

Western Livestock Journal®

"The Industry's Largest Weekly Circulation"

The National Livestock Weekly

May 6, 2024 • Vol. 102, No. 23

website: www.wlj.net • email: editorial@wlj.net • advertising@wlj.net • circulation@wlj.net

INSIDE WLJ

LIKE WILDFIRE — HPAI spreads to Colorado dairy cattle. Page 3

A SIXTH GOES DOWN — Colorado reports sixth wolf depredation since 2023 reintroduction. Page 8

A LOOK BACK IN HISTORY
"California has officially lost its status as a bovine tuberculosis-free state, according to the USDA, following the discovery of the disease in three of state's dairy herds between May 2002 and February 2003. As a result, USDA has published the Interim Rule, which places import and export regulations on cattle in the state in an attempt to contain the contagious disease," read the May 5, 2003, WLJ article.

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USDA issues final EID traceability rule

— Mixed industry reactions

Electronic ID (EID) tags will soon be required for interstate movement of some classes of cattle.

USDA released an advanced copy of its amended animal disease traceability rule on April 26. As part of the rule, certain cattle and bison will be required to display visually and electronically readable ear tags to comply with "official identification" under the Animal Disease Traceability (ADT) program.

The new rule updates a 2013 rule that requires sexually intact cattle 18 months or older, rodeo and exhibition cattle, and dairy cattle to have an official form of ID for interstate travel. The rule did not require tags to be electronically readable. Now, producers will be required to switch to EID tags.

"Rapid traceability in a disease outbreak will not only limit how long farms are quarantined, keep more animals from getting sick, and help ranchers and farmers get back to selling their products more quickly—but will help keep our markets open," said Dr. Michael Watson, APHIS administrator, in a state-

ment.

The final rule applies to the following classes of cattle traveling interstate:

- Sexually intact cattle and bison 18 months of age or older.

- All dairy cattle.

- Cattle and bison of any age used for rodeo or recreation events.

- Cattle or bison of any age used for shows or exhibitions.

Feeder cattle and cattle moved

within state lines are not subject to the ADT program.

Animals tagged with a visual-only ID tag prior to the new rule's

See USDA RULE on page 8



Oregon Department of Agriculture

Under USDA's new Animal Disease Traceability program rule, official ID for certain classes of cattle moving interstate will require both visual and electronic readability.

White House finalizes NEPA's Phase 2 rule

— Loosens reviews for energy projects

The Biden administration has rolled out its phase two rule for National Environmental Policy Act (NEPA) regulations, reversing Trump-era reforms.

The White House Council on Environmental Quality (CEQ) said its "Phase 2" ruling will "simplify and modernize the federal environmental review process under the National Environmental Policy Act," but industry groups argue otherwise.

The new rule, the Bipartisan Permitting Reform Implementation Rule, focuses on streamlining permitting, but only for infrastructure related to renewable energy and transmission projects. The rule sets deadlines and page limits for environmental reviews and establishes one lead agency to handle reviews.

Under the new rule, projects receiving a categorical exclusion will not require an environmental review, and multiple agencies may issue a joint categorical exclusion.

In addition, reviews must consider climate impacts and environmental justice impacts on communities.

The regulation also removes provisions of the 2020 NEPA rule that the CEQ called legally questionable and said created litigation risks and jeopardized community input. This includes removing requirements on what public comments must contain to be considered by agencies and removing provisions that CEQ said "attempted to curtail judicial review."

Back in late 2021, the administration announced it would modify and restore NEPA laws prior to

See NEPA RULE on page 5

IA farmer sues USDA over 'swampbuster' law

— Argues violation of takings clause

An Iowa farm company has brought suit against the USDA regarding the "swampbuster" statute that requires the relinquishment of farmland for conservation easements. The farm alleges that not receiving fair compensation for the taking is unconstitutional.

CTM Holdings LLC owns a 71-acre parcel of land in Delaware County, IA. The USDA has designated nine acres of this land as a wetland. According to CTM Holdings' suit filed in the U.S. District

Court for the Northern District of Iowa, if the nine acres are developed or farmed, CTM will lose USDA benefits such as crop insurance, loans and federal payments for all properties owned by the company.

The lawsuit argues that the USDA imposes an unconstitutional condition on its benefits, requiring recipients to grant conservation easements over sections of their property, which the company alleges is a violation of the Fifth Amendment right to just compensation. Furthermore, USDA's rule, which includes wetland conversion definitions and redetermination criteria, exceeds its

statutory authority, the suit read.

"While well-intentioned, this conservation scheme is unconstitutional," said Loren Seehase, senior counsel at the Liberty Justice Center, who, along with Pacific Legal Foundation, represents CTM Holdings in the case.

"The government cannot condition benefits on the waiver of a constitutional right—in this case, the Fifth Amendment right to be compensated when the government takes some or all of your land," Seehase continued.

See SWAMPBUSTER on page 8

Bovine flu still adding pressure in the marketplace

Following a week of pressure in the cattle markets, there was a positive turn of events toward the week's end, thanks to the news that USDA has not detected traces of the H5N1 virus in ground beef samples. Still, the market was unable to find momentum higher over the week.

Traders have been hesitant in the marketplace ever since dairy cattle were reported to have tested positive for the avian flu, now coined bovine influenza A virus. USDA announced it is taking measures to prove the milk and beef supply safe by testing milk and ground beef samples, which has helped alleviate some worries.

Live cattle futures lost several dollars over the week. The June contract lost nearly \$4 to close at \$173.85, and the August contract lost about \$5 to close at \$171.10.

Cash trade through Thursday afternoon was about 45,000 head. Live steers sold from \$185-187.50, and dressed steers sold from \$292-295.

Cash trade through April 28 totaled 92,548 head. Live steers averaged \$184.28, and dressed steers averaged \$294.54.

Slaughter through Thursday totaled about 480,000 head, a few thousand head short of a week earlier. Expected total slaughter for a week earlier is projected at 613,000 head.

Actual slaughter for the week ending April 20 was 617,843 head. The average steer dressed weight was 919 lbs., 3 lbs. below the prior week.

"Packers find themselves in a tough spot as their red ink grows and fed cattle supplies are seasonally tight, not unusual in the north in early May," wrote Cassie Fish, market analyst, in The Beef on Thursday. "Their recourse is to keep slaughter schedules as limited as possible, though there is pressure not to short end users, especially in May and June."

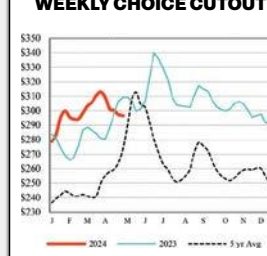
Boxed beef prices were lower over the week, with the Choice cutout down about \$2.75 to close at \$292.90 and the Select cutout down about

40 cents to close at \$287.98. "No one expected such sluggish wholesale beef

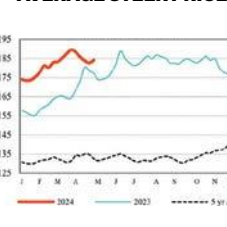
See MARKETS on page 5

Time Sensitive
Priority Handling
PERIODICAL:

WEEKLY CHOICE CUTOUT



5 AREA WEEKLY WTD AVERAGE STEER PRICE



LIVE STEERS	DRESSED STEERS	CME FEEDER
\$186.19	\$294.51	\$243.37
WEEK ENDING: 05-02-24		

COMMENTS

Markets start to heal

It would appear that the Biden administration is throwing every policy issue they have left against the wall to see what sticks. The past two weeks have brought us the conservation rule imposed by the Bureau of Land Management (BLM). Then there were additional rules on the livestock identification issue, and we are still dealing with the uncertainty of the H5N1 bird flu. Now I hear there is a farm bill from the House that plans to spend over a trillion dollars.



CROW

Futures markets certainly don't like the bird flu issue and are backing away from cattle markets. USDA is now testing lactating dairy cows being transported through other states; the flu has been found in nine states. USDA has been testing the milk supply, which is safe if pasteurized, and now they're testing beef from dairy cow slaughter. Test results came in and confirmed no safety issues with ground beef from dairy cows. Once that news came out, futures markets jumped \$3-4, go figure.

Live cattle futures markets have been in a tailspin with June live cattle losing \$12 since mid-March. Traders are just staying away from this market, which really isn't that uncertain. Cash fed cattle trade was strong a couple weeks ago, with total cash fed cattle volume at 93,000 head with an average price of \$185.73. Trade a week ago was expected to be steady. There is a nice basis for hedged cattle feeders, which should motivate them to sell.

Packer losses are estimated to be a negative \$90 per head. Packers have been unsuccessful at moving the Choice cutout higher; it should be advancing over the next two months, but it continues to go down. The last quote was \$293.54. It's been a mystery how packers will respond over the next few weeks. They are producing more beef, but they're doing it with heavier cattle. Carcass weights are at a record-high 919 pounds.

Feeder cattle were noticeably lower in late April. The supply outside feedlots is much lower. Steer and heifer calves were having a harder time getting over \$300, while heavier feeder-weight yearlings were lower as well. The CME Feeder Cattle Index was at \$247.06. Cow-calf producers will be in the driver's seat for a while. Other margin players in the cattle business will have some challenges going forward.

A couple weeks ago, BLM issued their final conservation rule. It wasn't met with a lot of enthusiasm from resource users. They want to add conservation as a management tool to the Federal Land Policy and Management Act (FLPMA), which mandates multiple use management.

The troubling part of this rule is the conservation leases, which seems like it will be a more subjective rule decided upon by bureaucrats. Public lands grazers aren't too happy with BLM. The House Committee on Natural Resources met recently on four bills that would force BLM to reconsider the conservation rule, along with delisting gray wolves in the lower 48 states.

The grazing industry sent a 23-page comment to BLM outlining the laws that BLM is circumventing, with over 60 farm and ranch groups signing on. They summed up their letter saying, "For generations, the cattle and sheep producers who are members of the undersigned organizations have worked with the BLM to manage hundreds of millions of acres across the United States for the benefit of the American people, the domestic food supply chain, ecosystem health, and all other public lands users. In one fell swoop, the BLM has proposed to upend that carefully cultivated balance, setting the stage for incremental reductions in grazing and access to federal lands. Through the proposed rule, BLM has set aside key obligations under (the Taylor Grazing Act), FLPMA, (National Environmental Policy Act), and other interagency consultation requirements, while simultaneously providing a framework to marginalize key partners. BLM has repeatedly offered that the proposed rule was intended to address a bevy of longstanding concerns from all multiple use groups, but the proposed rule falls short of the kind of certainty the coalition would expect from a proposed rule. The coalition recommends the agency reconsider the proposed rule to ensure that any final rule that may contain these concepts will truly be durable, effective, and protective of multiple use long into the future."

It's going to be an interesting few months before this election plays out. We have an administration that is out of control and trying to buy votes with your tax dollars. I expect we'll see more rules and regulations thrown at us. It's time for change, and as always, pray for more spring rain. — **PETE CROW**



KAY'S KORNER

BEEF IS SAFE FROM BIRD FLU

Any kind of animal-related disease sends tremors through the futures markets and raises concerns about everything from animal prices to meat exports. It was thus no surprise that live cattle futures prices plummeted on March 25 after reports that the highly pathogenic avian influenza (HPAI) was detected in a number of dairy herds and resulted in a person contracting the virus.

An initial report was that a herd of dairy cattle in Michigan that had recently been relocated from Texas tested positive for HPAI, according to USDA and the Michigan Department of Agriculture and Rural Development. The two agencies on March 25 also confirmed the detection of HPAI in two dairy herds in Texas and two dairy herds in Kansas that had cattle exhibiting symptoms. Presumptive positive test results have also been received for additional herds in New Mexico, Idaho and Texas. USDA also confirmed that the strain of the virus found in Michigan was very similar to the strain confirmed in Texas and Kansas and appears to have been introduced by wild birds.

A further report on April 1 said a person who worked on a Texas dairy farm and had direct contact with dairy cattle tested positive for avian flu late the week before. This report caused the April live cattle contract to fall 492 points. The April contract had closed on March 21 at \$188.37/cwt, so it lost 830 points by April 1. The irony is that no beef cattle then and until now have been found to have contracted the virus. But the futures market clearly did not like what it read.

However, the market only two weeks later appeared to have put aside its concerns about the impact of HPAI on both live cattle prices and the wholesale beef market. Futures prices advanced on April 15 and 16 even though USDA's Animal and Plant Health Inspection Service (APHIS) listed a total of 28 confirmed cases by then. At least 18 states by then had placed restrictions on the movement of dairy cattle. USDA also announced restrictions on dairy cattle transported between states, including requiring them to be tested for HPAI and mandatory reporting of cows that are infected with the virus.

Questions remain about some aspects of the disease, including exactly how the disease, now known as bovine influ-

enza A virus (BIAV), is spreading between cattle, said Oklahoma State University agricultural economist Derrell Peel the week before last. But the markets have settled into the knowledge that the disease has relatively minor impacts on cattle and has no human health implications for meat or pasteurized dairy products. Barring any new surprising information, cattle markets should move on with market fundamentals, he said.

One development was that USDA on April 29 said it was collecting samples of ground beef in states with outbreaks of bird flu in dairy cows for testing. It will analyze the ground beef to determine whether any viral particles are present. USDA is collecting muscle samples at slaughter facilities of dairy cattle that have been condemned. It will also use a virus surrogate in ground beef and cook it at different temperatures to determine how the virus is affected, it said.

There are no known cases to date of bird flu in beef cattle and USDA several times has said it remains confident the meat supply is safe. But this did not prevent speculation about what might happen if USDA's testing found HPAI in ground beef. One of my contacts emailed me, wondering if there would be a scenario that could cause mass selling by farmers and ranchers as they see cattle prices plummet, or hold on to wait out the virus and not take losses. I assured him that any selloff was not going to happen. But I suspect the beef industry will have a slight HPAI cloud over it for a while.

The greater concern will be over the strength of beef demand as the grilling season starts. March retail prices increased from February and were sharply higher than in March last year. USDA's All Fresh Beef price averaged \$7.89 per pound, up six cents from February and up 9.1% from last year. USDA's Choice beef price averaged \$8.12/lb., up four cents and up 6.3%, respectively. Retail prices likely continued to advance in April. A key question is how aggressive retailers will be in promoting beef during May. — **Steve Kay, WLJ columnist**

(Steve Kay is editor/publisher of *Cattle Buyers Weekly*, an industry newsletter published at P.O. Box 2533, Petaluma, CA, 94953; 707-765-1725. Kay's Korner appears exclusively in WLJ.)



GUEST OPINION

FOLLOW REPORTING REQUIREMENTS TO PREVENT PROBLEMS LATER

Big Brother is watching! Every time you turn around, there is a new IRS form or government reporting obligation. Some of these are meant to prevent crimes; others are aimed at curbing tax abuse. Many questions about reporting obligations have come up during tax season, so I wanted to briefly touch upon some of them.

The Corporate Transparency Act (CTA) was enacted in 2021, and reporting started in 2024. The CTA requires corporations, partnerships and other entities registered to do business in the U.S. to report information on beneficial owners. A beneficial owner is an individual who ultimately controls the entity. The information is reported to the Financial Crimes Enforcement Network (FinCEN), which is part of the U.S. Department of the Treasury. The information can be disclosed to government authorities and financial institutions.

Who is a beneficial owner? Someone who directly or indirectly exercises "substantial control" over the reporting company or directly or indirectly controls 25% or more of the "ownership interests" of the reporting company.

The most common exception to reporting is the large operating company exemption. To meet the exemption, an entity must have at least 20 full-time employees, \$5 million in gross receipts or sales, and a physical presence in the U.S. Other exceptions include 501(c)(3), certain regulated financial companies and accounting firms.

If you don't qualify for an exemption, you must file initial reports on or before Jan. 1, 2025. If you form a new entity in 2024, you have 90 days from registration to file the report. If you don't, you are subject to a civil penalty of \$500 per day and criminal penalties, including a \$10,000 fine and two years in prison.

Another filing requirement is IRS form 7203. This form is meant to establish S corporation stock basis. It is submitted with the S-corp owner's tax return. S-corp owners must include the 7203 if they sell stock during the year, receive a payout from the S-corp, receive loan paybacks from the S-corp, or the shareholder claims a loss-related deduction.

Form 7203 is meant to track basis and to figure limitations

on the shareholder's level. Tracking S-corp basis is very important and something you should do from the inception. If you do not track basis and receive a dividend distribution from the S-corp, you can't be sure it's a tax-free distribution. Another reason for the form is if you sell your S-corp stock, you will need to know your basis to properly determine your gain. Finally, if the S-corp has a loss, it would be limited to the shareholder's basis and the rest suspended.

I'd recommend that you follow the reporting requirements. A little time and effort can prevent issues down the road. — **Rod Mauszycki, DTN tax columnist**

HOOVES & HORNS BY A.W. ERWIN



"GOOD-GOLLY!! I said,... Shoot Out the Win'der,... not SHOOT-OUT-THE-WIN'DER!!!"

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<p>WESTERN LIVESTOCK JOURNAL (ISSN 0094-6710, USPS 678660) is published weekly (52 issues annually, plus special features) by Western Livestock Journal LLC, 6021 S Syracuse Way, Ste #103, Greenwood Village, CO 80111. Website: www.wlj.net. Email: advertising@wlj.net or editorial@wlj.net. U.S. subscription rates: 1 year - \$55, 2 years - \$85, 3 years - \$110. Single-copy price: \$1.50. Periodicals postage paid at Denver, CO, and at additional mailing offices. POSTMASTER: Send address changes to Western Livestock Journal, P.O. Box 370930, Denver, CO 80237-0930.</p>			

THE VIEWPOINT

with Jake Parnell

This exclusive column found only in WLJ features unique perspectives from some of the nation's top producers, marketers, animal health experts, economists and more.

In late April, Western Video Market (WVM) announced the company was undergoing a restructuring to ensure the company's longevity. As part of the reorganization, a group comprising 16 individuals and entities has formed a new ownership team.

"Everyone involved in this change has been a key part of the company—some from the very beginning—and some in more recent years," said John Rodgers, WVM cofounder, in a news release. "All of the participants share the goal of providing the same personal customer service to our consignors and buyers that is the trademark of who Western Video Market always has been and will continue to be."

Co-founder Ellington Peek has been named chairman emeritus as part of WVM's new structure. Cattlemen's Livestock Market (CLM) owner Jake Parnell was appointed president and chairman of the board. In his new role, Jake will lead the board through day-to-day operations and budgets, along with working closely with reps, until the company hires a general manager for long-term transition details.

WVM's bold beginnings

Rodgers and Peek were true visionaries in livestock marketing when they established WVM in 1989. Alongside Andy Peek, Ellington Peek's late son, the founders sought to create a platform for marketing

large streams of cattle in the West.

"Cattle could be offered straight from the ranch without going through a fixed facility, giving the opportunity to market them to a very broad buyer base from around the country," Jake told WLJ.

The company continued to grow, becoming one of the largest video auctions in the country. "Over the years, WVM has really separated itself with its ability to truly represent all of its consignors while still giving its buyers a really good experience," he continued.

The founders realized early on that auction yards and video markets were a natural fit together. Jake said it was a perfect partnership at the company's inception, and remains so today, now just with a different structure. He added that many of the original representatives are still connected with WVM or affiliated through auction years, and that he believes each rep is given a better opportunity to serve their customer because of their affiliation with WVM.

"It's not 100% loyalty to the auction yard, or 100% loyalty to the video market," he said. "It's 100% loyalty to what fits their customers the best and their customers' program the best."

Jake continued that WVM's objective has always been to maximize the value for cow-calf operators. "It's their livelihood; it's their day to make money," he said. "There are very few professions where it's like that, so you can't afford to look down or take it easy."

Forging ahead

Restructuring the company has been years in the making, but the timing was finally right, Jake said. "What a better time to do it than now with the phenomenal cattle market we're experiencing?"

Jake sees the transition as

an opportunity to pass the reins of the company over to the next generation while still having the hands-on expertise and guidance of Rodgers and the Peek family.

"This is still Ellington and Johnny's company," Jake said. "There's nothing this new group of shareholders values more than Ellington Peek."

Even as the company embarks on a new era, Jake emphasized the No. 1 priority is for WVM to remain what it

has always been. "It's very important to all of us involved in Western—whether we're a director, a new shareholder, an officer or a representative that's worked with Western for many years—to remain exactly who we are."

"And that is our ability to highlight our consignors' cattle and bring extra value to a very broad buyer base around the country."

Jake said those who work on the WVM team do an exceptional job, and that

comes from the foundational approach that Rodgers and Peek set years ago. "It's about people and it's about the product, and the way you treat people and the way you market the product," he said. "It's not getting caught up in the size of the sales or the size of the lot or who is on the auction block at the time."

New beginnings

"As we grow this company and make strides, those values and the foundation this company was built on are going to be our guiding principles as we go forward," Jake said.

One of the first key changes in the transition is implementing a new central pay system, as opposed to the old structure where each rep paid for the cattle and used WVM as a broad-casting tool, Jake explained. This will keep it consistent across the board for all parties involved.

The office will remain in Cottonwood, CA, and much of the office team will remain in their roles, with

the exception of Callie Peek Wood retiring as controller and Michelle Birt assuming her position.

"There's been a lot of young, talented folks that have been extremely involved at WVM for many years," Jake said. "And every one of them, whether they are a new shareholder or they're on the board of directors, I think play a very key role."

The new ownership group comprises the following individuals and entities: Peek, Rodgers, Rick Machado, Brad Peek, Donald Doverspike, Holly Foster, Justin Niesen, Matt Norene, J.C. Niesen, Todd Muller, Laurie Peek Norene, Betty Peek, CLM, Turllock Livestock Auction Yard, Ogallala Livestock Auction Market and Crawford Livestock Market.

"We look forward to continuing to do a great job for those we work for as we go out there and look to earn more customers along the way," Jake finished. — **Anna Miller, WLJ managing editor**



Gideon Photo

Jake and Molly Parnell and their children, Ben, Jack and Parker.

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Stepaside Rita 3088 [DVAR Huckleberry 871 x Vintage Rita 0184]

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HPAI reaches CO dairy cattle; USDA to test beef

Highly pathogenic avian influenza (HPAI) has spread to dairy cattle in Colorado. This marks the ninth state that has reported cases of HPAI in livestock. As of April 26, a total of 34 dairy cattle herds have been affected. One case in humans has been reported, a dairy cattle worker in Texas.

USDA said it will begin testing ground beef for H5N1 after it found fragments of the virus in retail milk samples. The agency maintains that fragments are not infectious, and pasteurization is likely to inactivate the virus.

USDA is working on three studies to test the beef supply:

- Sampling ground beef for signs of live virus at retail stores in states where cattle have tested positive.

- Sampling muscle tissue of culled cows condemned at USDA-inspected facilities.
- Conducting a beef cook-

ing study to determine the log reduction of the virus at different cooking times.

Colombia became the first country to restrict U.S. beef imports because of the HPAI cases. The country banned fresh and frozen beef products from states reporting cases of HPAI in livestock. As of April 25, a total of nine states were listed as ineligible for export to Colombia on USDA's website.

The U.S. Meat Export Federation (USMEF) said the restrictions have no scientific basis. "The United States is Colombia's largest supplier of imported beef, and Colombia's attempt to suspend beef imports from specific U.S. states is unworkable and misguided," the group said.

According to USMEF, the U.S. exported about \$40 million in beef products to Colombia in 2023. — **Anna Miller, WLJ managing editor**

MARKET NEWS

MARKET SITUATION REPORT

WLJ compiles its market reports, ODJ stories and statistics from USDA and independent marketing organizations.

MARKET AT A GLANCE	This Week: 5/2/2024	Week Ago	Year Ago
Choice Fed Steers	186.19 ▲	181.94	174.07
CME Feeder Index	243.37 ▼	245.15	201.53
Boxed Beef Average	292.90 ▼	295.66	309.52
Average Dressed Steers	294.51 ▲	290.00	281.04
Live Slaughter Weight*	1,352 ▼	1,399	1,373
Weekly Slaughter**	613,000 ▼	620,000	620,000
Weekly Beef Production***	518.6 ▼	524.3	507.9
Hide/Offal Value	11.28 ▼	11.56	13.07
Corn Price	4.52 ▲	4.38	6.47

BEEF REPORT: Weekly Composite Boxed Beef											
WEEK ENDING	COMPREHENSIVE Loads/Price		PRIME Loads/Price		BRANDED Loads/Price		CHOICE Loads/Price		SELECT Loads/Price		UNGRADED Loads/Price
April 26	7,004	299.19	251	322.80	1,339	301.85	2,207	297.99	823	290.98	2,385 277.84
April 19	6,908	300.88	274	327.02	1,440	304.51	2,136	298.50	674	292.46	2,385 277.73
April 12	6,469	303.29	223	327.69	1,283	305.71	1,866	301.00	624	295.86	2,472 280.01
April 5	6,534	304.50	211	330.53	1,330	308.23	1,996	301.40	616	298.52	2,381 280.00

Cutouts						FED BOXED BEEF			
DATE	CHOICE	SELECT	COW BEEF CUTOUT		50% LEAN	90% LEAN			
May 2	292.90	287.98	269.52		81.69	345.75			
May 1	293.54	288.07	271.73		76.29	350.09			
Apr 30	294.37	289.95	269.35		N/A	346.45			
Apr 29	297.53	290.21	270.08		77.04	N/A			
Apr 26	297.14	288.72	269.86		82.62	347.75			

CATTLE FUTURES: CME Live Cattle							
	4/26	4/29	4/30	5/1	5/2	High*	Low*
Apr.	18468	18540	18500	N/A	N/A	19633	15310
Jun.	17858	17715	17498	17385	17680	19975	16853
Aug.	17678	17568	17310	17110	17395	18438	16668
Oct.	18060	17978	17705	17485	17738	18713	17005

CATTLE FUTURES: CME Feeder Cattle							
	4/26	4/29	4/30	5/1	5/2	High*	Low*
Apr.	24553	24803	24458	N/A	N/A	25723	21608
May	24870	25963	25550	25175	24360	26208	21920
Aug.	26055	26073	25648	25260	25523	27095	22268
Sep.	26158	26100	25668	25265	25598	26048	24910

Selected Auctions										Feeder prices for steers & heifers reflect medium and large 1 cattle, unless otherwise noted; * Indicates medium and large 1-2		
Week Ending May 2, 2024												
DATE	MARKET	200-300 lb.	300-400 lb.	400-500 lb.	500-600 lb.	600-700 lb.	700-800 lb.	800 lb. -up	SLAUGHTER COWS	PAIRS	SLAUGHTER BULLS	REPLACEMENTS
April 26	Blackfoot, ID	N/A		270-310 250-280	245-310 235-284	225-290 215-274	200-268 195-251	190-244 190-235	110-138 133-164			
April 25	Burley, ID	497		306-325	308-339 279-297	255-305 247	254 225-235	189-232.50 184				
February 15	Emmett, ID											
April 27	Eugene, OR	832	240-314	260-340 230-306	240-283 230-269	220-266 190-258	210-266 180-252	190-251 160-197	104-135 120-148	1,275-2,425 1,200-1,580		
April 29	Madras, OR	624	300-330 315-325	340-363 296-342.50	307-355 275-322.50	275-309 237-267.50	230-250 198-225	220-260 185-206	118-135 135-160			
May 1	Vale, OR	557		300-322.50 275-310	284-305 250-286	260-285 210-238			105-133 140-164			
April 29	Davenport, WA	615	285-295 350	285 125-285	245-300 220-262.50	177.50-300 177.50-265	192.50-266 170-246	215-265 186-222.50	152-226 160-200	40-187.50 127-168	2,550-2,800 1,650-1,800	
April 25	Toppenish, WA	1,550		317.50*	310-314*	301-332.50* 255-280*	171-280* 240-265*		119-130.75 154-159.50			

FED CATTLE TRADE	Head Count	Avg. Weight	Avg. Price
WEEKLY WEIGHTED AVERAGES			
Live FOB Steer	11,676	1,479	186.19
Live FOB Heifer	2,228	1,362	185.75
Dressed Del Steer	10,613	950	294.51
Dressed Del Heifer	4,375	854	294.35
SAME PERIOD LAST WEEK			
Live FOB Steer	9,845	1,359	181.94
Live FOB Heifer	6,789	1,272	181.90
Dressed Del Steer	221	992	290.00
Dressed Del Heifer	N/A	N/A	N/A
SAME PERIOD LAST YEAR			
Live FOB Steer	25,593	1,412	174.07
Live FOB Heifer	13,774	1,280	173.81
Dressed Del Steer	9,126	927	281.04
Dressed Del Heifer	3,410	799	280.92

NATIONAL WEEKLY FED BEEF SLAUGHTER VOLUME: APRIL 28, 2024		
	Domestic	Imported
Forward Contract	44,510	3,797
Formula	264,564	4,992
Negotiated Cash	72,290	143
Negotiated Grid	43,728	1,464
Packer Owned	10,314	N/A
Total	435,406	10,396

SLAUGHTER FORWARD CONTRACTS		FORWARD BEEF SALES	
Delivery Month		Neg. Sales 0-21 days	1,989
Apr. '24	195,515	Neg. Sales 21+ days	1,258
May '24	113,475	Formula sales	3,718
Jun. '24	98,809	Forward contract sales	40
Jul. '24	82,410	Domestic sales	6,043
Aug. '24	82,245	NAFTA Exports	59

CANADIAN LIVESTOCK PRICES & FEDERAL INSPECTED SLAUGHTER FIGURES			
Alberta Direct Sales (4% shrink)		Price	Weekly Change
Slaughter Steers, mostly Choice & Select 1-3, 1300-1500 lbs		186.37	+3.38
Slaughter Heifers, mostly Choice & Select 1-3, 1200-1400 lbs		184.85	+3.66
Ontario Auctions			
Slaughter Steers, mostly Choice & Select 1-3, 1300-1500 lbs		173.74	-0.94
Slaughter Heifers, mostly Choice & Select 1-3, 1200-1400 lbs		172.29	-0.94
Slaughter Cows, Cutter and Utility 1-3, 1100-1400 lbs		112.92	-2.66
*Price comparison from one week ago.			
Average feeder cattle prices (CND) for week ending Friday, April 19, 2024			
Steers:	Alberta	Saskatchewan	Ontario
501-600 lbs	305.49	N/A	291.20
601-700 lbs	290.20	289.20	277.70
701-800 lbs	258.26	259.41	254.49
801-900 lbs	236.66	N/A	231.16
Heifers:			
401-500 lbs	283.33	N/A	264.49
501-600 lbs	270.02	276.72	254.81
601-700 lbs	248.81	N/A	244.87
701-800 lbs	230.76	235.04	222.47

USDA MEXICO TO U.S. WEEKLY LIVESTOCK IMPORTS				
Feeder cattle imports weekly and yearly volume.				
Species	Current Week	Previous Week	Current Year-to-date	Previous Year-to-date
Feeders	4/22/2024 35,570	4/15/2024 36,317	468,036	408,136

USDA WEEKLY IMPORTED FEEDER CATTLE			
May 1, 2024			
Mexico to United States Feeder Cattle Import Summary			
Receipts EST: N/A	Week Ago EST: 10,100	Year Ago Act: 21,251	
Douglas, AZ		Columbus, NM	
No feeder cattle were imported due to the Mexican holiday.			
Feeder heifers: Medium and large 1&2		Feeder heifers: Medium and large 1&2	
300-400 lbs	N/A	300-400 lbs	255-265
400-500 lbs	N/A	400-500 lbs	235-245
500-600 lbs	N/A	500-600 lbs	215-225
Feeder steers: Medium and large 1&2		Feeder steers: Medium and large 1&2	
300-400 lbs	310-320	300-400 lbs	313-323
400-500 lbs	280-290	400-500 lbs	283-293
500-600 lbs	250-260	500-600 lbs	253-263

(slide 10 cents on steers and heifers basis 300 lbs. All sales fob port of entry)

April 25	Orland, CA	1,866		300-420 280-360	280-360 260-362	260-344 240-315	240-285 220-260	210-250 190-242	190-215	115-159 110-157	2,250-3,950 2,200-2,500
May 1	Escalon, CA	N/A								90-124 90-142	
No report available Famoso, CA											
April 24	Galt, CA	1,073		275-350 270-345	270-335 240-305	230-280 210-260	200-244 210-230			80-138 115-152	1,600-2,750 2,000-2,500
April 30	Turlock, CA	568		315-385 300-377.50	320-376 320-360	300-350 280-345	260-290 220-267.50	210-249 200-220	200-220 185-210	110-142 105-159	
April 30	Salina, UT	993		280-395 270-355	250-335 230-310	237.50-305 225-292.50	195-247.50 190-275	195-247.50 175-225	165-0 134.50-217.50	111.10-150.75 147.25-164.80	
April 29	Iowa	6,764		430-435 348-365	324-410 290-360	291-353.50 265-314	255-323 237-285	240-285.50 220-254	211-252.25 187-245.50	107-156 101-171	
April 30	Miles City, MT	672			322.50* 292.50*	320-325* 277-279*	286.50* 248.50-271*	233*		122-144 115-155.50	
No report available Bassett, NE											
No report available Ericson, NE											
No report available Imperial, NE											
No report available Kearney, NE											
No report available Lexington, NE											
No report available Ogallala, NE											
No report available Valentine, NE											
April 26	Herreid, SD	3,037			312 297.50	340-382.50 280.50-316	325-344 280-279	287-333.50 260-279	265-303 243-262.50	231-267 227-233	
May 1	Torrington, WY	1,228			387 333-335	340-382.50 315-338	322-360 290-295	315 272-292	284-286 230-265	220-240 194-215	
April 25	Willcox, AZ	1,230	311.50-370 301.50-327.50	321.50-395 255-325	291.50-347.50 251-274	281-335 216.50-255	253-278 205.50-235			84-147 125-159	1,525-1,700 1,250-1,500
April 29	Colorado	2,364		376-397.50 306-334	327.50-367 295-322	301-351 257-313	265-306 225-262	226-258 220-260	175-230 190	86-175 104-171.50	875-2,775 875-2,250
April 24	La Junta, CO	1,123		381-393 311-339	354-377 282-306	322-358 271-296	270-314 241-260	226-252		123-144 137-161	
April 29	Loma, CO	896		350-400 335-370	335-360 290-340	300-335 270-300	285-307 245-275	240-285 220-235	185-250 160-220	130-159 145-170	
May 1	Dodge City, KS	2,431		380-390	307-328 330	297-347.50 279-302	286-295 235.50-269	234.50-278 216-238	210.50-240 198.50-225.75	124-140 103-163	1,625-2,425 1,800-2,225
April 25	Pratt, KS	4,382			390 317	295-350 290-308	286-311 252-288	272-295 231-270	243-287 211-236	215-258.25 200-237	120-143 134.50-165
April 25	Salina, KS	3,686	370	350-385 315-345	350-370 315-345	306-355 278-316	275-307 248-295	255-299.50 228.50-240	219-258.75 203-222		
May 1	Clovis, NM	1,529	415	360-416 330-368	280-395 250-330	250-326 220-278	205-279 205.50-281	214-246 215-232	191-232.75 171-203.75	110.50-130.25 97-160	1,575-3,100 700-2,300
May 1	El Reno, OK	9,930		367.50-370 310-325	335-370 292.50-305	275-325 272	275-305 238-248.50	251-269.50 217.50-235	184.50-254 193-215.75		
April 30	McAlester, OK	540		365-393 301-343	314-339 271-309	279-323 263-285	244-246 226-270	235-249 202-218			

NEPA Phase 2 rule in effect July 1

NEPA RULE (from page 1)

2020. In April 2022, they implemented phase one, which restored three regulations:

- Requiring agencies to evaluate all relevant environmental impacts of decisions they are making.
- Giving agencies the authority to work with communities to find alternative approaches.
- Establishing NEPA regulations as a floor, rather than a ceiling, for review standards.

Reactions

The National Cattlemen's Beef Association (NCBA) and Public Lands Council (PLC) oppose the

new rule, saying it fails to reduce NEPA's regulatory burden.

"The Biden administration largely ignored the requirements Congress passed in the Fiscal Responsibility Act that would streamline NEPA processes," said Kaitlynn Glover, NCBA executive director of natural resources and PLC executive director. "Instead, this final rule changes the focus of NEPA, making it more ambiguous, less targeted, and nearly impossible to navigate."

Glover continued that the rule will make federal permitting, including for grazing permits, more difficult and expensive, and make it easier for radical groups to weaponize NEPA against ranchers.

House Committee on Natural Resources Chairman Bruce Westerman (R-AR-04) said the rule will further complicate the NEPA process. "This rule could have been a huge win for America had CEQ followed congressional intent," he said. "Instead, this rule furthers the administration's America-last agenda."

The American Petroleum Institute (API) said the new rule will add "bureaucratic roadblocks to an already arduous process, jeopardizing the buildout of needed projects and low carbon infrastructure."

API Senior Vice President of Policy, Economics and Regulatory Affairs Dustin Meyer said NEPA

will continue to be the most litigated environmental statute, causing uncertainty, stalled projects and drained taxpayer dollars.

Earthjustice applauded

the new rule. "The new updates reverse the Trump administration's severe rollbacks of this bedrock law that favored polluting industries and restricted the public's input on proj-

ects that could harm their health and livelihoods," the group said.

The new rule goes into effect on July 1. — **Anna Miller, WLJ managing editor**

Feeders down several dollars

MARKETS (from page 1)

demand for early May, but there it is," Fish said. "It's clear that retail beef demand, after a great run, has diminished in 2024."

Feeder cattle

Feeder cattle futures plummeted lower over the week. The May contract lost about \$4.80 to close at \$241.42, and the August contract lost \$6.55 to close at \$251.75.

The CME Feeder Cattle Index lost about \$1.80 to close at \$243.37.

"The market is still trading below its 100-day moving average, but stronger tones are a nice turnaround from the market's weaker tone seen earlier

this week," ShayLe Stewart, DTN livestock analyst, wrote in her midday comments on Thursday.

Corn futures closed higher, with the May contract up 11 cents to \$4.52 and the July contract up 7 cents to \$4.59.

Missouri: Joplin Regional Stockyards in Carthage sold 5,000 head on Monday. Compared to a week earlier, feeder steers and heifers sold steady in early sales. Benchmark steers averaging 719 lbs. sold from 252-273, averaging \$270.65.

Oklahoma: Oklahoma National Stockyards in Oklahoma City sold 5,500 head on Monday. Compared to a week earlier, steers over 800 lbs. sold steady to \$2 higher and steers under 800 lbs. sold

\$3-6 higher. Heifers over 800 lbs. sold \$3-6 higher, and heifers under 800 lbs. sold steady to \$3 higher. Benchmark steers averaging 781 lbs. sold from \$262-269, averaging \$265.53.

South Dakota: Sioux Falls Regional Cattle Auction in Worthing sold 2,439 head on Monday. Compared to the sale held two weeks earlier, steers 750 lbs. and under had limited numbers, 800 lbs. sold \$4-8 higher and 900 lbs. sold \$3-8 higher. Heifers 600-650 lbs. sold mostly steady to \$9 higher, 700 lbs. sold \$3 higher, 750 lbs. sold \$8-12 higher and 800 lbs. sold \$2-5 higher. A group of steers averaging 785 lbs. sold for \$256. — **Anna Miller, WLJ managing editor**

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SALE REPORTS

CURRENT CREEK ANGUS BULL SALE
April 30, Miles City, MT
45 Yearling black Angus bulls \$5,578
7 Yearling Red Angus bulls 4,321
Auctioneer: Collin Gibbs
TOPS: CCAR Payweight L411, 4/16/23 by WCF

Payweight 5228; to Lorents Grosfield, Big Timber, MT, \$8,500. CCAR Blueprint L434, 4/21/23 by Woodhill Blueprint E589-G595; to Marcus Denny, Lame Deer, MT, \$7,750. CCAR Blueprint L408, 4/23/23 by Woodhill Blueprint E589-G595; to Marcus Denny, Lame Deer,

MT, \$7,250. CCAR Blueprint L405, 4/18/23 by Woodhill Blueprint E589-G595; to Lorents Grosfield, Big Timber, MT, \$7,000. CCAR Blueprint L445, 4/25/23 by Woodhill Blueprint E589-G595; to Jacob Dauenhauer, Miles City, MT, \$6,750. — **DEVIN MURNIN**



SALE CALENDAR

Sale Calendar is a service to our advertisers. There is a minimum advertising requirement to be eligible to be listed in the Sale Calendar. Contact your fieldman for more information or to have your date added to the Sale Calendar. We will only run auction sale dates or private treaty start dates.

Ranch, Female Sale, Idaho Falls, ID

RED ANGUS

May 9 — Koenig Ranch Reds, Production Sale, Glasgow, MT

WAGYU

May 25 — Bar R Wagyu, Production Sale, Pullman, WA

COMMERCIAL

May 2 — Western Video Market Internet Sale, CA

May 23 — Western Video Market Internet Sale, CA

Jun. 6 — Western Video Market Internet Sale, CA

Jun. 20 — NLVA Early Summer Special, Billings, MT

Jul. 8 — Western Video Market Reno Sale, Reno, NV

Jul. 22 — NLVA Summertime Classic, Billings, MT

Jul. 27 — Cattlemen's Livestock Market Annual Female Sale, Galt, CA

Aug. 3 — Turlock Livestock Auction Special Female Sale, Turlock, CA

Aug. 12 — Western Video

Market Cheyenne Sale, Cheyenne, WY

Aug. 19 — NLVA Early Fall Preview, Billings, MT

Aug. 24 — Mobile Cattle Marketing Female Sale, Petaluma, CA

HORSE

May 18 — Redtail Ranch Performance Horse & Equipment Sale, Star, ID

May 18 — Feather River College Horse Sale, Quincy, CA

May 25 — Full House Horse Sale, Newcastle, WY

Jun. 1 — Ranchers Horse Sale, Juntura, OR

Jun. 8 — Shelman Family Horse Sale, Burns, OR

Jun. 22 — Fort Ranch Horse Sale, Corrinne, UT

Jul. 12 — High Desert Quarter Horse Sale, Redmond, OR

Aug. 17 — Memory Ranch Foal Sale, Wells, NV

ALL BREEDS

Sep. 15 — Visalia Livestock Bull Sale, Visalia, CA

Oct. 5 — Turlock Livestock All-Breeds Bull Sale, Turlock, CA

Oct. 6 — Cal Poly Bull Test Sale, San Luis Obispo, CA

Oct. 19 — FAMOSO All Breeds Bull Sale, Famoso, CA

Nov. 2 — World of Bulls Bull Sale, Galt, CA

ANGUS

May 25 — Western Summit, Female Sale, Galt, CA

Jun. 22 — Baldrige Performance Angus, Female Sale, North Platte, NE

Aug. 24 — Riverbend

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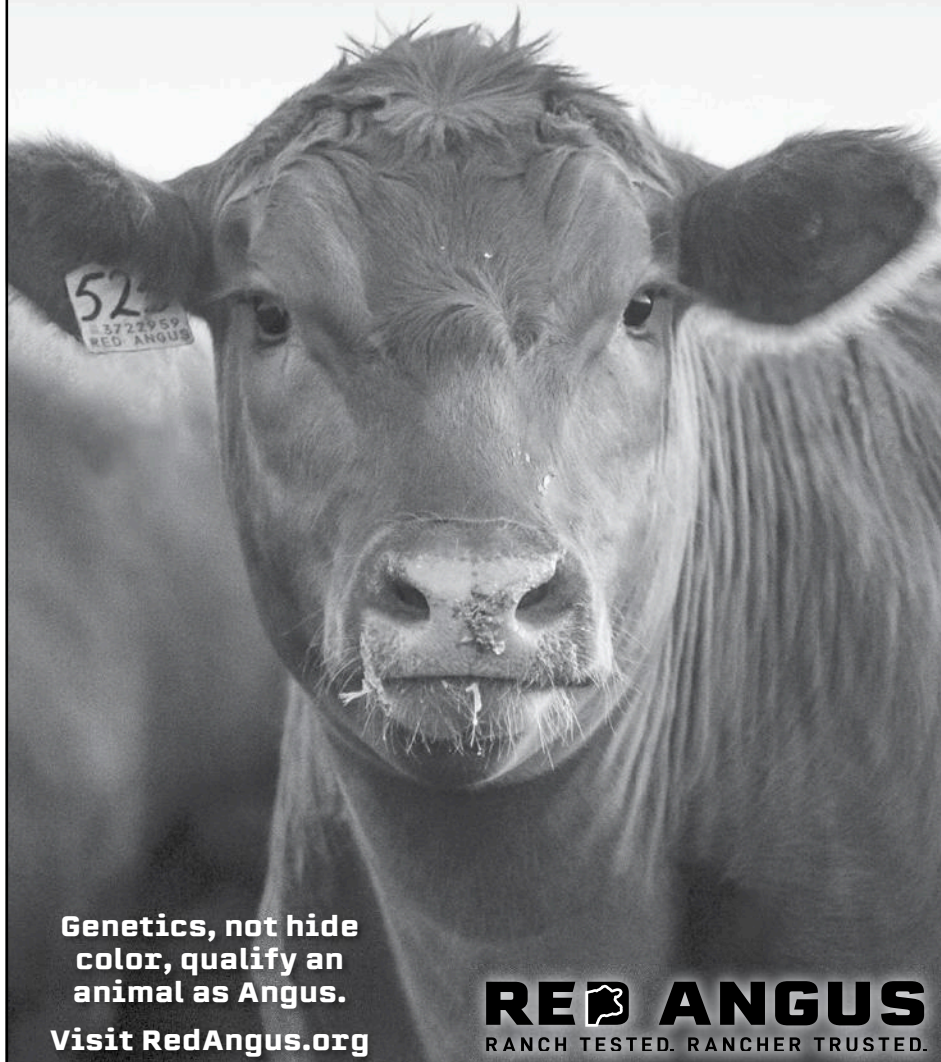
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Lawsuit: Wetlands lack water, dampness

SWAMPBUSTER (from page 1)

The “swampbuster” statute was introduced in the 1985 Farm Bill as part of the Wetland Conservation Compliance Provisions. According to USDA’s Natural Resources Conservation Service (NRCS), landowners must not have produced crops on wetlands after Dec. 23, 1985, and must not have converted or developed wetlands after Nov. 28, 1990, to be eligible for USDA benefits.

NRCS said there are exceptions for lands converted before 1985, artificial wetlands, determination of minimal impacts or offset mitigation efforts.

According to court documents, CTM and another affiliated entity own approximately 1,075 acres of Iowa farmland. The property in contention was purchased in September 2022, which contains approximately 39 acres used for agriculture, 10 acres designated as erodible land enrolled in the Conservation Reserve Program and 21 forested acres. USDA had previously designated nine acres as wetlands.

The suit stated CTM submitted a form to the USDA office, seeking benefits eligibility for their newly acquired

property and requesting a redetermination of prior wetlands status. However, on Jan. 23, 2023, the NRCS field office issued a letter denying CTM’s request, confirming a previous wetlands determination from 2010, which categorized the nine acres of the property as wetlands without providing scientific evidence for this classification, according to the suit.

CTM said the nine acres lack standing water or visible dampness, similar to the surrounding 12 acres of “non-wetland” area. Additionally, the property features a small seasonal stream passing through the 12 acres, and all designated wetlands units on the property are situated at least 1,000 feet away from the seasonal stream and are not linked to any water body.

CTM contends that while the nine acres have no signs of being “wetlands,” they cannot challenge this ruling or seek a new determination due to administrative regulations. Consequently, CTM is compelled to forfeit all usage rights for the nine acres to maintain USDA benefits for themselves and their tenants across the entire 1,075-acre property.

The lawsuit states that the swampbuster law “exceeds Congress’s power under the

Commerce Clause,” and that USDA cannot regulate the wetlands portion of CTM’s property. It continues that under the swampbuster law, the federal government does

not offer fair compensation for the conservation or loss of use of the portion of land designated as wetlands in violation of per se physical taking under the Fifth

Amendment.

The lawsuit asks the judge to declare the law unconstitutional and in excess of Congress’ power to regulate interstate commerce. It also asks

the judge to declare the provision in the law defining converted wetlands as arbitrary and capricious. — **Charles Wallace, WLJ contributing editor**

USDA drops ‘dairy cattle’ definition revision

USDA RULE (from page 1)

implementation will not be required to have an EID for the animal’s lifetime.

Some exemptions will remain in place, such as:

- Cattle moved direct-to-slaughter from markets can move with approved backtags instead of official ID.

- Cattle requiring official ID can cross state lines directly to an approved tagging site prior to being identified.

- Cattle requiring official ID can cross state lines directly to an approved livestock facility without a health certificate if moved on an owner shipper statement.

- Cattle requiring an official ID must have a health certificate, unless the shipping and receiving parties agree on an alternative document.

In an earlier proposed rule, USDA suggested changing

the classification of “dairy cattle” to include crossbred calves and calves born on a dairy regardless of breed, a proposal the Livestock Marketing Association opposed. USDA has since abandoned its plan to revise the definition.

USDA will provide tags to producers free of charge to jumpstart efforts to switch to EID. To obtain free tags from your state veterinarian, visit tinyurl.com/nhenf6sp.

The new rule will go into effect sometime this fall.

Industry reactions

There have been mixed

reactions from industry groups following the announcement.

The National Cattlemen’s Beef Association said an efficient animal disease traceability system is necessary to avoid financial losses during a potential disease outbreak. In addition, the group said it worked to secure \$15 million in funding for producers to implement the change.

“We also remain committed to safeguarding producers’ private data and continuing to reduce the cost of ear tags for farmers and ranchers,” said President Mark Eisele in a statement. The Ranchers-Cattlemen

Action Legal Fund, United Stockgrowers of America (R-CALF USA) however, said the rule benefits beef packers and eartag manufacturers.

“We will fight against the implementation of this disastrous rule that infringes on the freedoms and liberties of our nation’s independent cattle farmers and ranchers,” said R-CALF USA CEO Bill Bullard. “This is government overreach at its worst.”

The rule will be published in the Federal Register in the coming weeks and will go into effect 180 days after its publishing. — **Anna Miller, WLJ managing editor**

CO reports sixth wolf depredation

— Most affect same rancher

Colorado Parks and Wildlife (CPW) reported a sixth wolf depredation since wolves were reintroduced into the state at the end of 2023.

On April 28, CPW reported the loss of a calf in Grand County. While CPW does not disclose the location of depredation incidents, rancher Conway Farrell told the Coloradoan this is the fifth head he’s lost in 11 days to wolves. Farrell said he was “pissed” to have this on top of the usual stress with the calving season

and that it “feels like you’re getting slapped in the face” every minute.

With a demanding schedule overseeing his family’s 3,000 head across multiple owned and leased ranches during spring calving season, Farrell finds himself balancing nights tending to his herds and collaborating with wildlife officials investigating wolf depredations. He said his compensation claims for lost livestock will stay active until the depredations cease, ensuring he receives fair market value for his losses.

The Colorado Department of Agriculture (CDA) announced on April 30 that it was allocating \$20,000 to the Middle Park Stockgrowers Association to fund nonlethal deterrents, such as nighttime patrols and range riders, aimed at protecting herds.

“By partnering with the Middle Park Stockgrowers Association, CPW and CDA are providing immediate

support while also investing in long-term solutions through education and funding for non-lethal deterrents,” said CPW Director Jeff Davis. “Together, we’re working to protect both our ranching community and Colorado’s wildlife.”

According to 9NEWS, Tim Ritschard, president of the Middle Park Stockgrowers Association, was informed about a male wolf and a pregnant female wolf denning together in Grand County, raising concerns about the potential outcomes when the pups are born.

“I think the fear one year from now is—I don’t know how many pups she’s having,” Ritschard said. “Say she has four to six, and we have five to seven wolves running around killing livestock. So now instead of having one or two dead a day, we’re going to find seven, eight, 10 a day.”

— **Charles Wallace, WLJ contributing editor**

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YOUTH OPPORTUNITIES

(In an effort to serve the next generation of livestock producers, WLJ's Youth Opportunities calendar lists internship and scholarship information for agricultural- and livestock-focused students, listed by application deadline. If you have an internship or scholarship to announce, please email it to editorial@wlj.net.)

May 31 – Applications are now open for two internships with the National Cattlemen’s Beef Association, a public policy internship and a meetings and events internship. Internships begin in August 2024 and end in December 2024. Details: ncba.org.

June 10 – The Select Sires Member Cooperative Board of Directors has set aside \$40,000 in scholarship funds that will be awarded to students currently enrolled in a two- or four-year academic program. Applicants must be from current member families doing business with Select Sires Member Cooperative. Details: bit.ly/ssmcscholarship.

Summer: Western Video Market is offering a summer internship position for an ag major who is interested in gaining work experience in a fast-paced auction environment. Position is in-person in Cottonwood, CA. Send résumé and three references to holly@wvmcattle.com.

COMING EVENTS

(Send calendar of events information to editorial@wlj.net.)

May 22-23 – The California Cattlemen’s Association 2024 Feeder Meeting will take place at the San Diego Hilton Bayfront in San Diego, CA. Details: calcattlemen.org/events.