

Oregon

Oregon ranchers petition for Supreme Court review

Dispute with federal agency centers on grazing, water rights

By MATEUSZ PERKOWSKI
Capital Press

An Oregon ranching couple is asking the U.S. Supreme Court to revive their lawsuit against the U.S. Bureau of Land Management over grazing and water rights.

A ruling by the 9th Circuit Court of Appeals upheld the dismissal of the case earlier this year, effectively allowing BLM to shirk its obligations, according to Jesse and Pamela White of Malheur County.

The dispute between the Whites and the BLM arises from the unraveling of a 1973 deal under which the ranchers allowed the federal agency to impair their water rights in exchange for providing them with additional cattle grazing on public land.

Under the agreement, BLM was allowed to build 20 reservoirs affecting the Whites' water rights while increasing their allowable grazing by 1,400 animal unit months, or AUMs — a mea-



Carl Sampson/Capital Press

Cattle graze in Eastern Oregon. A Malheur County, Ore., couple has asked the U.S. Supreme Court to review a case they brought against the U.S. Bureau of Land Management.

sure of the forage consumed by a cow-calf pair during a month.

Continued conflicts with BLM prompted the couple to try to enforce their water rights, leading the agency to decide in 2008 to remove or retrofit the structures affecting the Whites.

Meanwhile, the BLM would revoke the 1,400 additional AUMs as their water rights were restored.

While they initially agreed to this arrangement, the Whites later filed a lawsuit against BLM for completely withdrawing the 1,400 AUMs without fully restoring their water rights.

A federal judge dismissed their complaint, partly because water rights are under the jurisdiction of Oregon regulators, and the 9th Circuit refused to overturn that ruling.

The Whites disagree with this interpretation because the continued impairment of their water rights should trigger the reinstatement of the additional AUMs, over which Oregon water regulators have no authority.

The 9th Circuit found that BLM can't be compelled to restore the AUMs or the water rights because these aren't official "agency actions" under administrative law.

Under administrative law, courts can only order a federal agency to take an action when it has "ignored a specific legislative command," but the Whites "do not identify any statute or regulation that requires the BLM to grant them additional AUMs," the 9th Circuit said.

In their petition for review to the nation's highest court, the Whites argue the BLM's 2008 agreement is a final action that's legally binding under administrative law.

It's not enough for the BLM to say it will restore the couple's water rights — the agency must actually carry out that decision, the Whites said.

"Under the Ninth Circuit's interpretation, however, BLM can avoid judicial review by granting the relief but then failing to provide it," their petition said. "Under this approach, it does not matter that the agency's failure to provide the relief granted is equivalent to denial of that relief."

Attorneys for the federal government have until Nov. 9 to respond to the Whites' petition to the Supreme Court.

Young rancher follows in his family's footsteps

By CRAIG REED
For the Capital Press

DIXONVILLE, Ore. — At just 21 years old, Trent Pynch is already a couple years into the responsibility of carrying on his family's ranching tradition.

Both his grandparents, Jim and Bonnie Pynch, and his parents, Jamey and Heidi, had sheep. Trent Pynch has purchased those animals and is now making the decisions regarding their care.

"Since he was 3 years old, all he wanted to do was to get into sheep," Jamey Pynch said of his son. "He'll always have livestock, it's in his blood. My dad had always done this and I've always done it."

Trent Pynch does get help from the older members of his family and from his girlfriend, Arica Hunter, because he has several other responsibilities in addition to his 180 ewes and 12 mother cows. He's a full-time employee at the Douglas County Farmers Co-op in Roseburg, Ore., in the spring he's a leader of the Dixonville Livestock 4-H Club and he's possibly one of the youngest-ever board members of the Douglas County Livestock Association.

"I do sleep occasionally," he said with a smile. "I'm busy, but that's how I like it. It keeps me out of trouble."

Rancher George Sandberg said he is not surprised by the young rancher's involvement in agriculture.

"What I saw in Trent was a lot of ambition, working his way into agriculture by showing sheep, talking to adults and always looking for something to get involved in," Sandberg said. "He's in an industry that's not known for having young people. To be 21 and doing what he's doing is pretty exceptional."

"There's just not very many young people in agriculture and Trent is already doing what seasoned people in agriculture are doing," the rancher added.

Trent Pynch grew up on the family sheep ranch. At age 4, he and his grandmother Bonnie worked together to nurse a sickly, cold summer lamb back to health. The lamb was then given to Trent and 17 years later his flock has offspring from that ewe lamb.

In the first grade, Trent, with his father's help, picked out and purchased two ewes at a sale. Offspring from those two are also in his flock.

In the fourth grade, he became a member of the Roseburg Stockman 4-H Club. Three years later as a seventh-grader, he and his lamb earned grand champion honors in the Douglas County Lamb Show.



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4-H and GOOGLE EXPLORE COMPUTER SCIENCE

By Jeannette Warnert
UCANR

4-H members in Santa Clara County will work with Google employees to develop computer science technical skills, digital fluency, creativity and problem solving skills in a new 10-week program made possible with a donation from the Silicon Valley internet search giant.

Youth participants, teen leaders and adult volunteers are now being recruited to take part in the 4-H Computer Science Career Pathway, a weekly series that began Sept. 27. The pathway will translate abstract concepts into practical experiences the participants can use to explore the field of computer science.

"We are thrilled to begin our partnership with Google and prepare our youth for successful careers in any field they choose through this innovative program," said Fe Moncloa, the University of California Cooperative Extension 4-H Youth Development advisor in Santa Clara County.

The outreach will go beyond the 10 weekly sessions. During the first year, an estimated 700 youth in traditional 4-H community clubs, in after-school programs, and in programs offered by partnering community organizations will be touched by 4-H computer science. Booths set up at festivals and fairs will reach still more young people.

"There are many different opportunities for our youth to explore computer science," Moncloa said.

The Santa Clara program is one of dozens funded through the National 4-H Council, which received a \$1.5 million grant from Google to build skills youth need for the future. Santa Clara is the only California county involved.

"We don't know what the jobs of tomorrow will look like," said Charlotte Smith of Google.org when the grant was announced. "Some of them might require computer science skills, but it's much more than that — problem solving, collaboration. We want to give kids as many kinds of tools as we can so they can succeed in any discipline and in any field."

To reach underserved youth in Santa Clara County, 4-H will partner with two well-established community organizations. Youth Alliance, based in Hollister, provides innovative and culturally relevant services to local youth and families. Youth Alliance offers after-school programs for elementary and junior high school youth to give children a safe place to spend afternoons, get homework help and participate in cultural arts



programs.

A second community partner is Sacred Heart Community Service in San Jose, which assists families with a wide variety of needs, including after-school programs, housing, food, nutrition education, citizenship classes and English-as-a-second-language training.

Santa Clara County UC Cooperative Extension 4-H has formed a team to launch the 4-H Computer Science Career Pathway.

UCCE 4-H program representative Claudia Damiani will train college students to offer the computer science curriculum to young people in Youth Alliance and Sacred Heart Community Service programs.

Google employee and 4-H volunteer Curtis Ullerich will teach the computer science curriculum to other volunteers in Santa Clara County.

"Some people think computer science is limited to coding," Moncloa said. "Curtis, the way he teaches, he presents computer science in a different way. Sure, coding is one element, but there is so much more."

Fiona Reyes and Santiago Piva are 4-H Teen Leaders in this project. They will teach and mentor youth, and collaborate with Ullerich will to extend the curricula to 4-H volunteers.

For information, visit <http://ucanr.edu/survey/survey.cfm?surveynumber=21539>.

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