped was the future great Oglalla Lakota warrior Crazy Horse. Red Cloud's warriors now knew of the herd's presence and, as the cattle moved further towards Fort Phil Kearny, random graves of both soldiers and civilians killed by the Sioux occasionally dotted the sides of the Bozeman Trail.

At Fort Phil Kearny, Story and his men finally ran into the kind of senseless government red tape that often still plagues cattlemen today. The post and district commander, Colonel Henry Carrington, had been losing men to Sioux raids left and right since he had built the fort. More an administrator than a combat officer, he curtly informed Story that since he couldn't spare any men to escort the herd, they would have to hole up there for the winter, and to do that three miles away from the fort because he needed the closer pasture for his own stock!

Story must have been beside himself. He and his men had driven 1,000 head of cattle almost 1,200 miles at this point with only another 300 miles to their final destination near Bozeman. They had not only fought off Sioux raiders, tracked and successfully attacked those same warriors, but were also far better armed than Carrington's troops, who still carried only muzzle loading rifles. It was early October and lasting snow could hit at anytime, not only stranding the herd to Sioux attacks, but also leaving the cattle vulnerable to the freezing cold. Nelson Story might have been new to the cattle business, but he had the guts and determination to defy nonsensical bureaucracy when confronted with it.

Story bided his time for a few days and had his men build makeshift corrals for the herd and their other stock, a brief but fatal Sioux raid made up his mind for him. They lost one man to Sioux arrows, but no horses or cattle. He gathered the men and told them he wasn't waiting around

any longer, but he still put it to their vote. Only one man, a drover named George Dow, voted against defying the Army and going on. Story's men tied him up and brought him along, freeing him once they were well away from the fort. Surprisingly, there was no hard feeling all the way around. The herd moved out under cover of darkness and traveled that way for several days. Carrington was livid with Story for ignoring his orders and considered sending troops after the herd to turn them back, but he had no men to spare.

The drovers had a few other skirmishes with warriors, but the news of the rapid-firing Remington carbines and the fighting spirit of Story and his Texans had spread throughout the Lakota and Cheyenne lodges. At one point, the herd unknowingly passed only a few miles from Red Cloud's main village unmolested – Plains tribes were notorious for not putting out guards in their own country. Two months later, Red Cloud and Crazy Horse would lay a trap for Carrington's troops, at least 1,500 warriors wiped out Captain William Fetterman and eighty-one men to a man. The headstrong captain had boasted that he could ride through the whole Sioux Nation with eighty men. Decoyed into an ambush and outnumbered almost twenty-to-one, his command didn't last fifteen minutes.

A few days out of Phil Kearny, the herd passed between the Big Horn Mountains and the Wolf Mountains, crossed the Tongue River, then the Big Horn River and paralleled the Little Bighorn. They were now in Montana. Near Clark's Fork, another band of roving warriors tried to hit them but was driven off by fire from the Texans' carbines, yet they lost another drover to the warriors. He had ridden out alone to

shoot a deer and was picked off by the Sioux. He would be the second of only two fatalities on the whole drive.

They crossed the Yellowstone River near present day Columbus, Montana when snow started falling, but they kept on. It was now late November and they were almost at trail's end. On December 1, 1866, under clear skies, Nelson Story, twenty Texas cowboys, two Yankee late comers and four bullwhackers brought their herd and three freight wagons into the Bozeman Valley, the first cattle herd to go from Texas to Montana, over 1,500 miles.

Nelson Story sold the market beef in Virginia City where he reunited with his wife. He retained his breeding stock and eventually established the sprawling Ox Yoke Ranch in the Gallatin Valley. At one time he ran as many as 18,000 head of cattle that he grazed throughout the Yellowstone Valley. After the disastrous winter of 1886-87, Nelson Story sold off his remaining cattle but kept much of the ranch while moving to Los Angeles where he made another fortune in real estate and built the first skyscraper in that city. He died at the age of 88 in 1926.

In 1955, director Raoul Walsh directed Clark Gable and Robert Ryan in a highly fictionalized film version of the Story cattle drive based on the Clay Fischer novel *The Tall Men*. At the end of the film, after an eventful but non-lethal confrontation, one central character describes the other as, "He's what every young boy thinks he'll be when he grows up, and wishes he had been when he's an old man." Freighter, merchant, cattleman and businessman, that epitaph seems more than fitting to describe the likes of Nelson Story, the man who organized and led the real *Lonesome Dove* cattle drive.



BERNARD THOMAS

Several of the paintings illustrating this article are by the late Bernard Thomas, a nationally recognized mural and Western artist who grew up in Sheridan, Wyoming right in the middle of the Powder River country. A World War II combat veteran of the 76TH Infantry Division of the Third Army, Thomas, at the end of the war, attended the Ecole de Beaux Arts School by recommendation of his then commanding general, George S. Patton. Limited edition prints of these paintings are available for purchase for \$60.00 each from the Stillwater County Chamber of Commerce.

Stillwater County Chamber of Commerce
P.O. Box 783, Columbus, MT 59019
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(406) 322-4505

Exhibit catalogs featuring much of Bernard Thomas extensive Western historical art are available for \$27.95 (including shipping) from the Sheridan Country Museum.

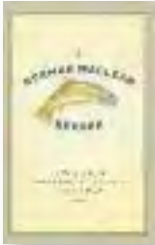
Sheridan County Museum
P. O. Box 73
Sheridan, WY 82801

RECOMMENDED READING

Here are some great reads to add to your nightstand.
Some of the books are brand new; some are older releases but are worth a look.

The Norman Maclean Reader

Essays, Letters and Other Writings by the Author of
A River Runs Through It
www.press.uchicago.edu



Norman Maclean seems best known for his allegorical fly-fishing-as-life tome, *A River Runs Through It*, but he was a man of many parts – fisherman, yes, but also, a firefighter, scholar and teacher. Part of the 1976 collection, *A River Runs Through It and Other Stories*, was the only book Maclean published in his lifetime, and was an unexpected success. *The Norman Maclean Reader* brings together previously unpublished materials with incidental writings, letters and selections. It serves as the perfect introduction for readers new to Maclean, while offering longtime fans new insight into his life and career. “Eventually, all things merge into one, and a river runs through it,” he wrote. “The river was cut by the world’s great flood and runs over rocks from the basement of time. On some of the rocks are timeless raindrops. Under the rocks are the words, and some of the words are theirs.” Waters, as he once said, haunted him. His words, luckily, are ours.

Keep the Change

Thomas McGuane
www.amazon.com



Thomas McGuane is no stranger to these pages and, I admit, I am a McGuane junkie and literally lie in wait for his next writing. He is the wordsmith of the contemporary West. That said, this book, published in 1989, is a wonderful story of the contemporary characters it depicts. Joe Starling leaves his family’s Montana ranch as a teenager, attends Yale and later becomes a successful painter in New York. In a state of emotional and spiritual disarray, he returns, hoping to lay claim to the run-down ranch and “find a restored coordination for his life” in the old values of hard work and closeness to the land. Unfortunately, his romantic notions run aground on the realities and complexities of the modern West. A classic McGuane read.

The Selected Poetry of Robinson Jeffers

Edited by Tim Hunt
www.sup.org

The Cowboy Way consistently celebrates cowboy and indigenous writing and poetry – writing that is based on a love of a specific geography and a sense of place. The poet Robinson Jeffers (1887-1962) saw and felt a similar affinity and devotion in the shoreline of northern California. Jeffers published volumes of long narrative verse that shook up the national literary scene. These poems, including *Tamar* and *Roan Stallion*, introduced Jeffers as a master of the epic form, reminiscent of ancient Greek poets. This volume is the definitive selection of Jeffers’ poems and will get readers closer than ever to the poems as Jeffers himself saw them, reacquainting them with “the night-wind veering, the smell of the spilt wine.” A more modest edition published a few years after Jeffers’ death remains in print in paper, but this huge selection, culled from the monumental five-volume collected edition is much more comprehensive. An American original.

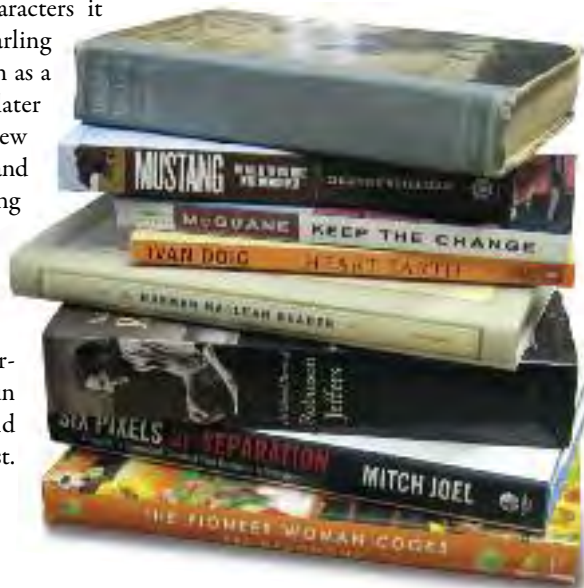


Mustang

Deanna Stillman
www.marinerbooks.com

One of the West’s big hot buttons is the subject of “wild horses” or Mustangs. Stillman wastes no time in getting after it, as there is no shortage of sides in this discussion. Stillman does a nice job traversing her longtime beat and passion, the American West, for a detailed look – from her perspective – at 400 years of New World history.

As stated in *Bookmarks* magazine, “The desert environment seems to bring a wonderful languid quality to her prose, and she manages to turn the horse into an equine Forrest Gump, present at all the major moments in the history of the American West.” That said, the book gives an interesting look at the symbolic nature these horses take on for those wishing to define and preserve their future in the region.

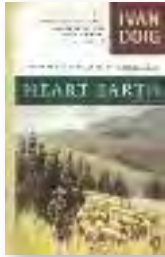


RECOMMENDED READING

Heart Earth

Ivan Doig

www.amazon.com



It has been said that Ivan Doig is the heart of Montana – hard to speak of anyone else who nurtures the nature of the Big Sky state quite as lovingly and clearly as Mr. Doig. His two other gems, *This House of Sky* and *English Creek*, tell of his life growing up in Montana. And while *House* is a memoir based on the author's life with his father and grandmother – a work nominated for a

National Book Award – *Heart Earth*, written in 1993, is based on long lost letters his mother wrote to her brother Wally while he was a young sailor aboard the destroyer USS Ault in the Pacific theater of combat during World War II. The letters brought home the nearness of the effects of that conflict Doig's uncle was immersed. Of his own life experience, Doig wrote, "I wrote once, of the pull of the past and childhood landscape, that you can't not go home again. The story I found compressed there in that half-year of my mother's last letters proved that to me again."

Six Pixels of Separation

Mitch Joel

www.hachettebookgroup.com



In the rural West, we do what we can to stay connected. With broadband and high-speed internet reaching further and farther into coulees and down barancas, the rural West is getting faster access over, what Ian Tyson sung of, the digital divide. This book has some great information for all those cottage internet businesses sprouting up all over. This little book will load your clip with

the same ammo as the big guys. It offers a complete set of the latest tactics, insights and tools that can empower one to reach a global audience and consumer base and, best yet, do this pretty much for free. The author unravels the world of new media and does so with a new perspective driven by compelling results. Smart entrepreneurs are leveraging digital channels to get their voice "out there" – connecting with others, becoming better community citizens and, ultimately, making strategic business moves that increases revenue. Whew, sounds like an infomercial, but this book is filled with great stuff that works.

The Pioneer Woman Cooks

Ree Drummond

www.harpercollins.com



This may be the best-kept secret in town, maybe not, but if you have not become a fan of Ree Drummond and her website, www.ThePioneerWoman.com – you're about to. Ms. Drummond began blogging – I still have a hard time saying that – in 2006, a pastime that led her to create a highly-hit website. Her award-winning site is the window on her universe where she shares recipes, displays her photography and tells the step-by-step story of her transition from city girl to ranch wife. Some of her time-tested recipes included in the book are Rib-Eye Steak with Whiskey Cream Sauce, Special Fried Chicken, Patsy's Blackberry Cobbler and Cinnamon Rolls – not to mention several sophisticated, stockwoman-friendly dishes, such as Sherried Tomato Soup, Olive Cheese Bread and Cowboy Crème Brule. Of her new work, she says with pride, "I hope you get a kick out of this book of mine. I hope it makes you smile. I hope the recipes bring you recognition, accolades and marriage proposals."

Hidden Water

Dane Coolidge

A.C. McClurg & Co.

Here's an old classic that, as usual, is very tough to find. For one, it was the first novel by great Western storyteller and scholar Dane Coolidge. Secondly, if the style of that cover illustration is familiar, it should be, as it is one of the early works of artist Maynard Dixon. Coolidge was born in Massachusetts in 1873 and brought up in Riverside, California. He received his higher education at Stanford and Harvard Universities and, until 1900, was a field collector of mammals, birds and reptiles in Nevada, Arizona and southern California for a number of institutions. In 1910, this, his first novel, was published and followed by a long succession of novels and some non-fiction, all within California and southwest locales. *Hidden Water* is a classic of the period with sheep herders, cattle rustlers, loves lost, beautiful women and lots of action – real potboiler. The first editions have four superb color illustrations by Maynard Dixon. It's hard to find in its original form so here's an early Christmas gift – you can download it for free at www.gutenberg.org/etext/29642.



RANGE WRITING

Some cowboy poems that have come our way

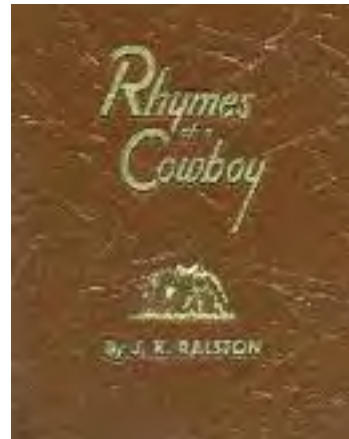


J.K. Ralston

In our attempt to celebrate the written word of the West, we bring to this section contemporary as well as classic cowboy poetry and prose. In this issue, we present a favored Montana son in the writings and art of J.K. Ralston.

James Kenneth Ralston (1896 – 1987), a native of Montana, is recognized as one of the foremost painters of the West. Born in Choteau, Montana, he and his wife kept a studio in Billings and he was known far and wide as a kind and gentle Westerner. As he stated in his book, *Rhymes of A Cowboy*, “I have been drawing pictures as far back as I can remember and I have made it my life’s work to try and make the old west live again on canvas. At times over the years I have put down some of the memories in rhyme and story.”

We are please to bring a few of his words and pictures.





HOOLS OF A BOY

The cowboy was my hero
 When I just a kid,
 To me romance and glamour came
 On everything he did.
 But of all those lusty heroes,
 The two outstanding men
 Were Russell with his brushes
 And Colburn with his pen.

DAY HERDING IN THE RAIN

The water's trickling off my hat,
 My cicker's dripping too;
 The muffer round my neck is wet,
 My boots are leaking through.
 I sit and freeze and cuss and wait—
 A minute seems a day.
 Day-herd's something I sure hate
 When days are damp and grey.

A cold mist settles in the lead,
 Nigh blotting out the light.
 The rain continues to descend,
 The air is raw and chill.
 I wish I had a cigar,
 But with fingers stiff and dead,
 I couldn't roll one in a bet
 And so I cuss instead.



WITHOUT A RIG

A cowboy climbed the golden stair—
 An shook the weary gate,
 Right humble-like, he asked to know
 The future of his fate,
 "A cow hand, huh?" old Peter said,
 "An' got no ridin' gear?"
 Flumb sorry, but without a rig
 We sure can't use his hair!"

This all, of course, may be amiss;
 Nobody seems to know
 About this here celestial bliss
 With all its silver glow.
 But if they hire riders there
 To work those starry herds,
 I'll bet you'd hear Old Peter speak
 An' them would be his words.

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OUT THERE



photo by William Reynolds

High school rodeo is a tremendously exciting sport – a way of life, really – for parents to watch and for their kids to participate in. And like any series of time-based events, there's plenty of time spent waiting. It's not unusual to have to wait through one hundred ropers for a kid to get his, or in this case, her turn. Here at a recent high school rodeo in Paso Robles, California, Jenna and Lexi wait for their moments in the spotlight.

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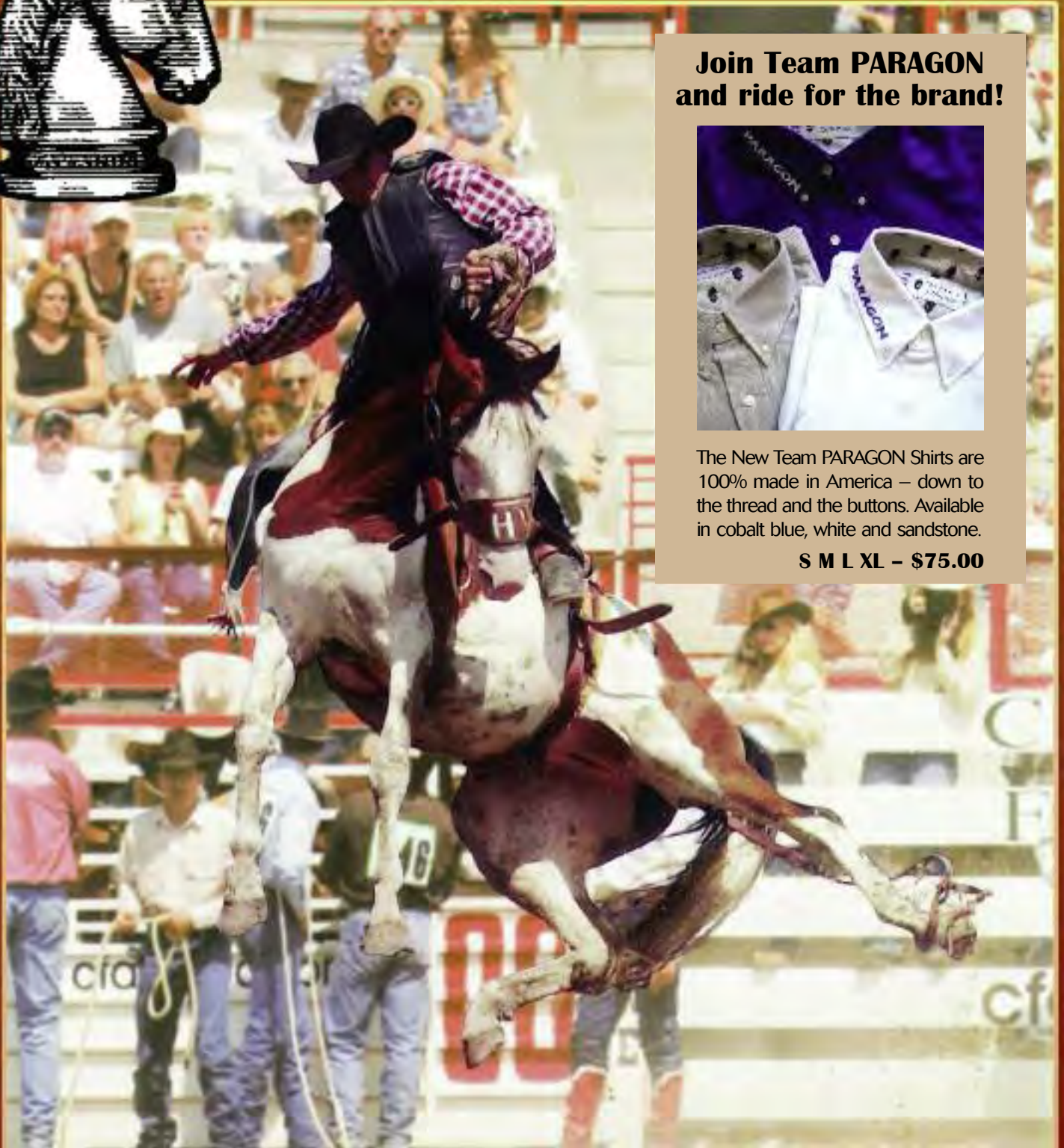


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