



# Cattle Call

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## Board of Directors

### Gerald Schreiber, President

Woodrow, CO (970) 386-2247  
gksbeef@dishmail.net

### Region 4 Director

Will Bledsoe, Vice President  
Hugo, CO (719) 740-1711

### Janell Reid, Secretary

Ordway, CO (719) 446-5210  
jjreid@coairnet.com

### Wayne Rusher, Treasurer

Ordway, CO (719) 267-3496  
boxsprgs@coairnet.com

### Region 1 Directors

Leellen Koroulis  
Steamboat Springs, CO (970) 879-2092  
customdraft@earthlink.net

### Don Gittleson

Steamboat Springs, CO (970) 879-7632

### Region 2 Directors

Harry Thompson  
Snyder, CO (970) 467-9052

### Dr. John Maulsby

Wellington, CO (970) 897-2878  
johnmaulsby@yahoo.com

### Region 3 Director

Tom Moulden  
Grand Junction, CO (970) 858-0980  
tommoulden@aol.com

### Region 4 Director

Cody Jolly  
Hugo, CO (719) 740-1031  
cummins05@yahoo.com

### Region 5 Directors

Steve Jarmon  
Cortez, CO (970) 565-7663  
sjarmon1073@q.com

### Lorene Bonds

Durango, CO (970) 259-3950  
oycows@hughes.net

### Region 6 Director

Mac Louden  
Branson, CO (719) 946-5536  
macklouden@gmail.com

### John Reid, Past President

(719) 446-5210  
Ordway, CO jjreid@coairnet.com

### Kimmi Lewis, Past President

(719) 384-4034  
Kim, CO  
muddyvalleyranch@hughes.net

## The Members Have Spoken

The Board of Directors met Saturday, September 22, 2012 in Greeley, Colo to announce and officially accept the results of this year's membership vote on regional di-

rectors as well as newly-minted policy resolutions. The Board also determined the officers for the upcoming year. Congratulations to our new officers, Gerald Schreiber, President; Will Bledsoe, Vice President; Janell Reid, Secretary; and Wayne Rusher, Treasurer. Felicitations also to the association's newest directors, Dr. John Maulsby, Region 2; Cody Jolly, Region 4; and Mac Louden, Region 6.

Policy for Colorado Independent CattleGrowers Association is crafted at the Annual Convention each year in the form of resolutions. These recommendations for policy are then submitted to CICA members for approval. This year, all of the resolutions on the ballot were approved. They read as follows:

### Industry Pressures & Animal I.D. #1

WHEREAS, the World Trade Organization (WTO) ruling on Country of Origin Labeling (COOL) requires changes in the way COOL has been implemented, that can be corrected through the rulemaking process, WHEREAS, American consumers have shown a desire to know the origin of the food products they purchase, WHEREAS, the meat processing industry is currently using a loophole in the WTO rule to label U.S.A. origin cattle in a group with Canadian and Mexican origin cattle under one label,

THEREFORE BE IT RESOLVED: that Colorado Independent CattleGrowers Association (CICA) requests the U.S. Department of Agriculture (USDA) make the needed changes in

2012-2013 Officers (L to R): Will Bledsoe, Wayne Rusher, Gerald Schreiber, & Janell Reid



COOL implementation to require U.S.A. born, raised, and slaughtered cattle be labeled U.S.A. origin, AND BE IT FURTHER RESOLVED: that CICA requests USDA make the needed rule changes in COOL to require Canadian and Mexican born and raised cattle slaughtered in the U.S.A. be labeled as Canadian or Mexican origin.

### Industry Pressures & Animal I.D. Resolution #2

WHEREAS, in response to the recent audit of the National Beef Checkoff, which exposed corruption and misuse of funds, THEREFORE BE IT RESOLVED: Colorado Independent CattleGrowers Association opposes the National Beef Checkoff and urges all beef producers to work to rescind the National Beef Checkoff.

### Private Property Rights & Environment #1

# **BULL BY THE HORNS**

## ***Conservation Easements in Perpetuity — 999 Years of Doing It Their Way***

How much of Colorado is federally owned? If you guessed 37% you'd be right on the money. The problem is that all of the Colorado landowners entering into conservation easements hoping to "be in the money" will find themselves worse off than they could have possibly imagined—both in terms of their finances and their posterity.

When asked to give a presentation on conservation easements in "perpetuity", Harriet Hageman, a natural resources attorney from Cheyenne, WY was curious about the long term effects of easements on land and landowners. Her findings were presented to the CICA Board of Directors at their annual business meeting, September 22, 2012.

Conservation easements are a legally binding agreement between a property owners and a "non-profit" organization such as The Nature Conservancy or Ducks Unlimited. The

landowner keeps partial ownership of the real estate but sells the rights of usage to the organization with which the easement is made. The term "in perpetuity" is defined as 999 years. So, in essence, the landowners relinquish their right to determine how the land is used, and as most would agree, the entity controlling use controls everything else. However, easements run with the land, so not only does today's landowner lose their rights, but all future landowners of the property as well—at least for the next 999 years.

"The dead hand from the grave should not dictate how land is being used today," asserted Hageman whose native state of Wyoming is 50% federally owned and places more land in easements annually. "Would we be happy to live by the rules set by our ancestors in the year 1642?" she queried. She opined that allowing today's generation to dictate how land will be used for future generations is poor public policy.

Conservation easements are initially very attractive to landowners. A lump sum of cash on the spot and the landowner's name still appears on the title. However, the lump sum of cash will be worth next to nothing 100 years from now. And, as Hageman cautioned, there's no telling how property value might increase. The discovery of rare wildlife, oil and gas, or precious minerals will not change the fact that the easement is in effect, and it certainly will not put any money in your pocket.

Hageman also discovered many prearranged "flips", wherein groups such as The Nature Conservancy turn around and sells their rights to a federal entity such as the Bureau of Land Management for a profit, in some cases the day after the conservation easement was signed by the landowner. "We are federalizing our private property rights," Hageman concluded.

## **Directors Opt to Disaffiliate**

### ***OCM's Relationship with HSUS Causes Concern***

The Board of Directors announced Thursday, Aug. 23 that it will no longer be affiliated with the Organization for Competitive Markets (OCM) because of its close ties with the Humane Society of the United States (HSUS).

The decision follows in the wake of the OCM's announcement Aug. 10 that, with the help of lawyers staffed by the HSUS, it was seeking an injunction of the Beef Checkoff, filing suit against the USDA, U.S. Secretary of Agriculture Tom Vilsack, The Cattlemen's Beef Promotion and Research Board, the Beef Promotion Operating Committee, and the Agricultural Marketing Service.

Amid criticism of the partnership between OCM and HSUS, Mike Callicrate, President of OCM, coun-

tered that the two organizations have a lot in common. In an interview with AgriTalk Radio, Aug 14, Callicrate asserted "I don't care where they've been, I care where they're going."

CICA, as represented by the Board of Directors, identified the OCM's partnership with HSUS as the crux of the matter. "It is because of HSUS association that we're choosing to drop our affiliation with OCM," said CICA President Gerald Schreiber. CICA fully supports OCM's suit against the Beef Checkoff as it is consistent with association policy (see Industry Pressures & Animal I.D Resolution #2, page 1).

One of the chief reasons CICA has taken a staunch opposition to HSUS is its promotion of Agenda 21, an action plan created through the United Nations

(UN) which many view as the beginning of the end for private property rights. In 2009, CICA implemented policy stating that it adamantly opposes Agenda 21 because it alienates individuals from owner rights in private property and functions as a collectivist planning document.

Agenda 21 and the historical friction between private livestock producers and the HSUS are the two main grounds CICA cited in the decision to no longer be affiliated with OCM. Speaking in reference to the HSUS, President Schreiber emphasized the need for caution as he stated, "Based on the HSUS track record and past history, we don't want to have anything to do with it."

# Ballot Results (cont.)

WHEREAS, governmental agencies are using drones to spy on and monitor landowners' use of their private property, WHEREAS, the government does not obtain search warrants or issue notice to the landowners before using such drones, which constitutes trespass,

THEREFORE BE IT RESOLVED: Colorado Independent CattleGrowers Association opposes the use of drones or any other aircraft or device to observe and acquire data of property owners and the use of their private property.

## Private Property Rights & Environment #2

Colorado Independent CattleGrowers Association adamantly opposes any Colorado constitutional amendment and any future legislation that would: 1) extinguish or subordinate current water rights to a new super water right for environmental and recreational uses; and 2) create public access easements across private property. Creating a new super water right violates Colorado water law. Creating public access easements across private property would violate the Fifth Amendment to the U.S. Constitution as a taking without just compensation. Further, any public use of private property to access navigable waters is a trespass and could lead to injury to livestock and other property.

## Private Property Rights & Environment #3

WHEREAS, some livestock producers are being improperly prosecuted in the State of Colorado for cruelty and neglect to their livestock,

WHEREAS, the Colorado Department of Agriculture is simultaneously acting as an accuser and an expert witness in recently tried cruelty and neglect cases,

THEREFORE BE IT RESOLVED: Colorado Independent CattleGrowers Association (CICA) promotes increased local government oversight of production livestock cruelty and neglect investigations and CICA advocates amending C.R.S., Title 18, Article 9, Part 2, Cruelty to Animals.

## Marketing & Trade #1

WHEREAS, due to the severe drought in the United States and the forced liquidation of the national cow herd, and the possibility of easing health and safety standards to allow the importation of live and slaughtered cattle from other countries,

THEREFORE BE IT RESOLVED: Colorado Independent CattleGrowers Association opposes the lowering of U.S. Health and Safety Standards for imported cattle, even where a lowering of such standards is required to comply with international trade agreements in order to protect the U.S. cattle producer regardless of conditions reducing the size of the U.S. cowherd such as drought, infectious disease outbreak, or any other natural disaster.

## Housekeeping Resolution #1

Colorado Independent CattleGrowers Association proposes to amend the following resolution:

### 2006 Private Property Rights and Environment #4

Colorado Independent CattleGrowers Association (CICA) supports Congressman Ron Paul and House Bill 1146 to urge the United States government to get us out of the United Nations.

AMMEND TO:

Colorado Independent CattleGrowers Association (CICA) urges Congress to the United States to get out of the United Nations.

## Housekeeping Resolution #2

Colorado Independent CattleGrowers Association proposes to delete the following resolutions:

### 2009 Industry Pressures #2

WHEREAS: The Colorado Independent CattleGrowers Association cannot support "cap and trade," Waxman-Markey HR2454, unless and until an analysis can be completed regarding the impact on CICA members.

### 2006 Other #2

CICA urges the R-CALF USA Board of Directors to have a Fall Stampede to Washington D.C., similar to the first Stampede in February 2006.

### 2010 Other #3

WHEREAS, Colorado Independent CattleGrowers Association would consider participation in a model project on foot-and-mouth disease at Colorado State University on a voluntary basis with individual producer confidentiality.

## *In Recognition of Commitment and Service*



Pictured above (L-R): Wayne Rusher & Tom Hendrix

*Colorado Independent CattleGrowers Association wishes to express deep gratitude for the dedicated services and commitment of Tom Hendrix, Wray, CO, Ron Rehfeld, Arapahoe, CO, and Wayne Rusher, Ordway, CO, all of whom have served faithfully on the CICA Board of Directors. Thank you!*

## President's Letter

Greetings from Last Chance,

Thank goodness we are actually into the fall season. The summer of 2012 has been a challenge for most of us in agriculture. It seems like everything has been difficult since we completed the last branding in June. We were luckier than some as we actually had a little grass to turn out to before we were burned out on June 25<sup>th</sup> on the north part of the ranch. As with any disaster while one is overwhelmed with the magnitude of loss, neighbors, friends, family, and faith in God provided the help and support that gets us through.

CICA hosted a very educational and informative summer convention at the Chuck and Roni Sylvester farm at LaSalle on July 14. Although our attendance was down compared to previous years because of the drought conditions affecting our members all over the State. We had excellent speaker presentations: which included: John Munsell, Mt; Bill Bullard, R-CALF; David Wright CBB member from Nebraska; Mike Callicrate, OCM; and Chuck and Roni Sylvester, LaSalle. Our fund raising efforts were very surprising – our live auction and our gun raffle replenished your CICA treasury. Thanks to all who had a hand in pulling this convention off.

I am real concerned about the future of our cattle business as we all try to survive this drought. Those of us that have been in the cattle business for some time have dealt with dry conditions more than we care to admit but the magnitude of this drought and the lack of options for feed is critical. One of the resolutions adopted by the membership of CICA states that the USDA should not compromise the health and safety standards of our US cow herd by allowing live imports of beef from countries that have known animal health issues, i.e., Brazil and Argentina with their inability to eliminate FMD (foot and mouth) in all of their regions. At a time when we continue to have a declining beef herd it is critical that we do not compromise our US beef herd from political and economic pressure to fill our domestic needs with live cattle imports from these countries. For quite some time Bill

Bullard has been pointing out that the US cannot even feed ourselves – we are becoming more and more dependent on imported food sources. A recent study just released by USDA verifies Bullard's premise showing that "imports of meat into the US and meat from foreign livestock accounted for roughly 18% (beef) and 10% (pork) of US beef and pork supplies," the study says. We must be vigilant to safe-guard our US cow herd because we know the major beef industry organization and its State affiliates will be embracing free trade at any cost – even if it jeopardizes our own industry.

Your CICA board met Saturday, September 22<sup>nd</sup> in Greeley to canvass the ballots, reorganize the board, listen to a presentation by Harriett Hageman about private property rights and take care of CICA business. I just want to express my gratitude to Wayne Rusher, Tom Hendrix and Ron Rehfeld for their service and hard work on the CICA board; your efforts have been greatly appreciated. Resignations were also accepted from board members Charles Klaseen and Rob Canterbury – thanks fellows. We welcome Dr. John Maulsby, Cody Jolly, and Mac Loudon onto the board.

Wishing all of you the perseverance to get through these tough weather situations. Hope your fall marketing goes well.

Gerald Schreiber

CICA Newsletter Editor  
14501 County Road 28  
Karval, CO 80823