



INSIDE WLJ

INFLATION IMPACTS — A recent Iowa State University study shows rural households have been hit harder by inflation than urban households and have lower disposable incomes. **Page 6**

SCOTT RIVER WATER CURTAILMENTS — After the Scott River failed to meet minimum flow requirements, ranchers and farmers in Scott Valley had to turn off their irrigation pumps. **Page 11**

A LOOK BACK IN HISTORY

An increase in farm labor productivity is more important than ever as demand for agricultural outputs rises and labor numbers dwindle, but one *WLJ* article from July 1951 shows this issue isn't new: "Getting the most productive use of the manpower in agriculture is one of the key problems facing us. The present farm labor force is shrinking as workers leave the farm to take jobs in the city or enter the armed services. Farmers met the war situation in boosting production 24% from 1940 to 1950. Small-scale farms are the crux of the problem of ineffective use of manpower in agriculture. Mechanization and other technological developments have largely bypassed these farms."

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LADWP wins water fight in Mono County

— Ranchers and county lose

A state appellate court has overturned a judge's ruling requiring the Los Angeles Department of Water and Power (LADWP) to continue providing water to ranchers and wildlife habitats until the agency completes an environmental review before negotiating new

leases with ranchers in Mono County.

For nearly a century, LADWP has leased 6,100 acres in Long Valley and Little Round Valley, located in the eastern Sierra Nevada in Mono County, to ranchers who used the excess water for irrigation.

Background

In 2010, LADWP considered its

leases exempt from environmental review, as they used water structures already constructed with little to no expansion of use. According to court documents, the leases contained provisions stating a water supply is "given upon and subject to the paramount rights of (Los Angeles) with respect to all water and water rights" and that Los Angeles reserves "all water

and water rights ... together with the right to develop, take, transport, control, regulate, and use all such water and water rights." The lease states that the lessee acknowledges and agrees that any water is subject to the rights of Los Angeles and that there shall be no claim upon the city.

See WATER on page 7



Don Ramey Logan

A California appellate court ruled ranchers are bound to the rights of the Los Angeles Department of Water and Power regarding water allocations on their leased land. Pictured here, June Mountain in Mono County, CA.

Tyson must pay millions in damages to NM feeder

— Over \$10M in damages

A New Mexico jury decided in mid-July that Tyson Fresh Meats must pay a New Mexico cattle feeder more than \$10 million in actual and punitive damages following a 2020 contract complaint.

On July 18, U.S. District Judge Margaret Strickland wrote in a final judgment that Tyson must pay Albuquerque, NM, based Zia Agricultural Consulting LLC more than \$2.5 million in actual damages and \$8 million in punitive damages after Tyson breached a 2019 contract to pay Zia for several thousand head of value-added cattle.

Zia has sourced and sold cattle to Tyson for processing and resale in the commercial market for "many years," according to court documents. The feeder provided Tyson with non-hormone treated cattle (NHTC), as well as Global Animal Partnership (GAP) certified cattle, which are used solely for Whole Foods' program.

Contract complaint

In late 2018 to early 2019, Robert Scherer, Tyson's director of cattle procurement, contacted Zia to request they identify as many premium cattle as possible for sale to Whole Foods. In late January 2019, Scherer emailed Narciso Perez, Zia's chief of cattle feeding operations, asking when the cattle would be moved to the feedlot because he "need(ed) them in the yard to put them on the books," according to court documents. He then emailed a follow-up message a few days later, inquiring about the cattle's status.

In early February 2019, Perez emailed Scherer back with a show list and cost-plus model, to which Scherer replied in approval and asked for the cattle to be put in a finish yard ASAP. Perez sent several updated cost-plus models over the next few months, which included estimates and totals. Scherer never responded with disagreement or

confusion to any of the updates, according to court documents. From January to March 2019, Scherer or other Tyson representatives visited the feedlots to inspect the cattle.

In March, Zia's manager prepared a memorandum for Larue Road Capital LLC, an investment firm, stating Tyson would purchase calves under a cost-plus model and payment would comprise costs plus an additional \$125 for each delivered GAP calf and \$100 for each delivered NHTC calf. In another email, the manager told Larue Road the cost-plus model was "merely an estimation of the number of head and approximate cost to create expectations for Tyson" and that Zia was unable to "prescribe how Tyson is going to consider 'cost' or calculate payment on these cattle."

In late May 2019, Perez sent Scherer a finalized invoice, which included the feeder's costs in the total price. Scherer responded,

See TYSON on page 5

WDFW will not make wolf plan changes

— Inslee called for reform

The Washington Fish and Wildlife Commission decided to maintain the status quo and not adopt or amend rules for deterring wolf-livestock conflict at its special meeting on July 8.

The commission voted 5-4 for the "no action" alternative to the final supplemental environmental impact statement (FSEIS) for the 2011 Wolf Conservation and Management Plan for Washington. The alternative adopted by the commission does not codify the use of nonlethal and lethal measures under the nonbinding guidance of the wolf plan and protocol.

The FSEIS was in response to a request by Gov. Jay Inslee (D) in 2020 after the Center for Biological Diversity and several environmental groups prompted him to grant a petition for wolf control measures to prevent conflicts and avoid the loss of wolves.

The commission considered four alternatives in the FSEIS. The

first alternative would establish general criteria for using nonlethal and lethal measures to mitigate wolf-livestock conflict based on the 2017 wolf-livestock interaction protocol. Under the second alternative, the Washington Department of Fish and Wildlife (WDFW) would develop a rule based on area-specific conflict mitigation plans in consultation with affected livestock producers to use nonlethal and lethal measures to mitigate wolf-livestock conflict in areas of chronic conflict.

The third alternative was to develop a rule similar to a petition from environmental groups, which would "be the most prescriptive of the four alternatives and would include the most specific expectations for use of non-lethal and lethal measures to mitigate wolf-livestock conflict," according to the FSEIS. The petition details conflict prevention tools such as range riders, guard dogs, fencing and other measures.

See WOLF on page 11

Traders cautious ahead of COF, inventory reports

Traders were cautious about pushing the market too much ahead of the Cattle on Feed (COF) report and the Cattle Inventory report, with live cattle slightly up and feeder cattle mainly closing sideways. Cash trade was mostly \$1-3 lower as hot weather propelled cattle to market. Auction barns in the South are reporting feeder steers steady to \$4 lower, with instances of \$6 lower or more on lighter steer and heifer calves.

The July COF pre-report estimates show that analysts expect the July 1 cattle on feed number to be marginally above a year ago at 100.1 percent, according to the Daily Livestock Report. Analysts expect June cattle placements to be 94.7 percent of a year ago, down to 1.581 million head, which would be the lowest number for the month of June since 2016. Cattle marketings are expected to be higher in June, at 102 percent, or 2.062 million head, the highest for June in over a decade.

Analysts also released their pre-report estimates for the July 1 Cattle Inventory report, showing all cattle and calves on July 1 are expected to be down 2.1 percent to 98.683 million head. Cows and heifers that have calved are estimated to be 2.6 percent lower to 39.739 million head.

Live cattle traded higher to start the week and continued to inch upward. The August contract was up 32 cents to

close at \$135.72, and the October contract was up \$1.05 to close at \$140.97.

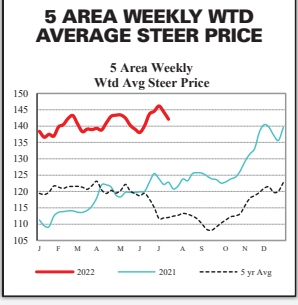
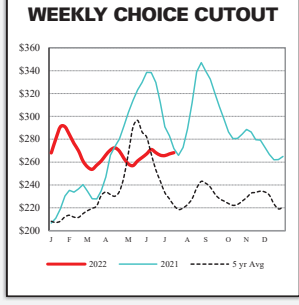
Cash trade through Thursday totaled 51,000 head. Live steers sold between \$136-144, averaging \$141.75. Dressed steers averaged \$227.02.

Trade was mostly \$136 in Texas and Kansas, \$1 lower than the prior week's average. Dressed deals in Nebraska were mainly at \$227, \$3 lower, and live deals were at \$142, \$1-3 lower than the prior week.

Cash trade through last week totaled 85,183 head. Of that, 71 percent (85,183 head) were committed to nearby delivery, while the remaining 29 percent (24,917 head) were committed to deferred delivery.

See MARKETS on page 9

PERIODICAL Time Sensitive Priority Handling

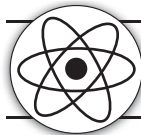


See MARKETS on page 9

LIVE STEERS \$140.40	DRESSED STEERS \$227.14	CME FEEDER \$170.67
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WEEK ENDING: 7-21-22

COMMENTS



RESOURCE SCIENCE

ENVIROS PROPOSE WOLF PLAN

Midyear numbers

Cattle markets were boring last week as feeders and packers dug in for higher values on fed cattle. Some trade developed Wednesday; about 43,000 head traded at a weighted average price of \$141.75 live and \$227.02 dressed, which was lower. Formula cattle were fetching \$232.25 with an average carcass weight of 869 pounds. The quality of cattle traded didn't appear too high. Packers want the better cattle that will grade Choice or better, and they are getting them in the northern feedlots—imagine that. Texas cattle traded Tuesday at \$136.



CROW

I suppose we are in the dog days of summer, and as hot as it has been, I'm sure nobody is interested in cranking up a hot grill. This has traditionally been the toughest time of the year to sell beef, but ironically, packers were expected to run 668,000 head of cattle last week.

The Cattle Inventory and Cattle on Feed reports are coming out soon, and we expect them to tell us the nation's cow herd is smaller than it was in January. Most analysts are pegging the Cattle on Feed report at just 0.1 percent over last July, which I would call manageable. Placements were expected to be down 5.3 percent, with marketings 2 percent higher than a year ago. Beef demand remains strong. The export market has added over a billion dollars in sales to the beef industry so far this year. A strong dollar hasn't slowed this market down.

The midyear Cattle Inventory report will give us the big picture on future beef production, which should be lower in 2023. This year will show huge beef production with all of the cows going to market because of the drought. So many cows have been going to market in the past few weeks that cull cow and bull prices have dropped significantly from two weeks ago. Cows in the southeast part of the country are struggling in the \$70 range, while West Coast cows are still trading as high as a dollar.

The Daily Livestock Report estimated that total cattle numbers will be down 2.1 percent to 98.683 million head. All cows and heifers that have calved are estimated to be 2.6 percent lower to 39.739 head, with beef cows and heifers along with dairy cows and heifers expected to be 3 percent lower on cows and 1.2 percent lower on heifers. Estimates are for 30.4 million beef cows and 9.4 million dairy cows.

The national cow herd continues to shrink and will certainly boost the markets. For perspective, after the last big drought in 2015, total cattle numbers shrank to 89.1 million head, and the midyear report is suggesting we will be down to 98.7 million head. In this last cattle cycle in 2018, the number of beef cows that had calved was 41.8 million head. This recent report is estimating we will be down to 39.9 million head, so there will be 1.9 million fewer feeder cattle available.

It's looking like the next few weeks will be choppy in the fed cattle markets—packers appear to have plenty of cattle around them. The Labor Day market usually signals the fall rally in beef and cattle prices. The deferred live cattle futures markets are stronger in the fall, so there is room to grow and see stronger fed cattle prices. The first quarter of 2023 should be a very strong market for fed cattle.

Feeder cattle markets will follow fed cattle prices, as they always do. Corn markets are in decline and currently trading at \$5.75 a bushel, which is positive for feeder cattle markets. The cost of gain on new placements is estimated to be \$1.32 a pound; cattle coming out of the feedlot endured a cost of gain at \$1.44 per pound. Breakevens on fed cattle, according to the Cattle Report, are showing a \$150 loss per head on average cattle. Better quality feeder cattle with attributes do not apply to these calculations.

Cattle feeders have been paying top dollar for cattle marketed with a program like Verified Natural, Global Animal Partnership certified, non-hormone treated cattle, better genetics, etc. The list of marketing options goes on and on; there are lots of programs you can market under. Cattle feeders want cattle that are healthy, grow fast and grade. They know where they are and how your cattle perform. It pays to be a reputation feeder cattle producer, just like the reputation seedstock producers. There is a good future for the beef industry. But we need to keep on praying for rain—it will come.

— **PETE CROW**

A Colorado ballot proposition (Proposition 114) to reintroduce gray wolves into the state passed in 2020, and environmentalist groups recently produced a wolf restoration plan for Colorado. Signatories include 14 organizations: WildEarth Guardians, Center for Biological Diversity, Project Coyote, Rewilding Institute, Green Latinos, Colorado Sierra Club, Humane Society of the U.S., Herbal Gardens Wellness, Western Watersheds Project, Colorado Voters for Animals, Endangered Species Coalition, Animal Welfare Institute, Grand Canyon Wolf Recovery Project and Wolf Conservation Center.

The plan was submitted to the Colorado Parks and Wildlife Commission with a request to include their solutions and ideas in Colorado's wolf restoration plan. The environmentalists' plan states that current plans to implement wolf introduction have "minimized meaningful public input and up-lifted the voices of ranchers, outfitters, trappers, and hunters over others. ... Discussions have focused on the negative impacts of wolves rather than positive ones." I hope the commission comments on these claims.

The environmentalists' plan is not a scientific document (for example, they claim that "Colorado's Rocky Mountains need wolves, and wolves need the Colorado Rockies"), and it supports having wolves across much of Colorado, including the Mexican gray wolf in southern Colorado. Mexican gray wolves currently reside in New Mexico and Arizona as an endangered subspecies (March 21, 2022, *WLJ*).

The environmentalists' plan states, "Species (including populations and subspecies) are genetically unique and irreplaceable—their loss is irreversible." If that's the case, how can wolves be returned to Colorado? Wolves in Colorado are listed under the Endangered Species Act (ESA), while those in the northern Rocky Mountains (Montana, Idaho, Wyoming, eastern Washington and Oregon) are not.

I found no mention in the plan of the source of wolves to be imported to Colorado, but it could be northern wolves from the northern Rocky Mountain states or Canada. This would mean that non-ESA-listed wolves would be moved to Colorado, where they are transformed into an ESA-listed endangered species. This exemplifies the unscientific designation of populations under the ESA (see references at wlj.net).

The environmentalists' plan emphasizes that wolves should not be killed except in "extremely limited" circumstances—for example, if people's lives are endangered. Killing wolves to protect livestock in limited circumstances is noted, but

nonlethal methods such as hazing are emphasized. The plan also states that only Colorado Parks and Wildlife should have the authority to identify a wolf-caused loss of livestock and that local law enforcement and USDA's Wildlife Services should not. They say that USDA's Wildlife Services is an "agency in the business of killing wildlife." They don't state that wolves are too.

The plan presents a minimum population goal of 150 packs of 600-1,500 wolves, considering elk as prey in habitat east and west of the Continental Divide. My analyses (see the April 19, 2021, *WLJ* article and the references) suggested similar numbers of wolves (672-1,108) that could result from wolf reintroduction in Colorado. My analysis also included estimates of the number of elk killed by wolves per year (see Table 1).

Unlike the environmentalists' plan, my analysis is not suggesting a population goal but is intended to assist with planning and is empirical, with thorough methods and references. The environmentalists' plan also has no quantification of potential wolf predation on livestock, unlike my analyses (April 25, 2022, *WLJ*) and Anna Miller's fine article (June 13, 2022, *WLJ*).

Advocating for wildlife, even wolves, is legitimate if that's your objective. But the environmental groups do not consider that restricting the extent and means of protecting livestock is unfair to the livestock and their owners. Cattle, sheep, horses and dogs feel fear, pain and suffering, which wolves will cause. Stockmen depend on their livestock to make a living, and perhaps most importantly, livestock are private property and should be protected from government "takings" under the Fifth Amendment to the Constitution.

Farmers, ranchers and others who work on the land guard the Earth by providing food, energy and resources, paying taxes to the government—including the military that protects all Americans and others around the world—and managing the land to be productive for crops and wildlife. If wolves are to be in Colorado, protecting livestock and the livelihoods of people working on the land should be a primary management objective. — **Dr. Matthew Cronin**

(*Matthew Cronin was a research professor at the University of Alaska and is now a scientist with Northwest Biology Company LLC in Bozeman, MT. A full list of references can be found at wlj.net, and he will provide the references on request by contacting croninm@aol.com).*

Table 1. Predicted numbers of wolves and predation in Colorado

	Number of wolves	Wolf elk kills per year	Total elk killed per year
Environmentalists' plan	600-1,500	N/A	N/A
Cronin (2020c) analysis	672-1,108	16.8	11,269-18,581

GUEST OPINION

On each trip I take around the country, I'm not only impressed with the work farmers and ranchers are doing, but I'm also blown away by the beautiful landscapes and wildlife we encounter. Being surrounded by nature is part of why I love farming. And I know that's the case for most farmers and ranchers across the country.

While we work the land to produce food, fiber and fuel, we also recognize the important role our land plays in sustaining wildlife. For generations, farmers and ranchers have worked to do more with less. We've voluntarily placed 140 million acres of land in conservation programs, which helps provide wildlife habitat. Farmers want to be partners in conserving our natural resources and the wildlife that we share those resources with.

We especially want to be partners in conserving threatened and endangered species. When Congress passed the Endangered Species Act, our representatives recognized that each species plays a role in maintaining a healthy and thriving environment. And while our society and the technology we use have changed a lot in the 50 years since the Endangered Species Act was passed, Congress hasn't passed significant updates to reflect the realities on the ground. Instead, government agencies like the Environmental Protection Agency (EPA) and U.S. Fish and Wildlife Service have created confusing rules that give unelected bureaucrats the power to dictate what Americans do on their private property, and individual judges make sweeping decisions that have national impacts.

Endangered Species Act protections have brought some animals back from the brink of extinction, such as the bald eagle. But today, there are over 1,600 listed species in the United States, with thousands of pages of complicated rules around these listings. That makes it very confusing for farmers, ranchers and other landowners to determine what they

CONSERVING THREATENED AND ENDANGERED SPECIES

can do on their land. The previous administration attempted to bring some clarity for landowners and other stakeholders by writing new rules to clarify what habitat really is and what protections apply to which types of listed species. But now, the current administration wants to return to the old system of case-by-case decisions made by bureaucrats in Washington, and a single judge just repealed several of the clarifying rules. We simply cannot have this tug of war with regulations, where farmers and ranchers are left guessing what's next.

Endangered Species Act regulations affect daily practices like crop protection as well. EPA officials often put in place limitations on how pesticides can be used based on broad-sweeping species maps and without realistic assumptions of how a product is used. Despite what EPA officials might think, farmers use only the amount of pesticide we need to get the job done, which is often significantly less than the maximum amount allowed. We also need these products to utilize environmentally beneficial practices, like no-till farming, that prevent soil erosion and runoff. We are as careful and efficient as possible for the safety of our families, communities and wildlife. Making decisions based on the best available science brings clarity and certainty to landowners and other stakeholders.

Just as each species plays a role in a healthy environment, we all play a role in ensuring a healthy and safe future for our planet and the people we share it with. We also know that when we work together as partners, through voluntary agreements and with ample opportunities for farmers to provide their perspective to inform each agency's decisions, we can achieve so much more. That's why we need the government to treat us as partners and focus on science and common sense. The survival of our nation's wildlife, farms and ranches depends on it. — **Zippy Duvall, American Farm Bureau Federation president**

Letters to the Editor: Letters for publication should be no longer than 675 words, must refer to an article that has appeared within the month, and must include the writer's name, address and phone number. Addresses and phone numbers will not be published. Letters may be shortened for space requirements. Send a letter to the editor by emailing editorial@wlj.net or mailing it to Western Livestock Journal Editorial, 7355 E. Orchard Road #300, Greenwood Village, CO 80111.

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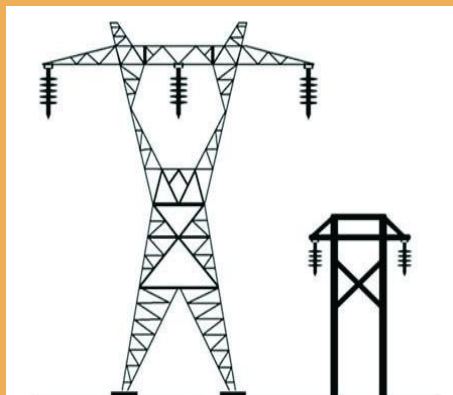
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RODEO STANDINGS



PRCA July 2022 world standings

The top five contestants and earnings are listed as provided on the Professional Rodeo Cowboy Association (PRCA) website, www.prorodeo.com, as of July 17.

All Around

1. Stetson Wright, Milford, UT, \$263,455.14. 2. Josh Frost, Randlett, UT, \$99,353.39. 3. Caleb Smidt, Bellville, TX, \$97,224. 4. Zack Jongbloed, Iowa, LA, \$78,156.71. 5. Rhen Richard, Roosevelt, UT, \$75,335.60.

Bareback Riding

1. Jess Pope, Waverly, KS, \$121,659.63. 2. Cole Reiner, Buffalo, WY, \$109,956.63. 3. Tim O'Connell, Zwingle, IA, \$98,911.12. 4. Clayton Biglow, Clements, CA, \$94,910. 5. Tanner Aus, Granite Falls, MN, \$90,647.05.

Saddle Bronc Riding

1. Sage Newman, Melstone,

MT, \$177,831.59. 2. Stetson Wright, Milford, UT, \$125,844.75. 3. Brody Cress, Hillsdale, WY, \$125,622.76. 4. Wyatt Casper, Miami, TX, \$107,969.24. 5. Ryder Wright, Milford, UT, \$101,229.76.

Bull Riding

1. Stetson Wright, Milford, UT, \$210,632.90. 2. Josh Frost, Randlett, UT, \$153,979.38. 3. Sage Kimzey, Salado, TX, \$115,633.09. 4. Jeff Askey, Athens, TX, \$102,916.26. 5. Garrett Smith, Rexburg, ID, \$85,187.34.

Steer Wrestling

1. Hunter Cure, Holliday, TX, \$85,789.71. 2. Tyler Waguespack, Gonzales, LA, \$80,461.81. 3. J.D. Struxness, Milan, MN, \$73,852.39. 4. Tristan Martin, Sulphur, LA, \$72,591.13. 5. Timmy Sparing, Helena, MT, \$63,813.14.

Team Roping (Headers)

1. Kaleb Driggers, Hoboken, GA, \$135,801.27. 2. Clay Tryan, Billings, MT, \$109,966.48. 3. Andrew Ward, Edmond, OK, \$82,162.56. 4. Rhen Richard, Roosevelt, UT, \$72,086.80. 5. Lightning Aguilera, Athens, TX, \$66,737.95.

Team Roping (Heelers)

1. Junior Nogueira, Presidente Prudente, SP, \$135,801.27. 2. Buddy Hawkins, Columbus, KS,

\$82,162.56. 3. Jake Long, Coffeyville, KS, \$77,804.66. 4. Jade Corkill, Fallon, NV, \$76,158.58. 5. Jeremy Buhler, Arrowwood, AB, \$71,966.01.

Tie-Down Roping

1. Shad Mayfield, Clovis, NM, \$135,155.28. 2. John Douch, Huntsville, TX, \$121,670.93. 3. Caleb Smidt, Bellville, TX, \$98,996.01. 4. Tuf Cooper, Decatur, TX, \$97,327.77. 5. Shane Hanchey, Sulphur, LA, \$90,461.65.

Steer Roping

1. Scott Snedecor, Fredericksburg, TX, \$50,868.15. 2. Jess Tierney, Hermosa, SD, \$45,628.20. 3. Cole Patterson, Pratt, KS, \$41,067.38. 4. Cody Lee,

Gatesville, TX, \$40,675.87. 5. Clay Long, Stephenville, TX, \$39,760.86.

Barrel Racing

1. Jordon Briggs, Tolar, TX, \$95,914.65. 2. Hailey Kinsel, Cotulla, TX, \$73,550.95. 3. Wenda Johnson, Pawhuska, OK, \$60,497.10. 4. Dona Kay Rule, Minco, OK, \$56,119.46. 5. Sissy Winn, Chapman Ranch, TX, \$55,588.14.

Breakaway Roping

1. Erin Johnson, Fowler, CO, \$50,249.66. 2. Kelsie Domer, Dublin, TX, \$42,192.88. 3. Martha Angelone, Stephenville, TX, \$41,095.25. 4. Lari Dee Guy, Abilene, TX, \$39,805.24. 5. J.J. Hampton, Stephenville, TX, \$32,075.50.



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.)

Aug. 1 – The Northern International Livestock Exposition (NILE) is searching for college students that can keep up with the fast-paced environment of the NILE Stock Show and Rodeo. For more information, visit

www.thenile.org/p/events/youth-events/internships, call 406-256-2495 or email shelby@thenile.org.

Oct. 1 – Applications for the 2022 California Cattlemen's Association (CCA) scholarships are now being accepted. Current CCA members that are currently enrolled at a university or college are eligible to apply. For a complete list of awards and to download the application, visit calcattlemen.org/scholarship. Contact Maureen in the CCA office at maureen@calcattlemen.org with any questions.

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LEGAL LEDGER

Bill to support small ranchers

U.S. House Agriculture Committee Chairman David Scott (D-GA-13) announced the intention to introduce a bill to help small family farmers and ranchers and address the national crisis in our nation's beef supply chain. According to the release by Scott, the bill strengthens the federal safety net. It makes insurance products work better for small cattle farmers and ranchers in terms of coverage and accessibility. Scott also wants to create a grant program at USDA to help small farmers, ranchers and producer-owned cooperatives undertake innovative business initiatives. "By developing more direct-to-consumer and direct-to-institution markets, my legislation will give small farmers and ranchers more control over where they sell their cattle or meat products and provide them with opportunities to add value to their products and increase their profitability," Scott said.

U.S. Chamber opposes beef bills

The U.S. Chamber of Commerce wrote in a blog post that the Meat and Poultry Special Investigator Act and the Cattle Price Discovery and Transparency Act would micromanage beef markets, harm consumers and reduce competition. Sean Heather, senior vice president for international regulatory affairs and antitrust, wrote the investigator bill would create a duplicate office in USDA and "could slow law enforcement investigations and lead to more politicized enforcement decisions." Heather continued the transparency bill would replace a market structure that has evolved over the years and would create one managed by the government. "Rather than expand the government's role in the economy, create new regulatory burdens, or hire new, duplicative regulators, Congress should explore other avenues to encourage competition and lower prices for consumers," Heather wrote.

La Niña conditions expected to persist

The National Weather Service's (NWS) Climate Prediction Center stated this month there's a 62-66 percent chance that La Niña conditions will prevail in the Northern Hemisphere until at least the end of 2022, marking the third straight year of the weather pattern. NWS also estimated a 39 percent chance of a transition to neutral El Niño-Southern Oscillation (ENSO) conditions during the July-September period. According to NWS, ENSO-neutral conditions refer to periods in which neither El Niño nor La Niña is present, often coinciding with the transition between the two weather patterns. A third year of La Niña could result in the same conditions as the previous two years, with moisture in the Northwest and drought in the Southwest and Southern Plains.

BLM seeks comments on OR renewal

The Bureau of Land Management (BLM) Deschutes Field Office is seeking public comment on a proposal to renew grazing permits for five allotments near La Pine, OR. Public input will assist BLM in developing an environmental assessment due to the presence of the threatened Oregon spotted frog within riparian areas. BLM is considering changes to the timing of grazing, meadow restoration, lodgepole pine removal and fuel reduction activities. In addition, the BLM will consider a no action alternative that would consist of reissuing the current permits with no changes. The scoping period will end on Aug. 15, and interested people can submit comments via email to blm_or_pr_lapinegrazingproject@blm.gov with reference to project number DOI-BLM-ORWA-P060-2022-0016-EA.

Comments on old-growth forests

The U.S. Forest Service and Bureau of Land Management are seeking public comment on developing a definition for old-growth and mature forests on federally managed lands. The definition is part of President Joe Biden's executive order to strengthen the nation's forests and communities, requiring both agencies to define, identify and complete an inventory within one year of old-growth and mature forests on federally managed lands. The Public Lands Council wrote in the Weekend Roundup, "While the agencies hope to produce a versatile and concise definition to guide their inventorying, land use groups are skeptical of their success in pursuing a definition that encompasses the diverse forests making up the (U.S.) Groups are also wary of the extent that these agencies may be willing to go when determining what constitutes 'old growth forests' and how their management strategies could affect industries like logging, mining and agriculture." Written comments can be submitted by Aug 15 at federalregister.gov by searching for document number 2022-15185.

Grants for NE processors

The Nebraska Department of Agriculture has announced it is accepting grant applications for the Independent Processor Assistance Program to help fund improvements, enhancements or expansions that will increase the harvest capacity or product throughput of new or existing processors. Facilities must be either a USDA facility or a federally regulated custom-exempt slaughter and processing facility in the state of Nebraska, have sales revenue of less than \$2.5 million and have fewer than 25 employees. Applications can be found at https://nda.nebraska.gov/promotion/meat_processors and must be received by the Aug. 12 deadline.

Tyson claimed companies had verbal agreement

TYSON (from page 1)

"I'm not paying for the cost of calves. That's not what we do. What are you trying to do here?" Scherer and Justin Nelson, Tyson's vice president of cattle procurement, then called Perez and made it clear they would not pay the amount on the invoice.

Tyson denied that they had ever agreed to pay Zia's costs, either by email or verbally. Instead, when Zia's cattle were delivered to Tyson over several months, Tyson paid Zia according to an alternate formula and refused to purchase certain lots of the pre-

mium cattle that were identified in the cost-plus model.

Zia invoiced Tyson for \$16,220,198, which included actual costs for 9,153 head plus the premiums per head for GAP and NHTC cattle. Tyson purchased 7,654 cattle and paid Zia \$12,595,753.13.

Dispute

Strickland wrote in a February 2022 opinion that the crux of the issue was the substance of the verbal negotiations that took place between Zia and Tyson before the initial email exchanges in early 2019.

Zia claimed they would only agree to sell to Tyson if the packer paid Zia's costs plus a small margin, while Tyson said the two companies verbally agreed in the spring of 2018 on the price for the following year's cattle, long

before the early 2019 email exchanges. This price, Scherer said, was according to their usual course of dealings and was determined by the Nebraska weighted average plus a price per head premium.

Scherer said the cost-plus

model sent in the original February 2019 email was interpreted as merely an inventory of Zia's available premium cattle, and the email he sent in response was assenting to the number of cattle going into a finish yard, rather than the price of the cost-plus model.

Zia brought the suit against Tyson on May 8, 2020, alleging claims of breach of contract, breach of the implied duty of good faith and fair dealing, quantum meruit, fraudulent misrepresentation, and violations of the New Mexico Unfair Practices Act.

"The parties' arguments

are based largely on competing declarations and deposition testimony about the nature of their prior verbal negotiations," Strickland wrote in her earlier opinion. "Their genuine disagreement cannot be resolved except by a series of factual determinations within the purview of the jury."

During the verdict on July 14, the jury in New Mexico found that Zia and Tyson's agreement was contractual, and Tyson had breached the contract. Tyson was ordered to pay Zia roughly \$10.5 million in damages. — **Anna Miller, WLJ managing editor**

"The parties' arguments are based largely on competing declarations and deposition testimony about the nature of their prior verbal negotiations."



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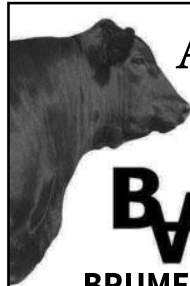
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Study shows rural households hit harder by inflation

A recent study from Iowa State University (ISU) Extension shows rural households are disproportionately affected by inflation, and disposable incomes have shrunk

this year. The study shows disposable incomes for rural households—those in nonmetropolitan areas in towns with fewer than 2,500 residents or

in the open countryside—decreased 49.1 percent from \$10,661 in 2020 to \$5,426 in 2022. About 82 percent of rural incomes went to expenses in 2020, rising to 91

percent in 2022, and earnings rose by only 6.1 percent during the same time period.

David J. Peters, ISU Extension rural sociologist and professor, told Iowa Public Radio it's a significant drop, which means people in rural communities are less prepared to cover unexpected expenses.

"(You may have) a health care issue that costs extra money. You get a reduction in your hours or have a big home repair that you didn't plan for," Peters said. "Any kind of these unexpected expenses—that's (less than) \$6,000 to cover that."

The study showed the most significant expense for rural households has been the increase in gasoline and diesel fuel. Rural people paid \$2,470 more in fuel expenses than they did two years ago. Fuel costs rose by \$839 in 2021, then by an additional \$1,632 by June of 2022. Home heating fuel and propane gas also rose by \$434. The cost of owning a home, including mortgages, insurance and maintenance, rose by \$398. Electricity rose by \$311 since 2020, with almost

all price gains happening this year.

Urban residents—those living in a metropolitan area or in cities of 2,500 people or more—saw a less significant drop in disposable income. Urban disposable income dropped 13 percent from \$16,414 in 2020 to \$14,270 in 2022. During those two years, expenses rose more slowly at 14.5 percent, but earnings for urban workers rose by 8.6 percent. The biggest increases for urban residents were for rented and owned housing, gasoline, electricity, prepackaged and processed foods, and eating out at restaurants.

"Overall, inflation has severely reduced the disposable incomes of rural Americans, while the impact on urban households has been less severe because of higher incomes," Peters wrote. "This means that rural families have less money to save for their retirement or their children's college—both needed for the future economic security of themselves and their children."

The latest Bureau of Labor

Statistics Consumer Price Index showed the inflation rate increased 9.1 percent from a year ago, and the food index was 10.4 percent higher than the previous year.

The study noted the rate of inflation is dependent on the region. The northeastern U.S. had slower price gains of only 7.6 percent. Meanwhile, the southern U.S., particularly Louisiana and Texas, had an inflation rate of 10.6 percent. The study noted inflation was also a problem in the West but did not give a figure.

Peters wrote the current wave of inflation is worrisome due to how long rural households can withstand inflationary costs.

"If they're for the long-term, then this becomes a big crisis for rural households," Peters said. "That disposable income cushion makes them really vulnerable to debt and bankruptcy."

Peters stated that low-income and retired people are vulnerable to the added expenses, which puts them at risk of increased debt. — Charles Wallace, WLJ editor

Benefits of early-weaning beef calves

Long-term drought, May moisture, extreme heat and prevailing southern winds for the past several weeks have resulted in a flash drought. Many Oklahoma cow-calf operations are facing the reality of a depleted forage base right now.

One potential solution is early weaning. Early-weaning calves have the primary benefit of improving cow condition for re-breeding, especially when forage is limited. When the nutritional demands of lactation are removed by early weaning, there is a significant reduction (15-20 percent) in the dietary energy needed by cows. Early weaning can initiate post-partum estrus, improve pregnancy rates, lower culling rates and result in higher weaning weights and cow productivity in following years. Early weaning is most beneficial in years when pasture production is inadequate to support herd nutritional requirements. From the standpoint of range management, it reduces the risk of overgrazing and, accordingly, adds to the long-term health of the grazing system.

The average age of beef calves weaned in the U.S. is a little over 7 months of age. Calves can be weaned as early as 60 days of age. However, this requires intensive calf management and is impractical under most ranch conditions. At 2 months of age, calves are still functionally pre-ruminants relying primarily on milk and consuming a small amount of forage. By 3-4 months of age, the rumen becomes functional, and calves are capable of consuming significant amounts of forage.

Best practices for early weaning

The first two weeks post-weaning are a critical time for calves to overcome weaning stress, maintain health and become nutritionally independent by learning to consume feed. Manage your calves according to the following:

- Lower the risk of health problems and promote calf growth by giving proper vaccinations prior to weaning. Castrate and dehorn calves when giving preweaning vaccinations. This will per-

mit calves to deal with the stress of these management practices while still nursing.

- Get calves accustomed to a feed bunk and water trough as quickly as possible. Creep feeding calves for a few weeks prior to weaning will ease the transition and get calves accustomed to concentrate feed. Maintain access to good quality, clean water at all times.

- Fence line wean if possible. This eliminates stress by permitting calves to remain in the same pasture where they are familiar with feed, water, shade, etc.

- The feed ration is critical because feed intake is initially low after weaning. It needs to be highly palatable, nutrient dense, dust free and include a complete vitamin and mineral supplement.

- After calves are over the stress of weaning, they should begin to consume approximately 3 percent of their body weight in high-quality feed each day. Feed intake variation or depressed appetite can indicate health problems. — Mark Z. Johnson, Oklahoma State University Extension beef cattle breeding specialist



SALE CALENDAR

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ALL BREED

- Sep. 11 – Visalia Livestock Market, Bull Sale, Visalia, CA
- Oct. 1 – CA Breeders, Bull Sale, Turlock, CA
- Oct. 2 – CAL Poly PT, Bull Sale, San Luis Obispo, CA
- Oct. 15 – Western Stockmen's Market, Bull Sale, Famoso, CA
- Oct. 15 – Western Stockmen's Market, Bull & Female Sale, McFarland, CA
- Nov. 5 – Cattlemen's Livestock Market, Bull Sale, Galt, CA

ANGUS

- Aug. 27 – Riverbend Ranch, Female Sale, Idaho Falls, ID
- Sep. 1 – Vintage Angus Ranch, Bull Sale, La Grange, CA
- Sep. 2 – Byrd Cattle Co., Bull & Female Sale, Los Molinos, CA
- Sep. 3 – EZ Ranch, Bull Sale, Farmington, CA
- Sep. 4 – Five Star Land & Livestock, Bull Sale, Wilton, CA
- Sep. 6 – O'Neal Ranch, Bull Sale, O'Neals, CA
- Sep. 7 – Silveira Bros., Female Sale, Firebaugh, CA
- Sep. 8 – Donati Ranch, Bull Sale, Oroville, CA
- Sep. 9 – Tehama Angus Ranch, Bull Sale, Gerber, CA
- Sep. 10 – Arellano Bravo Angus, Bull Sale, Galt, CA
- Sep. 14 – Bulls Eye Breeders, Bull Sale, Modesto, CA
- Sep. 15 – Rancho Casino/Dal Porto Livestock, Bull Sale, Denair, CA
- Sep. 17 – Jorgensen Farms, Female Sale, Ideal, SD
- Sep. 19 – Ken Haas Angus, Female Sale, LaGrange, WY
- Sep. 20 – Thomas Angus Ranch, Bull Sale, Galt, CA
- Sep. 20-22 – Montana Angus Tour, Sidney, MT
- Sep. 22 – Beef Solutions, Bull Sale, Lone, CA
- Sep. 28 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA
- Oct. 1 – Colyer Herefords, Bull Sale, Bruneau, ID
- Oct. 1 – Leachman Cattle of Colorado, Bull Sale, Aromas, CA
- Oct. 6 – VDAR, Cow Sale, Manhattan, MT
- Oct. 7 – Teixeira Cattle Co., Bull Sale, Pismo Beach, CA
- Oct. 8 – EZ Ranch, Female Sale, Porterville, CA
- Oct. 8 – Silveira Bros., Female Sale, Firebaugh, CA
- Oct. 8 – Trinity Farms, Female Sale, Ellensburg, WA
- Oct. 9 – Vintage Angus Ranch, Female Sale, Modesto, CA
- Oct. 10 – Ox Bow Angus, Female Sale, Wolf Creek, MT
- Oct. 11 – 9 Peaks Ranch, Bull Sale, Fort Rock, OR
- Oct. 11 – Coleman Angus, Female Sale, Charlo, MT
- Oct. 12 – Montana Ranch, Female Sale, Big Fork, MT

- Oct. 14 – Wooden Shoe Farms, Female Sale, Blackfoot, ID
- Oct. 15 – Fink Beef Genetics, Bull Sale, Randolph, KS
- Oct. 20 – Thomas Angus Ranch, Production Sale, Baker City, OR
- Oct. 22 – 44 Farms, Bull Sale, Cameron, TX
- Oct. 22 – NILE, Female Sale, Billings, MT
- Oct. 24 – Montana Angus, Female Sale, Billings, MT
- Nov. 2 – Huwa Cattle, Female Sale, Roggen, CO
- Nov. 3 – Stokrose Land & Livestock, Bull Sale, Moses Lake, WA
- Nov. 8 – Wilkes Ranch, Bull Sale, Eastland, TX
- Nov. 12 – HD Dunn and Son, Bull Sale, Tetonia, ID
- Nov. 12 – Leachman Cattle of Colorado, Bull Sale, Fort Collins, CO
- Nov. 12 – Montana Ranch, Bull Sale, Big Fork, MT
- Nov. 12 – Rocky Mtn. Angus, Bull Sale, Tremonton, UT
- Nov. 14 – GDAR, Female Sale, Sidney, MT
- Nov. 14 – Hoffman Ranch, Bull Sale, Thedford, NE
- Nov. 15 – Paint Rock Angus, Bull Sale, Hyattville, WY
- Nov. 17 – JR Ranch/Sackmann Cattle, Bull Sale, Othello, WA
- Nov. 17 – WMR Livestock, Bull Sale, Three Forks, MT
- Nov. 18 – Green Mountain Angus Ranch, Bull & Female Sale, Ryegate, MT
- Nov. 18 – Rollin' Rock Partners, Production Sale, Pilot Rock, OR
- Nov. 18 – Wagonhammer Ranches, Female Sale, Bartlett, NE
- Nov. 19 – Diamond Peak Cattle Co., Female Sale, Loma, CO
- Nov. 19 – Redland Angus, Bull & Female Sale, Buffalo, WY
- Nov. 19 – Sydenstricker Genetics, Bull & Female Sale, Mexico, MO
- Nov. 19 – Yardley Cattle Co., Female Sale, Beaver, UT

BALANCER

- Sep. 28 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA

CHAROLAIS

- Oct. 15 – Fink Beef Genetics, Bull Sale, Randolph, KS
- Nov. 1 – Cobb Charolais, Bull Sale, Great Falls, MT
- Nov. 12 – Leachman Cattle of Colorado, Bull Sale, Fort Collins, CO
- Nov. 18 – Wagonhammer Ranches, Female Sale, Bartlett, NE

GELBVIEW

- Sep. 21 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA

HEREFORD

- Sep. 5 – Genoa Livestock, Bull & Female Sale, Minden, NV
- Sep. 16 – Churchill Cattle Co., Female Sale, Manhattan, MT
- Sep. 16 – Sierra Ranches, Production Sale, Modesto, CA
- Sep. 17 – Ehike Herefords, Female Sale, Townsend, MT
- Sep. 18 – Mohican West, Female Sale, Laurel, MT
- Oct. 1 – Colyer Herefords, Bull Sale, Bruneau, ID
- Oct. 14 – Wooden Shoe Farms, Female Sale, Blackfoot, ID
- Oct. 15 – Lambert Ranch, Bull Sale, Oroville, CA

MAINE ANJOU

- Nov. 19 – Yardley Cattle Co., Female Sale, Beaver, UT

RED ANGUS

- Sep. 7 – Silveira Bros., Female Sale, Firebaugh, CA
- Sep. 11 – Ludvigson Stock Farms, Bull Sale, Visalia, CA
- Sep. 18 – Stegall Cattle, Bull Sale, Colusa, CA
- Sep. 24 – McPhee Red Angus, Production Sale, Lodi, CA
- Sep. 28 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA
- Oct. 4 – Pieper Red Angus, Bull & Female Sale, Buffalo, TX
- Oct. 21 – NILE, Female Sale, Billings, MT
- Oct. 22 – Pieper Red Angus, Bull & Female Sale, Hay Springs, NE

SALERS

- Dec. 5 – Jacobsen Ranch, Bull Sale, Great Falls, MT

SIMANGUS

- Sep. 14 – Bulls Eye Breeders, Bull Sale, Modesto, CA
- Sep. 21 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA
- Sep. 22 – Beef Solutions, Bull Sale, Lone, CA
- Sep. 28 – Eagle Pass Ranch, Bull Sale, Dos Palos, CA
- Oct. 7 – Teixeira Cattle Co., Bull Sale, Pismo Beach, CA
- Oct. 8 – Trinity Farms, Female Sale, Ellensburg, WA

SOUTH DEVON

- Nov. 30 – Beef Country Breeders, Bull Sale, Columbus, MT

STABILIZER

- Oct. 8 – Leachman Cattle of Colorado, Bull Sale, Ozark, AR
- Oct. 29 – Leachman Cattle of Colorado, Bull Sale, Dinuba, CA
- Nov. 19 – Leachman Cattle of Colorado, Bull Sale, Wytheville, VA

COMMERCIAL

- Aug. 9-10 – Cattle Country Video, Oregon Trail Classic, Gering, NE
- Aug. 22 – Northern Video Sale, Early Fall Preview Video Auction, Billings, MT
- Aug. 22-26 – Superior Livestock Auction, Big Horn Classic Video Sale, Sheridan, WY
- Sep. 7-8 – Superior Livestock Auction, Labor Day Video Sale, Hudson Oaks, TX
- Sep. 15 – Cattle Country Video, Cheyenne Roundup, Cheyenne, WY
- Sep. 19 – Northern Video Sale, Fall Premier Video Auction, Billings, MT
- Oct. 22 – Pieper Red Angus, Bull & Female Sale, Hay Springs, NE

HORSE

- Aug. 28 – RQHBA, Quarter Horse Production Sale, Belle Fourche, SD
- Sep. 10 – Open Box Rafter Ranch, Quarter Horse Sale, Rapid City, SD
- Sep. 16-17 – Van Norman & Friends, Production Sale, Elko, NV
- Sep. 17 – Reno Snaffle Bit, Futurity Sale, Reno, NV
- Oct. 6 – Jamison Quarter Horses, Performance Horse Sale, Quinter, KS
- Oct. 14 – Western Stockman's Market, Showcase Horse Sale, McFarland, CA

Western Livestock Journal

PROPERTIES

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SUMMER PROPERTIES

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Plan now to make it through the winter: Part 1

It has been hot and dry this summer. The maps from Mesonet show that in the last 30 days, much of Oklahoma has had less than 10 percent of its normal rainfall and over two consecutive weeks of maximum temperatures in

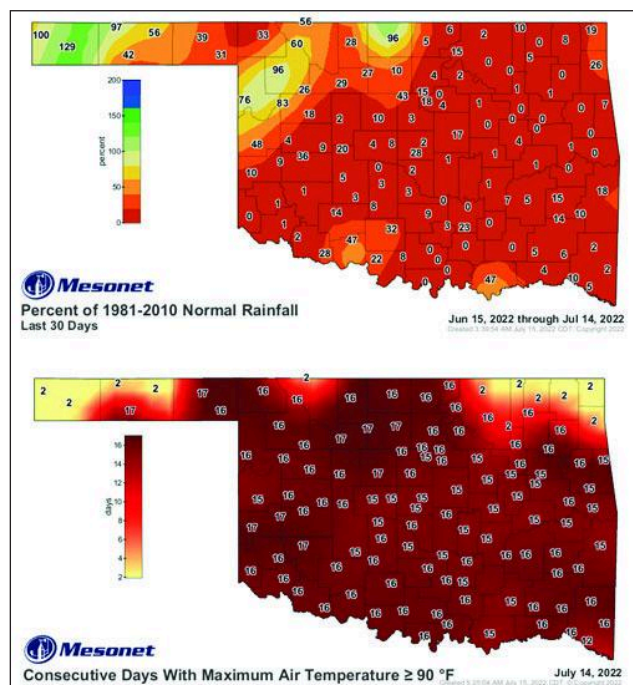
excess of 90 degrees. Worries about drought and how we are going to make it through the winter with limited or no stored forage have monopolized most of our thoughts, energy and time. There are some critical steps that need to be made

in order for us to make it.

Our first priority is to reduce the stocking rate on the ranch to a level that can be sustained through the rest of the summer and into the fall.

If you are one of the operations that keeps or purchases stocker calves to utilize extra grass, this may be the time to sell calves early or send calves to a grow yard or feedlot. Using stocker calves as part of the "normal" stocking rate of the ranch allows producers to be flexible for drought and other adverse weather events. Many operations use 30-50 percent of their summer forage for stockers in normal years. When forage production is limited, these calves can be marketed, reducing the culling of the cow herd that may need to occur.

Selling replacement heifers should also be considered; these females will not provide a marketable calf for over a year. In this current circumstance, these cattle may be too large of a drain



on your resources.

Cull the cow herd to a number you can afford to winter by getting rid of old cows, less productive cows and/or cows that have higher nutrient requirements. Cows that are expected to calve in the fall will require

more nutrients to keep them in proper condition, and a higher level of nutrition equates to a higher cost of winter feeding. The number of cows remaining may be the actual sustainable long-term carrying capacity for your operation.

Cross fence your farm now before you have to start feeding hay. You will be surprised how much forage growth you will have if you allow pastures to rest. Once you have the farm subdivided, you can utilize those pastures in a rotational grazing system in the future and may have the additional benefit of increased pasture health and improved harvest efficiency. Keep cows on a smaller area of your farm while you are feeding hay. This sacrifice paddock will allow much of the ranch to rest and concentrate the nutrients from hay feeding.

These steps may not be palatable because we may have to change the way we do things, it may take more work than we want to put in, or it may cost more than we want to spend. Our overarching goal should be to have an intact cattle operation when we get through this dry spell. — **Paul Beck, Oklahoma State University Extension beef nutrition specialist**



May 23, 2005,
Vol. 84, No. 32

Beef Bits: Beef plant looking for owner

Taxpayers will bear the total cost of the failed Mississippi Beef Processors that was built with millions of dollars in state-guaranteed loans and grants. State officials ended their efforts to sell the Oakland, MS, plant and now must figure out how to pay the \$55 million bill. Officials had hoped to find someone to buy the plant and put it back into operation. While experts had said any buyer would pay pennies on the dollar, the state had hoped some of the 400 people who lost jobs would be put back to work. Both firms the state was courting failed to follow through.

Environmental analysis required for changing leases

WATER (from page 1)

Leases would be divided into irrigated and nonirrigated acres, with ranchers paying more for their lease on irrigated acres. Ranchers would be allotted up to 5 acre-feet per acre per irrigation season (an acre-foot is equal to 325,851 gallons), depending on water availability, snowpack levels and weather conditions.

In the 2015 and 2016 drought, ranchers were allocated zero and 0.7 acre-feet, respectively. Court documents show Mono County sent a letter to LADWP in 2016 objecting to the agency's intent to provide less than 5 acre-feet and asked the agency to provide 2 acre-feet "to avoid economic losses to the lessees and damage to the environment of Mono County, including the distinct bi-state population of greater sage grouse that lived in the area."

In 2018, LADWP proposed new leases that essentially cut off water to lessees for irrigation purposes. LADWP reversed course a month later and said the 2010 leases would be in effect while the agency was "performing an environmental evaluation." After completion of the environmental review, LADWP informed its lessees that it would provide 4,200 acre-feet (or 0.71 acre-feet per acre).

Mono County filed suit, with the Sierra Club intervening, challenging LADWP's decision to drastically reduce irrigation water it had previously delivered to wetlands, meadows and rangelands, stating the agency failed to comply with the California Environmental Quality Act (CEQA).

Mark Lacey, owner of Lacey Livestock and past president of the California Cattlemen's Association, told *WLJ* that ranchers in Inyo County, which lies south of Mono County, asked Mono County to get involved

because the leases are an integral portion of their operations. Ranchers use Mono County for their summer grazing.

Lacey said prior to the lawsuit, ranchers had a good relationship with LADWP until they allocated limited or no water during the drought of 2015 and 2016. Lacey continued that LADWP said by "giving us water," the utility was getting little to no return of water, which Lacey believes was a fallacy.

The trial court ruled that LADWP committed to a new project without CEQA review when it proposed the new leases in 2018. Alameda County Judge Evelio Grillo ordered the LADWP to continue providing lessees with about 3.2 acre-feet of water per acre per year until an environmental review was completed.

LADWP stated the ruling had "set an impossible standard" for meeting the needs of Los Angeles ratepayers and balancing environmental requirements amid climate change.

In June, the appellate court reversed the ruling, stating the 2018 proposed lease was part of the 2010 lease, and "because the 2010 leases were in holdover status, an ongoing leasehold relationship governed it," court documents show. As a result, lessees were beholden to the rights of Los Angeles regarding water allocation.

The court also ruled that since the 2018 water allocation and new leases were part of the 2010 leases, the suit brought by Mono County exceeded the statute of limitations. The longest period applicable to a CEQA claim is 180 days from project approval or, if there was no formal approval, 180 days from the commencement of construction.

Reaction

LADWP told the Los Angeles Times the reversal ensures the agency "will con-

tinue to have the flexibility required to balance the state's strained water resources with the needs of people and the environment," said Anselmo Collins, LADWP's senior assistant general manager of water systems.

The ruling did affirm that changes to the leases would require a CEQA review, and the utility cannot divert all the water.

"During the course of the appeal, (LADWP) repeatedly represented to the court that it would not dry out lands in Long Valley and Little Round Valley without performing the required environmental review," Mono County counsel Stacey Simon told the Record-Courier. "In other words, LADWP conceded that it must conduct an environmental review prior to drying out these valleys."

Lacey leases pasture from LADWP and has not heard from the utility on its future plans. Lacey said the most significant problem for the utility is the bi-state sage grouse population, located where the leases are and where LADWP diverts water.

Lacey said he doesn't know if the ruling requires LADWP to perform a CEQA analysis, whether he will be provided with a new five-year lease or what else might happen. For now, Lacey said he will continue to hold the leases, stock them lightly and operate as he has in previous drought years.

Matt McClain, a member of Keep Long Valley Green, told *WLJ* the organization is conducting outreach to ratepayers in Los Angeles and throughout the state.

"It is important to note that the litigation filed by Mono County and the Sierra Club is just one facet of the Keep Long Valley Green campaign," McClain said. "Our coalition's efforts to rally both local residents and LADWP ratepayers to pressure Los Angeles city officials are equally as im-

portant and potentially more effective."

Mono County Board of Supervisors Chair Bob Gardner stated the county would continue to work with LADWP to ensure water resources preserve

the economic and environmental needs of everybody.

"However, if further litigation becomes necessary due to LADWP's disregard for the appellate court's ruling and repudiation of

its own statements to that court, then Mono County is prepared to take further legal action to protect its valuable natural and economic resources," Gardner said. — **Charles Wallace, WLJ editor**



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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: 7/21/2022	Week Ago	Year Ago
Choice Fed Steers	140.40 ▼	141.94	120.21
CME Feeder Index	170.67 ▼	174.05	151.39
Boxed Beef Average	267.76 ▲	267.75	266.14
Average Dressed Steers	227.14 ▼	229.28	197.63
Live Slaughter Weight*	1,340 ▼	1,341	1,348
Weekly Slaughter**	677,000 ▲	593,000	653,000
Weekly Beef Production***	546.9 ▲	479.3	530.0
Hide/Offal Value	13.82 ▲	13.69	13.93
Corn Price	5.76 ▼	6.95	5.64

*Average weight for previous week. **Total slaughter for previous week. ***Estimated year-to-date figure in million pounds for previous week.

EEF 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	
July 17	6,842	262.46	189	313.87	1,265	270.72	2,130	263.05	918	239.85	2,340	233.35
July 10	5,953	261.30	144	310.19	1,119	268.60	1,698	260.93	783	239.33	2,210	232.70
July 3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
June 27	7,083	262.38	218	302.61	1,269	269.76	2,323	261.36	818	243.64	2,455	236.99

Selected Auction Week Ending July 21, 2022

DATE	MARKET	STEERS / HEIFERS							SLAUGHTER COWS	PAIRS REPLACEMENTS
		200-300 lb.	300-400 lb.	400-500 lb.	500-600 lb.	600-700 lb.	700-800 lb.	800 lb. -up		
July 15	Blackfoot, ID	N/A			165-187.50 155-184	162-187 145-171	148-172 135-163	142-161 130-154	84-106 93-120	
July 14	Burley, ID	172		206 191	196-202	174	159	93-162	88-98 110-117.50	
	No report available Emmett, ID									
July 16	Eugene, OR	888			130-145*	130-163.75* 125-140.50*	130-151*	120-127*	95-114 114-120	1,023-1,600
July 18	Madras, OR	643		189-202 165-180	190-206 168-186	184-197 170-178	165-183 160-172	153-164	70-102.50 95-112	
	No report available Vale, OR									
July 19	Davenport, WA	260	75-138	169-175	180-182	150 60-110	137 120-170.50	111-154 121-152	100-154.50 101-142	40-101 84-186
July 14	Toppenish, WA	1,735		175*	178-188*	165.50-170.75*			88-105 110-130.50	

Feeder prices for steers & heifers reflect medium and large 1 cattle, unless otherwise noted; * Indicates medium and large 1-2

CATTLE FUTURES: CME Live Cattle						
	7/15	7/18	7/19	7/20	7/21	High* Low*
Aug.	13493	13563	13573	13575	13573	14783 10920
Oct.	13955	14060	14110	14133	14098	14385 12525
Dec.	14543	14615	14675	14683	14633	14765 13055
Feb.	15043	15100	15160	15135	15075	15225 14003

CATTLE FUTURES: CME Feeder Cattle						
	7/15	7/18	7/19	7/20	7/21	High* Low*
Aug.	17635	17668	17875	17783	17828	18080 15328
Sep.	17968	17943	18180	18098	18130	18308 15425
Oct.	18245	18233	18458	18375	18423	18500 16373
Nov.	18423	18488	18683	18550	18605	18665 16958

*High and low figures are for the life of the contract.

FED CATTLE TRADE			
	Head Count	Avg. Weight	Avg. Price
WEEKLY WEIGHTED AVERAGES			
Live FOB Steer	12,768	1,454	140.40
Live FOB Heifer	10,552	1,285	138.76
Dressed Del Steer	6,959	914	227.13
Dressed Del Heifer	2,913	823	226.84
SAME PERIOD LAST WEEK			
Live FOB Steer	22,903	1,443	141.94
Live FOB Heifer	7,696	1,282	139.77
Dressed Del Steer	9,321	917	229.28
Dressed Del Heifer	3,593	823	229.57
SAME PERIOD LAST YEAR			
Live FOB Steer	16,588	1,435	120.21
Live FOB Heifer	7,307	1,298	119.92
Dressed Del Steer	8,258	924	197.63
Dressed Del Heifer	1,874	850	197.26

NATIONAL WEEKLY FED BEEF SLAUGHTER VOLUME: JULY 17		
	Domestic	Imported
Forward Contract	24,717	5,233
Formula	301,400	732
Negotiated Cash	76,493	78
Negotiated Grid	50,133	182
Packer Owned	10,462	0
Total	463,205	6,225

SLAUGHTER FORWARD CONTRACTS		FORWARD BEEF SALES	
Delivery Month		Neg. Sales 0-21 days	1,723
Jul. '22	136,316	Neg. Sales 21+ days	1,194
Aug. '22	107,063	Formula sales	3,617
Sep. '22	155,323	Forward contract sales	308
Oct. '22	131,375	Domestic sales	6,107
Nov. '22	133,668	NAFTA Exports	105

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		134.22	-0.87
Slaughter Heifers, mostly Choice & Select 1-3, 1200-1400 lbs		145.84	N/A
Ontario Auctions			
Slaughter Steers, mostly Choice & Select 1-3, 1300-1500 lbs		145.84	-1.76
Slaughter Heifers, mostly Choice & Select 1-3, 1200-1400 lbs		144.37	N/A
Slaughter Cows, Cutter and Utility 1-3, 1100-1400 lbs		91.08	-3.16

Average feeder cattle prices (CND) for week ending Friday, July 8, 2022			
Steers:	Alberta	Saskatchewan	Ontario
501-600 lbs	178.21	N/A	178.78
601-700 lbs	172.70	N/A	168.64
701-800 lbs	165.14	N/A	166.52
801-900 lbs	158.95	N/A	157.31
Heifers:			
401-500 lbs	157.70	N/A	156.93
501-600 lbs	154.24	N/A	162.79
601-700 lbs	151.29	N/A	140.46
701-800 lbs	145.61	N/A	141.21

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
Feeder Steers	13,439	10,879	463,755	649,421

USDA WEEKLY IMPORTED FEEDER CATTLE			
Friday, July 15, 2022			
Mexico to TX. & NM. Weekly Feeder Cattle Import Summary			
Receipts EST: 11,000	Week Ago Act: 9,422	Year Ago Act: 10,919	
Compared to last week, steer calves and yearlings sold 1.00-2.00 higher. Heifers steady. Trade active, demand good. The bulk of the supply consisted of steers and spayed heifers weighing 300-700 lbs.			
Feeder steers: Medium and large 1&2, 300-400 lbs 190.00-201.00; 400-500 lbs 175.00-186.00; 500-600 lbs 160.00-171.00; 600-700 lbs 147.00-158.00. Medium and large 2&3, 300-400 lbs 175.00-186.00; 400-500 lbs 160.00-171.00; 500-600 lbs 145.00-156.00.			
Feeder heifers: Medium and large 1&2, 300-400 lbs 164.00-174.00; 400-500 lbs 154.00-164.00; 500-600 lbs 144.00-154.00; 600-700 lbs 134.00-144.00.			
(slide 10 cents on steers and heifers basis 300 lbs. All sales FOB port of entry.)			

July 14	Oriand, CA	1,790			160-192 160-177	150-190 150-174	135-181 135-162	110-157 110-142	65-95 75-140	
	No report available Escalon, CA									
July 18	Famoso, CA	356	130-185 130-155	140-180 140-155	145-180 130-150	130-160 125-150	130-150 110-141	120-135	75-105 85-105	
	No report available Galt, CA									
July 19	Turlock, CA	3,237	180-237.50 165-217	187-231 172-205	175-225 163-198	170-200 160-183	160-187 150-166.50	150-165.50 139-150	84-105 100-125.50	
July 12	Salina, UT	958	162.50-200 148.50-182.50	165-206 132-165	152.50-190 138-169	145-183 130-158	138-185 130-158	131-161 129.50-155	115-158.50 116.50-150	77-103.50 89-111.75

July 18	Iowa	4,815	221 170-215	187-209 155-182.50	176-211 163-199.50	176-206 159-188	146-195.50 143-164.50	133-187 122-168.70	65-98 81-114	
	No report available Miles City, MT									
	No report available Bassett, NE									
July 16	Ericson, NE	3,480		216.50-230 196-208	211-227 186.50-209	191-217.50 177-196.50	179-212 165-182	164.50-187 147-173		
July 19	Imperial, NE	1,400	264 237.50-245	236-256 216-237	231-242 190-217		172.50 170.50-180.75	186.50		
July 13	Kearney, NE	2,565		192-211	212-220 190-191	201-208 166.50-187.50	187-193 165.50-178.25	175-189 146-178.25	89.75-98 100-125.50	
	No report available Lexington, NE									
June 29	Ogallala, NE	N/A							60-100.50 95-135.50	1,450-1,935 1,450-1,610
July 19	Valentine, NE	1,350								1,225-1,650 1,110-2,000
	No report available Herreid, SD									
July 15	Torrington, WY	1,940				179 173-177		172 172.50	73-90 96-109	

July 14	Willcox, AZ	N/A	124.50-142 180	183-202 159-201	163-196 143-166	163-185 126-150.50	146-170 134-146		80-102 90-118.50	925-1,375
July 18	Colorado	2,664	262 232.50-240	240-241 226-233			192-199	184-190.75	181-185.25 127.75	61-105 76-131 1,275-1,625 1,085-1,275
July 13	La Junta, CO	1,098		196-232.50 171-210	196-232.50 171-210	181-192 165-175	151-169	160-181 145-162	160-181 145-162	66-91 81-116 1,425-2,200 985-1,375
	No report available Loma, CO									
July 20	Dodge City, KS	1,812	211	205-237 187.50-208	213 181-190	177.25-199 159.25-167	174-178 146-162	155-170 150.50-168.10	162.85-175.60 133.50-149.10	60-84 80-97.50
July 21	Pratt, KS	3,000				199 165-176	165-172 152-178	157.50-167.50 155-173.50	154.25-173.25 139.75-161.75	
July 14	Salina, KS	3,370	236 197	230.50-238 191-194.50	230.50-238 191-194.50	190-224.50 166.50-199	184-200 167-177	168.85-184.50 156-173	150-172.25 144-164	
	No report available Clovis, NM									
July 20	El Reno, OK	7,894		197.50	182.50-188	166-195 150-181	175.50-195 154-171.50	166.50-182 157.50-165	152.25-168.50 116-158	
July 20	McAlester, OK	2,800		200-227 148-173	150-188 145-165	151-181 136-156	147-165 130-151	151-165 121-149	121-122 140	56-75 86-106 620-1,410 675-1,025
July 19	Oklahoma City, OK	12,107		185-205 170-182	178-206 163-176	181-195 160-178	157.50-208 154-176	162-176 151.25-160.50	133-170 139.50-154.50	
July 15	Cuero, TX	1,662	147-208 125-200	159-196 145-179	159-185 143-183	157-178 142-166	151-167 129-153	146-154 118-140	57-77 78-100	950
July 15	Dalhart, TX	2,509	243-244 199-231	234-239 190-199	226-237 184-187	188-220.50 164-180.50	180-174.50 163.50-164.50	166-171.50 153.50-169	157 134-152.25	60-80 84-99
July 14	San Angelo, TX	2,200	199-206	204-215	202	180-185	170-172	155-160	65-74	850-1,350
July 14	Tulia, TX									

CoBank: Inflation and interest rates cloud the rest of 2022

— Slaughter 16 percent higher

Inflation, the lingering effects of the war in Ukraine and supply chain issues cloud the forecasts for the rest of 2022, according to a CoBank Quarterly report.

While the Federal Reserve is expected to raise interest rates in July and again in September, “the risk of over- or under-doing it is high given that the lag time between action and reaction in monetary policy can be long,” Dan Kowalski, vice president of CoBank’s Knowledge Exchange divi-

sion, wrote. Despite the focus on inflation, the U.S. economy continues to advance, and “a sag in commodity prices is raising hopes that when transmitted through wholesalers and retailers, those lower costs will be passed on to consumers in the form of smaller price increases.”

Kowalski noted that the 20-year high in the value of the U.S. dollar should aid inflation by making imports cheaper, but it also hurts exports, which will hamper several industries and developing countries.

Kowalski said the Federal

Reserve is focused on controlling long-term inflation and preventing hyperinflation, similar to what the U.S. experienced in the 1970s and 1980s.

“Most economists are now projecting a better than even chance that the U.S. will be in recession by mid-2023,” Kowalski wrote. “We echo those projections, and while agriculture and energy are likely to continue performing well due to the Ukraine conflict, several other sectors will slow in coming months, just as the Fed intends.”

Beef market

Inflation is now the top challenge to meat and poultry consumption. Retail meat and poultry prices were 18 percent higher in May compared to 2021, and both spot market supplies and freezer inventories are below pre-pandemic levels.

“The combination of tight supplies and steady demand kept meat prices 20 percent higher than the five-year average for the March-May period,” said Brian Earnest, lead economist for animal protein in CoBank’s Knowledge Exchange division.

Poor pasture conditions and high hay prices have accelerated slaughter rates. CoBank shows the slaughter rate was 16 percent higher year over year during May and 18 percent higher than the five-year average.

The cost of gain for feedlot

operators has risen, complicating operational efficiencies, and CoBank expects this will continue through the fall period.

Declining cattle supplies are expected to coincide with excess processing capacity over the next 12-18 months, contributing to more favorable conditions for producers.

Higher cattle prices and May’s limited beef cutout rally have lowered packers’ profit margins in the past 12 months, but margins are still at \$300/head.

Grains

Kenneth Scott Zuckerberg, lead economist for grain and farm supply in CoBank’s Knowledge Exchange division, wrote investors had reduced their long positions due to growth prospects turning bearish, sending wheat and corn futures lower this past

month.

Grain prices remained volatile in the second quarter as markets continually reassessed a range of factors, including the war in Ukraine, a smaller Brazilian soybean crop and ongoing dry conditions in the U.S. Zuckerberg noted USDA’s quarterly Grain Stocks report showed on-farm corn stocks increased by 22 percent year over year, suggesting farmers are holding onto old crop bushels in anticipation of higher prices in the future.

“During the month of June, corn acres in drought increased nationally from 19 percent to 23 percent, and soybean acres in drought increased 10 percent to 15 percent,” Zuckerberg wrote. “An expected heat wave in early July could negatively impact crop yields, especially for corn during the critical July pollination period.”

Energy

Rising electricity bills and rising gasoline prices are also contributing to inflation.

“While most consumers have already seen an increase in their monthly utility statements, an additional bump appears to be coming, as sky-high wholesale prices ultimately filter down into retail rates,” wrote Teri Viswanath, lead economist for power, energy and water in CoBank’s Knowledge Exchange division.

CoBank attributes higher electricity prices to the rise in natural gas and coal prices, and it projects that prices could triple by the summer. Even if fuel prices stabilize, the need to upgrade and repair the grid due to natural disasters will likely keep residential costs higher for longer. — Charles Wallace, WLJ editor

COMING EVENTS

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

Aug. 1 – The American Sheep Industry Association is kicking off its annual Photo Contest. More than \$1,000 will be awarded, and winning entries will be showcased in the October issue of the Sheep Industry News. Entry details: www.sheepusa.org/asi-annual-photo-contest.

Aug. 8-9 – The second American Lamb Summit is set for Aug. 8-9 in East Lansing, MI. The registration fee is \$200, with an optional tour organized by the Michigan Sheep Producers Association on Aug. 10 for an additional fee of \$125, which is limited to 36 participants. To learn more and register, go to LambSummit.com.

Aug. 12-13 – Registration is now open for three National Cattlemen’s Beef Association

Stockmanship and Stewardship regional events, with the third stop at Auburn University in Auburn, AL, Aug. 12-13. Details: www.StockmanshipAndStewardship.org. Cattle producers attending a Stockmanship and Stewardship event are eligible for reimbursement through the Rancher Resilience Grant.

Aug. 18-19 – R-CALF USA is hosting its 2022 Annual Convention and Trade Show at the Lodge at Deadwood in Deadwood, SD. Sponsor and attendee registration is available now at www.rcalfconvention.com.

Aug. 24-26 – Registration is now open for the Public Land Council’s 2022 Annual Meeting in Cody, WY. Registration and hotel details can be found at publiclandscouncil.org under the “events” tab. Early bird registration ends June 15.

Feeders traded sideways despite lower corn futures

MARKETS (from page 1)

The national weekly direct beef type price distribution for the week of July 11-18 was the following on a live basis:

- Negotiated purchases: \$141.92.
- Formula net purchases: \$145.30.
- Forward contract net purchases: \$150.83.
- Negotiated grid net purchases: \$142.07.
- On a dressed basis:
- Negotiated purchases: \$230.04.
- Formula net purchases: \$228.10.
- Forward contract net purchases: \$220.93.
- Negotiated grid net purchases: \$232.11.

Slaughter through Thursday was 497,000 head, and slaughter for the week is projected to be 672,000 head. Actual slaughter for the week ending July 9 was 587,700 head. Dressed weights were 890 lbs.

Boxed beef prices were strong to start the week but slipped on Wednesday and Thursday, with the Choice cutout down 29 cents to \$267.76 and the Select cutout lower 73 cents to \$240.53.

Feeder cattle

Feeders ran out of gas midweek despite the weakness of corn as traders were waiting for the COF and inventory reports. The August contract lost 63 cents to close at \$178.27, and the

September contract was down 32 cents to close at \$181.30. The CME Feeder Cattle Index was down \$3.38 to \$170.67.

“In order for the market to continue its upward quest, demand will need to continue to show unwavering interest from buyers, which isn’t most likely going to be a problem,” ShayLe Stewart, DTN livestock analyst, wrote in Wednesday’s closing comments. “As the market waits for Friday’s Cattle on Feed and the mid-year Cattle Inventory report, traders may trade cautiously throughout the market until the report’s findings are disclosed.”

The heat dome across the Corn Belt during pollination followed by a forecast of cooler weather had traders worried that yields could be lower than expected. The September contract was down 30 cents to \$5.75, and the December contract was down 28 cents to \$5.73 a bushel.

Kansas: Winter Livestock in Dodge City sold 1,812 head Wednesday. Compared to the previous auction, feeder steers 700-900 lbs. sold steady to \$3 higher. Steers 500-700 lbs. sold steady to \$2 lower. Steer calves 400-500 lbs. sold \$20 higher. Feeder heifers 600-900 lbs. sold unevenly steady. Heifer calves 400-600 lbs. sold \$3-5 higher. Benchmark steers averaging 779 lbs. sold between \$162-164.50, averaging \$163.88.

Missouri: Joplin Region-

al Stockyards in Carthage sold 9,551 head Monday. Compared to the last auction, feeder steers traded steady to \$4 higher, with feeder heifers trading steady to \$3 higher. Benchmark steers averaging 776 lbs. sold between \$167-179.50 and averaged \$171.05.

Nebraska: Tri-State Livestock in McCook sold 1,050 head Monday. As the last auction was several weeks ago, an accurate comparison wasn’t available. Demand was good with the selection of calves and feeders offered. Benchmark steers averaging 720 lbs. sold for \$174.50.

Oklahoma: Oklahoma National Stockyards in Oklahoma City sold 12,400 head Monday. Compared to the previous auction, feeder steers sold \$4-7 lower. Feeder heifers traded unevenly steady. Steer and heifer calves were \$3-6 lower. Benchmark steers averaging 776 lbs. sold between \$162-173, averaging \$169.04.

South Dakota: Sioux Falls Regional Livestock in Worthing sold 1,749 head Monday. Compared to the previous auction, feeder steers and heifers sold \$2-5 lower. Steers weighing 650-700 lbs. sold with much lower undertones, and heifers weighing 650-750 lbs. sold with higher undertones this week. Benchmark steers averaging 781 lbs. sold between \$178-181.50, averaging \$180.94. — Charles Wallace, WLJ editor



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CALL TO CONSIGN TO THESE UPCOMING WESTERN VIDEO MARKET SALES:
Aug. 15-16 • Sept. 13 • Oct. 27

CATTELMEN’S SPECIAL FEEDER SALE

WEDNESDAY, AUGUST 10

Featuring 2,500 head of feeder cattle selling at 12 p.m.

MARK YOUR CALENDAR

CLM ANNUAL FALL BRED COW AND PAIR SALE

SATURDAY, JULY 30

Breakfast: 9 a.m. Sale: 11 a.m.

- 20 bred heifers from Sun Up Enterprises. Foothill raised. Bred to vintage calving ease Angus bulls.
- 100 bred heifers from Renz Ranch. Foothill and Anaplas raised. Bred to calving ease Angus bulls.
- 100 3-year-old bred cows from Lazy L Livestock. Foothill exposed, bred to Angus and Hereford bulls.
- 15 bred heifers and 40 fall-calving cows from Red House Beef. Foothill exposed, bred to high-quality Angus bulls.
- 3 loads of One Iron 3-5-year-old cows. Fancy, to start calving 8/20.

HOME OF CHOICE SANDHILL & WESTERN NEBRASKA CATTLE

Ogallala
LIVESTOCK
AUCTION MARKET

OGALLALA, NE ~ 308-284-2071

Special Stocker & Feeder Sale
w/ Regular Sale

WEDNESDAY, JULY 27, 2022

8:30 — BUTCHER & FEEDING COWS, BULLS & HEIFERETTES
12:30 PM — BABY CALVES | 1:00 PM — STOCKER & FEEDERS

Calves

ALAN SONNEMAN (50) - Ang Strs & Hfrs, 250-350#
BOB & VALERIE JACKSON (22) - Ang Strs & Hfrs, 250-350#

Yearlings

FRENCHMAN VALLEY RANCH (180) - Ang, Bwf, Red & Char x Strs, 850-900#

MITCHELL RANCH (180) - Blk & Rd Ang Strs, 800-875#

V.S. HAWKINS RANCH (52) - Blk & Few Rd Strs, 700-825# Age & Source & NHTC thru IMI Global
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Scott River watershed's ag wells curtailed by state water board

— Precedent for all wells in CA

Family farmers and ranchers in Scott Valley in northern California were forced to turn off their irrigation pumps on July 14 due to emergency drought regulations imposed by the California State Water Resources Control Board.

A local grassroots communication group, Scott Valley Agriculture Water Alliance (AgWA), is warning farmers and ranchers across the state of the precedent-setting nature of this legal action that could affect all agricultural well users in other regions of the state.

"The only other time we've seen the water board shut down ag wells was right here in Siskiyou County last September, under the same emergency regulations," said Theodora Johnson, spokesperson for AgWA. "Nowhere else in the state is the board going after groundwater users. We think it's highly unreasonable that it's only happening here near the Scott River,

where our fish populations are relatively stable and our aquifer is not overdrafted. Truly 'voluntary solutions,' such as one in the Russian River basin, were never offered to us. It seems as though our small, multi-generational family farms and ranches are being targeted only because we don't have any political sway."

In May, the water board readopted emergency drought regulations that maintained mandatory emergency minimum flow levels for the Scott River, a tributary of the Klamath River, and the regulations went into effect in June. The original emergency regulations and flow requirements were approved in August 2021. If the mandatory monthly flow levels are not met each day, irrigation curtailments are triggered. AgWA asserts these flow levels are unattainable in a drought year such as this and that they have not been proven to be essential for the survival of coho salmon, Chinook salmon and steelhead trout—the fish species

cited by the water board as needing protection in this drought (based upon the recommendation of the California Department of Fish and Wildlife).

While some producers in Scott Valley have agreed to cut back their well water usage by 30 percent to avoid total loss of all their irrigation water, many have not qualified or have not asked to be part of a 30-percent reduction agreement. According to estimates from the water board, about half of the 32,000 irrigated acres in Scott Valley are not covered under such agreements this year. Irrigation supports pasture, alfalfa and grain production. The recent curtailment shuts off 100 percent of farmers' irrigation water under the threat of \$500-per-day fines. Certain exemptions are allowed for minimal livestock watering, small water users and health and safety needs.

Lauren Swezey, a co-founder of AgWA and a Scott Valley hay farmer who owns river property, said the Scott River characteristically runs

low or goes underground in very hot, dry years, with documented examples dating back to the mid-1800s. Unlike much of California, no water storage reservoirs exist in the watershed, and no water is imported.

"There's little evidence these curtailments will result in the flows demanded by the state," Swezey said. "Scott River supports the water supply in this small mountain valley, and it is mostly snowmelt fed. When the snowpack is gone, the river flow rapidly diminishes. Last year, even after all diversions and pumps were turned off on Sept. 10, we didn't see flows come up again until we had a good rain in late October."

The water board appears to be basing its legal authority to regulate groundwater on the presumption of "connectivity" between surface and groundwater. "But," Swezey notes, "if they're going to make that assertion, they should monitor very closely the effects of their curtailments to prove their theory."

Unlike producers in many other farming areas of California, Swezey points out that producers in Scott Valley are not being offered compensation by the government for the loss of their water during much of their growing season.

"The burden of proof with this curtailment regulation is on the farmer to show he's not harming fish by irrigating," said Sari Sommarstrom, a retired local watershed consultant and co-founder of AgWA. "It's true we've been in a 20-year drought, and that's taxing on everything and everyone that depends on water to survive. However, our coho salmon populations have been extremely resilient and have even been increasing over the past 20 years—thanks in large part to local conservation actions we've taken."

As for fall-run Chinook salmon, Sommarstrom said populations have seen a downturn in the past few years due to a lack of timely fall precipitation during the spawning season.

"We know the fall-run Chinook are a commercially important fish to the Tribes and to coastal fishermen, and that harvest has been severely reduced or denied again this year," Sommar-

strom said. "Our heart goes out to the Tribal fishing communities and the multiple challenges affecting both the natural and hatchery salmon runs in the Klamath River. But trying to make up the difference by punishing our Scott Valley farmers and ranchers is not the answer. Obtaining the Scott River's long-term average of about 5,000 Chinook adults would not make up for the much larger fish deficit of about 15,000 natural-run salmon that prevented harvest this year." Back in the 1990s, Sommarstrom led a community effort to protect and improve the Chinook salmon run in Scott Valley. However, when coho salmon in this region became federally listed as "threatened" in 1997, followed by the state listing in 2005, "almost all of the habitat restoration focus shifted to coho," she recalls. "Now, we see coho are doing very well here, while Chinook still need our help during their fall spawning migration in these drought years. But we need balance. Yes, there are ways we can help Chinook in the Scott, just like we did for the coho. But we can do it in a way that doesn't put local producers out of business." — **Scott Valley Agriculture Water Alliance**

Commissioners say additional work is needed on WA wolf management

WOLF (from page 1)

Commissioner Kim Thorburn, who made the motion to adopt the no action alternative, stated the petition by the environmental groups would be "burdensome" on the people affected and that the current plan is effective for wolf management.

Commissioner James R. Anderson stated at the hearing that the state has a good deal of knowledge and data operating under the 2011 plan that provides a framework for the nonlethal and lethal removal of wolves. The latest population count shows wolves are in recovery. Anderson said the current program has a lot of engagement from producers, local communities and governments to make wolf recovery happen, and a stricter rule would be counterproductive.

Commissioner John Lehmkuhl preferred the second alternative, as it addresses why Inslee wrote the letter in 2020 asking to minimize the removal of wolves, and it focuses on chronic depredations in the flash zones. Lehmkuhl believes WDFW looked at the available science and literature, and it concluded the second alternative was the best option.

Commissioner Lorna Smith stated at the hearing that she would work hard to improve the outcomes Inslee asked the commission for. Smith said while the state is doing a better job than neighboring states, comparing Washington to Montana and Idaho is "a low bar." Smith believes that Washington can be a model for other states in managing wolves and minimizing the conflict between livestock and wolves.

Commissioner Melanie Rowland concurred with Smith's statement and ex-

pressed that the commission should look into the matter further. Rowland said her main concern is poaching and how WDFW can prevent more poaching of wolves and other carnivores. Rowland acknowledged the program is understaffed but said WDFW could enact further measures.

Commission Chair Barbara Baker said voting for the no action alternative does not mean the commission could never have a rule on managing wolves. Baker said WDFW has made progress on managing wolves but has not gone far enough. Baker said the rules should be bigger in scope and address post-recovery of the wolves.

WDFW Director Kelly Susewind noted the no action alternative means the department will maintain the status quo.

"The status quo is an adaptive management process we've evolved over the last 10 years and will continue to evolve," Susewind said. "We have some brilliant staff working on this, and their ultimate goal is less injury to livestock and wolves. We will always be looking for better ways to do it, so the status quo does not mean we're done."

Commissioners Smith, Rowland, Lehmkuhl and Tim Ragen voted against the motion not to adopt a rule. Inslee appointed all four after he requested a rule.

Commissioners Thorburn, Baker, Anderson, Molly Linville and Donald McIsaac voted for the motion.

Mike Faulk, deputy communications director for the Office of the Governor, told *WLJ* in an email that although the commission did not adopt the rule, several commissioners noted the need for additional work. The governor will discuss

possible approaches for that work when he meets with the WDFW director later this month.

Environmental groups were disappointed with the vote and stated the rules should reflect a "sound, scientifically proven, nonlethal wildlife coexistence policy," rather than cater to the livestock industry.

"We're incredibly disappointed that the commission rejected efforts to fix Washington's broken wolf management system," said Sophia Ressler, a Washington-based staff attorney at the


Center for Biological Diversity. "Enforceable rules are crucial to fixing the mismanagement of our state's endangered wolves. The status quo will continue to fail Washington's wolves and all who care about them."

The groups have 30 days to appeal the commission's decision to Inslee's office. The governor could then overrule the commission's decision and require that rule-making be initiated, which would open a comment period to seek public input on new rules. — **Charles Wallace, WLJ editor**

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