



February 2015
Volume 4, Issue 2

THE POST RIDER

Marias River Livestock Association, 72 Sweetgrass Hills Rd, Sweet Grass, MT 59484
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The two drop-down menus I use most are Bill's and Legislators. If you click on the Bill's drop down menu and then select 2015 LAWS, you can search the bills that have been or will be introduced to the legislators this session.

If you select find a legislator you can again search for who you need to contact, and either e-mail or call and leave a message. With the process so simple I hope you decide to have some say in the future of Montana.

Bills to watch:

HB 145- Funding for Livestock Loss Board

SB 210- Bill to include losses due to Mountain Lions for mitigation by the Livestock Loss Board.

HB 179- An act making it illegal for a Humane Animal Treatment Shelter or its employees to engage in activities at an animal facility without the owners consent.

SB 100-A bill granting the Department of Livestock the power to control and eradicate feral Swine.

HB 286- Bill about disputes over public roads, State would assume you are guilty of closing public road until you prove you are innocent.

HB 304-Increase fine for blocking public road access to \$500 a day even during the dispute making it a major financial burden to defend private roads.

INSIDE THIS ISSUE

Participate Now	1
Water Compact	2
Two Opinions- both Valid Points	3
Department of Livestock	4
Bull Bucks	5
Whittlings	6
Apex Angus	7

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CSKT Water Compact And Why We Care

By Shelby DeMars of *Farmers And Ranchers for Montana*

The State of Montana's proposed Water Compact with the Confederated Salish & Kootenai Tribes (CSKT) is one of the most important issues that our elected officials will be discussing this legislative session—and one of the most important issues facing Montana water users, farmers, ranchers, and landowners.

In brief, the Water Compact defines the federally reserved water rights of the CSKT while providing water right certainty and protection for all water users.

The Compact is a cooperative agreement wherein the tribe, state, federal government, and stakeholders agreed on the definition of the tribal water rights established through the Hellgate Treaty of 1855. This agreement—embodied by the proposed Water Compact now before the Montana State Legislature for approval—is critically important for Montana's landowners and water users for numerous reasons.

Without the Compact, the CSKT would be required by the State to file legal claims to define their water rights. These potential claims could reach across much of Montana in the areas that the tribes once inhabited and affect existing water rights holders.

The Compact will not impact any existing water rights or create any new rights—in fact, the Compact protects existing water rights and prevents them from having to be adjudicated by the Montana Water Court. Without the Compact, the CSKT would be required by the State to file legal claims to define their water rights. These potential claims could reach across much of Montana in the areas that the tribes once inhabited and affect existing water rights holders. Farmers and ranchers in Montana would be forced to defend their existing rights by spending their own hard earned dollars—a heavy burden that is both unnecessary and avoidable if the Compact is passed.

By passing the Compact, we can forgo the mess of litigation that would flood our court system and the costs associated with it. And while the Compact protects those who want to avoid the costly adjudication process, it does not prevent individuals who would prefer litigation from approaching the Water Court.

The Water Compact will protect property owners as well. By ensuring water rights certainty, the Compact prevents the decrease in property values that would be associated with the large-scale litigation of water rights that would result if the Legislature fails to approve the Compact. Studies have shown that those purchasing property pay what in essence amounts to a premium for property that has settled and secure water

rights—as much as 8-12% of the purchase price. If the Compact fails, it will force water rights uncertainty on Montanans, leaving them with property that may be valued at a lower price because of water rights that would be tied up in decades long litigation.

With the support of Montana's most notable agriculture groups—the Montana Farm Bureau, Montana Stockgrowers, Montana Water Resources Association, and many other agriculture groups and water use organizations—there is no question that passing the Compact will benefit Montana and protect our agriculture industries.

Please take a moment and visit www.MontanaWaterCompact.com to read more about this important issue.

Farmers And Ranchers for Montana (FARM), is a coalition of hundreds of farmers and ranchers, united with local leaders, tribal governments, businesses, water-users, and other Montanans who support the approval of the CSKT Water Compact.

Hertha Lund wrote a letter to Montana Attorney General, Tim Fox. She addresses many of the concerns that have been verbalized and written and it is well worth the read. It is posted on the Montana Water Stewards website.

<http://montanawaterstewards.com/letter-from-hertha-lund-to-montana-attorney-general-tim-fox/>



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Two Opinions, both have valid Points

Due to my expressed concern about the intrusion of Animal Rights Activist in agriculture through the investigation of USDA's animal research which AR groups deems inhumane and Bills that have been introduced in Helena this Legislative Session I received the following letter from Janet Thompson. The second opinion is by well respected Scientist and social media agriculture advocate, Jude Capper. So where do we go from here??

Maggie Nutter

Dear Maggie,
I suppose the horse has bolted, but in my opinion, the only way to fight this onslaught is to take it back to fundamental private property rights. If animals are not property, what are they? This gets to the core of the animal rights debate. The only answer that will ever really work is, "it's none of your business!"

This falls into that "Freedom is Hard to Take" category. It means that if people are fighting dogs or cocks and we do not like it, we must not use legislative/government power to stop it. Joining forces with the AR (Animal Rights) people against the uses of animals that WE didn't like, opened the door to this eventually happening to us.

Maggie, keep in mind that in ND, in the face of Prop 5 put up by HSUS, when the ranchers activated, they turned public opinion. It looked hopeless, even very close to the vote. But the public DOES appreciate farmers and ranchers. They WILL listen to us. We just have to make sure that we do not make a fundamental "chess" mistake when fighting it. We do not have to say, "We will write our own bill to deal with <fill in the blank>." We must remember to go back to the "it's none of your business" stance and trust individual property owners to take good care of their property, or go out of business.

Of course, in this society in which we find ourselves, it appears that everything is everyone else's business, from allowing kids to walk to the park unaccompanied, to what they have in their lunch boxes, to what kind of light bulbs one uses and to how you treat your own pet. At the core of such a society is communal property and communal management. History has proven time and again that this fails. Humans turn against humans, scrambling to be the first to tell on someone else, in the vain hope of saving themselves from the crosshairs of the scope.

Just a bit of Sunday morning sounding-off. I hope you all have a blessed day!

Janet H. Thompson- Private Property Rights Advocate & Speaker

Bovidiva- Jude Capper

Recently I've seen some [criticism](#) relating to [Dr. Temple Grandin](#) from a few people who are opposed to her ideas on animal welfare – namely that we need to listen to the consumer and understand what they think and want. It doesn't seem like rocket science, does it? **Ignore your consumers wishes and pretty soon you don't have a market.**

"Just show consumers the science, not the emotion..." seems to be the battlecry. *"If somebody hasn't published a peer-reviewed paper on it, they shouldn't be allowed to say it!"* Except it's not as simple as that, is it? Just look at the furore over LFTB (lean finely-textured beef or so-called "pink slime"). A safe, technologically-sound, scientifically-approved product that, once it was labeled pink slime, was utterly undesirable to the consumer. Never mind that they were still happy to eat Twinkies, Slim-fast (just what is that pink powder?) or kelp juice (green slime?), the perception was out there that LFTB was gross, and no matter how much science was quoted, bang, out of beef products it went.

We can talk about science all we like, but sometimes that just isn't going to get the message across. I can't imagine that any consumer who goes into a battery chicken (caged layer) house or sees a photo of a pig in a gestation crate says "Wow, what a beautifully efficient and scientific system!" That response becomes even less likely when all they see is a photo of it on Facebook.

So what happens when the science doesn't play nicely into our perceptions and beliefs? **What about social science papers that show that consumers evaluate foods based on emotion, not science?** Or survey data that shows that we can take consumers to a farm and explain agriculture...but that it doesn't change the preconceived ideas that 75% of them already held? Do we ignore the inconvenient science because we don't like the answers? Keep banging the same drum and hope that we can maintain the status quo?

Here's a thought. Rather than looking at agriculture through your own eyes, try and see it through the eyes of somebody else. Part of Dr. Grandin's success can be attributed to that fact that, because of her autism, she can empathize with animals in handling systems. Isn't time we followed her example and tried to think outside the cattle chute?



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Department of Livestock, Moving Forward

By Maggie Nutter

Seems like every meeting since last spring there has been discussion about revenue for the Department of Livestock, Brand Division and the Montana Veterinary Diagnostic Lab, under the Animal Health Division. Where to get this revenue is a question that needs resolved with a lot of thought looking towards the future of the Livestock industry and Department of Livestock. Pondering the facts of the situation is helpful though not always enjoyable. Nobody wants to pay more for services but they certainly don't want to lose them either. Many cry for smaller Government, but the reality of that in this case would mean less or poor services.

The cattle industry has changed a lot since the first brands were registered in 1873 and since 1911 when they started the 10 year cycle for re-recording brands. Not only are hot iron brands used for identifying your cows from the neighbors cows and ensuring the sales check goes to the appropriate owner, brands in Montana are also used as ID for animal health traceability. The Brand Office can investigate via grazing permits, trip permits and brand inspections if cattle have traveled in and out of areas where disease such as Brucellosis or Trich maybe an issue. If there is a disease outbreak brands can be helpful in tracing where the animals have been and what animals they may have been in contact with. The hot iron brand and the brand division is a huge asset to our Montana cattle industry.

Brands are used to return stray animals to rightful owners. The DOL Brands Enforcement Division recovered and returned 4,630 head of lost, stolen and strayed livestock, worth \$6.4 million, to their rightful owners in 2013. At today's prices the value would be significantly higher. Without a brand and the inspectors many of these owners would have forces to just eat the cost of the lost livestock. With the increased value of livestock there is more and more concern about rustling. We need dedicated and competent inspectors to prevent theft and ensure stolen cattle or the monies are returned to the rightful owner.

Brands also allow us to identify our cattle to the bank as collateral for loans. As stressful as it can be to have a banks name written in beside yours on a cattle check, the ability of the borrower to collect the funds owed to them is what makes the ag world go round.

The State of Montana has seen a decline in the overall cattle herd in the last twenty years. There are also changes to the way we market our cattle. Many more cattle are sold via internet or the video auctions and calves are sold at the ranch. This drastically reduces that amount of cattle going through the livestock auction yard. The auction yard brand inspection fees have traditionally been a large part of the revenue for the Brand Division of the DOL.

The number of cattle inspected in the country due to the marketing changes as obviously increased. The local brand inspectors in the country the collect brand inspection fees and that is basically their pay as a contractor. In the past with the majority of cattle being run through the markets it was a good way of providing service to the rancher and decreasing the amount of employees the state DOL needed. The problem that arises is that whether the inspection is done in the auction yard or out on the ranch the paper work processing costs are still accumulated in Helena at the main office. The balance has been tilted. The fees collected at the auction yards no longer cover the processing cost for the country originating brand inspections.

As the livestock industry of Montana changes so must the way we collect revenue for the support of the Livestock Department

specifically Brands Division. Because the law enforcement, animal tractability and bank lien aspect benefits all producers whether the animal is sold at the auction or in the country it becomes important for the industry to look for new ways to ensure the cost of providing those benefits are covered.

To address this need a sub-committee of the BOL has been created and they are going to discuss the current and possible future changes of the industry and ways we can be prepare the DOL for a sustainable future. This may even require some changes in brand laws. There are thoughts of local inspectors having to collect fees in the field and submit them to the State Office. It is not known what that will look like yet. Whether it will be a flat transfer of ownership fee, charged per head, a charge to the local inspector based on a per head inspection or per book they use. Perhaps some sort of annual charge for each brand that you use could be done. Many ideas are being bounced around and the Subcommittee is open to suggestions or concerns that you may have towards solving the problem at hand as it affects all in the livestock industry.

I think that it is helpful to know what is happening in at the Department of Livestock. The reins have been tightened and the runaway stopped but there is a cost to that. Lay offs, furloughs of staff that is already paid fairly low wages in comparison to private industry. There are complaints already that the inspection services at the Livestock Auction Yards are suffering. The current remedies are not sustainable.

If you are one of the many who wrote letters to the Board of Livestock, know that you were heard. Staff evaluations will be done to decide what changes should be made and the direction leadership should take in the next few weeks and months. The appropriate procedures will be followed as set out by the Board of Livestock Procedures and Guidelines and Montana Operations Manual. The annual Evaluation of Executive Officer was to be scheduled for middle to end of February.

At the BOL Meeting, January 26 & 27 the Board voted to change some Administrative Rules. These rules must be put out for a 30 day comment period. Please watch to see when they are posted on the DOL website under Administrative Rules Notices. They were not posted as of Feb 1, 2015.

Next scheduled public meeting is Monday and Tuesday, March 23 & 24, 2015 at the conference room on the second floor of the Dept. of Livestock building.

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WHITTLINGS....

Let the Chips Fall

Where They May

By John J. Maatta

The U.S. Congress and the Montana Legislature are now in full swing. Does the public know what is really going on? Will these who we have elected to positions of authority listen to what the public desires or will they hold to party loyalty or the promise of wealth for their war chests from various lobby groups? Do we trust those in government to make wise and moral decisions that will affect for the good our lives as well as the life of our nation our and influence in the world?

Thomas Jefferson voiced this concern in a letter to Edward Carrington. Carrington was a close confidant to George Washington, served as a lieutenant colonel during the revolution and was the first United States Marshal. Jefferson wrote, "Cherish, therefore, the spirit of our people, and keep alive their attention. If once they become inattentive to the public affairs, you and I, and Congress and Assemblies, judges and governors, shall all become wolves. It seems to the law of general nature." What Jefferson was saying is that not only do our politicians have a responsibility to the people, but the people have a responsibility to our elected officials to make sure they stay on track rather than becoming "wolves" seeking their own sometimes misguided purposes.

It has become obvious to my way of thinking and observation that the exercise of civic responsibility has deteriorated among the general population. We are quick to claim the benefits which our politicians will provide but not so quick to do what JFK famously said, "Ask not what your country can do for you; ask what you can do for your country." We are obsessed with rights, but have forgotten personal responsibility. My age might be showing, but I remember as a public grade school student I learned responsibility through classroom discipline, the study of history, government and literature that taught human dignity and duty. Unfortunately, one has only to interview today's young people on the street, as has been done by Jesse Watters of Fox News to see that the disciplines of history, government and current events have been supplanted by, as someone has written, "a vague social stew". The study of great literature and philosophical ideas have too often been replaced by less meaningful, shallow, socially "hip" ideas.

"Cherish, therefore, the spirit of our people, and keep alive their attention. If once they become inattentive to the public affairs, you and I, and Congress and Assemblies, judges and governors, shall all become wolves. It seems to the law of general nature."

Thomas Jefferson

Is there the possibility of any sort of revival of public responsibility? Would those in Congress and state assemblies acknowledge the need to turn things around in national thinking and encourage individual responsibility, personal morality and accountability? Yes, I have heard all sorts of argument against this type of thinking, mostly centered on the idea that "you can't legislate morality."

What can be done to remedy the downward slide of our



Montana Bison Association Annual Meeting

By Maggie Nutter

The Montana Bison Association held their Annual Meeting in White Sulphur Springs, January 9 & 10, 2015.

A friend of mine Don "Doc" Woener DVM, Laurel MT put the mount pictured above together (with help from friends and relatives). About two years ago He told me he had started on this project. Don had been given a 17 year old bull bison "pet" and had him and another in his back yard. It was time for them to go.

He boiled and scrubbed down those bones and then reconstructed the bull. It is half hided mount and half bare bones. It is very interesting to see.

When they shot the bulls they aimed for the vertebra attached to the head and broke the spine and both went down instantly without any damage to the skull. Notice the calcification on the shoulder bone Don says that is unusual to see but is related to the bison being so mature. He has been hauling it around a little and has a talk that goes with it. I'm working on getting him to bring it north to our area for Valier Homesteaders Days. So cross your fingers.

Continued Whittlings

national life and personal responsibility? First, and I know this will be an outrage to the PC crowd, reinstitute prayer and Bible reading in our public schools. Perhaps then moral virtue can be reinstalled or reinforced in the lives of our young people. Then bring real history into the school curriculum to study the lives of great men and women who have made a difference. Have our young people grounded in the workings of our American political institutions and the Constitution. (Did you know that there are several states, North Dakota being the latest, that are currently considering laws that would require that high school seniors pass the same civic test required of immigrants seeking to become U.S. citizens?) Encourage the fulfillment of one's moral responsibility to our American society through church, local organizations, civic involvement and personal charity. And finally, for all of us, gratitude to God for His gift of life and these things upon which our nation was built – our endowed rights and responsibilities leading to the pursuit of happiness.

Apex Angus

family is the heart of it

MRLA- We appreciate Apex Angus for sponsoring this newsletter. So tell us a little about your ranch, Pam.

Pam Swansen- We are fourth generation here on the Rocky Mountain Front. My Great grandparents, Michael and Lucy Embody, first settled here in 1896. Daryl's family was from the Valier area. Our families managed to work it from both ends so that we were able to purchase and now own most of the original place settled by our families. It is wonderful to have all the history of the land.. to know everything about every field and water right since the 1950's. The land has great value, not just money value but the family history it holds.

MRLA- So did you always run registered cows?

Pam- Our first registered herd was started in 1972. We had commercial cattle and my father brought angus into the country in 1945, but the registered herd started later in the 70's. We put bulls in the original "Treasure Test" in Havre, which is now located in Great Falls. It was the beginning of the early bull Tests. Then we moved over to Midland Bull Test. We have tried to continuously build cattle that will produce good sound quality calves with a good conversion rate. A good herd health program is also important.

MRLA- How are your children involved?

Pam- The 3 boys each have a ranch. Kirby is west of Valier and runs a Commercial herd. Kirk helps Daryl and I here on this ranch and Klint is over by Havre with Shipwheel Angus. This all came together because this is the life the boys wanted. They wanted to stay with cattle. We have some farm land too. It is pretty hard to get it all fit in.

MRLA- What about your operation are you most proud of?

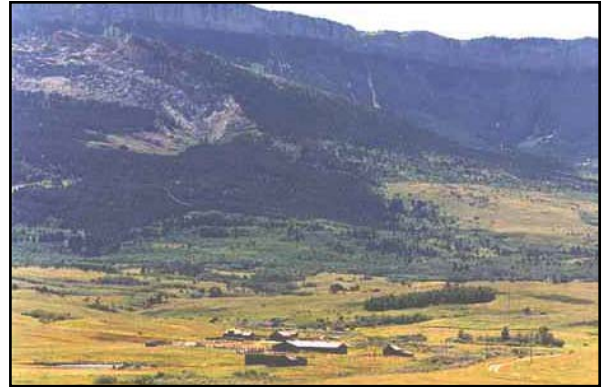
Pam- Proud of.... How do I sum it up with so many blessings. My three daughter-in-laws are absolutely great. They work hard and go above and beyond to make all of this work. They are the glue that holds it together. If they did not get along so well and support each other and the family it just wouldn't work. We have wonderful Grandchildren.

Our families gave us the opportunity to stay on the land and our children continue that. The closeness of our family is the # 1 reason.

MRLA- When I first called, you said you were taking pictures??

Pam- Yes the bull sale here on the ranch is coming up March 3rd so it is time to start putting together the catalog and all.

MRLA- Well thank you for your time Pam and may the good weather hold out for your sale next Month.



"More than a hundred years ago (1896), when Pam's great grandparents, Michael and Lucy Embody, first homesteaded the original 320 acres of the Rocky Mountain Front, Angus cattle were the furthest thing from their minds. In fact, the Embody's were first famous for the horses they raised and the bronc riders in the family." Visit www.ApexAngus.com "Riding for the Brand" for the whole story.



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