

**2013 SENATE NATURAL RESOURCES**

**SCR 4011**

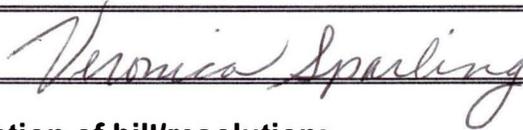
# 2013 SENATE STANDING COMMITTEE MINUTES

## Senate Natural Resources Committee Fort Lincoln Room, State Capitol

SCR 4011  
February 14, 2013  
18939

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A concurrent resolution urging the National Park Service to recognize the historical value of the Nokota horse and provide for its appropriate management in Theodore Roosevelt National Park

### Minutes:

attachments

Attendance was taken and Vice Chairman Burckhard, Senator Hogue, Senator Laffen, and Senator Murphy were present. Senator Triplett, Senator Unruh, and Senator Lyson joined the committee within a few minutes.

Vice Chairman Burckhard opened the hearing for SCR 4011.

Senator Erbele, District 28, introduced the resolution. He mentioned the history of the horses includes Sitting Bull and the Marquis de Mores. He spoke of maintaining the strain, but mentioned that it can't be proven genetically. He feels that is not the issue; the issue is that it fits so well with the tourism slogan, Legendary. He feels it can add to the legendary park experience and can increase tourism for our state. (Ends at 07:15)

Frank Kuntz, with the Nokota Horse Conservancy, spoke in favor of the resolution. He gave the history of the horses. See page 1 of attachment #1. (Ends at 12:10) He also distributed attachment #2.

Leo Kuntz, President of the Nokota Horse Conservancy, distributed attachment #3, #4, and #5. He read from a study by Castle McLaughlin and some writings of historians. See attachment #5. (Ends at 21:30) He explained the content of attachment #4. In many of the writings they were referred to as "bald-faced horses". On the cull list (attachment #4) there are numerous listings of bald faced horses. He mentioned that when their blood type was analyzed by the University of Kentucky it indicated that their ancestry leaned toward the Icelandic horses and the Norwegian Fjord. (Ends at 24:30)

Senator Triplett mentioned that the Theodore Roosevelt National Park is a Federal Agency and we have no control over their policies. We could pass this resolution and they would not have to do anything.

Mr. Kuntz said he realizes that, but it would just show that the state is concerned.

Tracy Potter, representing himself, spoke in favor of the resolution. He is a former legislator and a former director of tourism, and a historian. As a historian he supports the resolution. He considered the historical record and feels the record is clear that these horses do descend from Sitting Bull's war ponies. He is not vouching for the DNA record. He feels based on the historical record and the distinctive look of the horses that this is worth the effort. He realizes it is only advisory to the Secretary of Interior. (Ends at 29:29) He pointed out that the National Park Service's mission is preservation and feels this fits with that mission. He also feels it can only help tourism by mentioning the tie to Sitting Bull's war ponies.

Shelly Hauge, with the Nokota Horse Conservancy, spoke in favor of the resolution. She feels there is so much compelling evidence from highly credentialed individuals. She mentioned Robert Utley, a former chief historian of the National Park Service who wrote many of the policies that today's superintendent seemingly has chosen to ignore. Dr. Castle McLaughlin is currently a curator at the Peabody Museum at Harvard University. She spent two years as a park employee and at the request of the National Park Service she researched and wrote an extensive report about these horses in the park.

Christa Kuntz Small spoke in favor of the resolution. She feels it is time to put aside past mistakes and blame and focus on the importance of the horses and the history that lives within them. She read from a letter from Robert Utley. See page 6 of attachment #2, specifically paragraph 1 through 4.

Opposition:

Valerie Naylor, Superintendent of Theodore Roosevelt National Park for the past ten years, spoke in opposition to the resolution. See attachment #6. (Ends at 37:53)

Senator Hogue asked what the count of the bison and elk in the South Unit is and the number of acres they graze.

Ms. Naylor said the South Unit is about 47,000 acres and there are about 400 bison and about 120 elk.

Senator Murphy asked if a few whereas's were deleted, would her resistance to the resolution go away. He mentioned line 14 through line 17.

Ms. Naylor said some of what is in the resolution is based on 30 year old information. She does not understand the need for the resolution. If they are already recognizing the historic significance of the park horses and managing them responsibly, to pass a resolution implies that they are not doing that.

Senator Murphy asked whether Ms. Naylor would still oppose this if those were amended out.

Ms. Naylor stated she feels it is unnecessary and is not based on current information or a true history of the park horses.

Senator Laffen asked whether the park recognizes the breed of the Nokota horse or do they just recognize that there is a herd that has been there a long time?

Ms. Naylor said they recognize them as park horses; they do not call them Nokota horses. People call them by a variety of names. They are descendants of horses that have been in the park since the time that it was fenced in the mid-1950's. At one time there were only 16 horses left in the park. The park horses are primarily descendants of those.

There was discussion about the target size of the herd and the research being done in the park.

There was discussion about what happens to a resolution when we send it to the Dept. of the Interior. Ms. Naylor said copies go to her, to the Secretary of the Interior, and to the Director of the Park Service. They would contact her and ask her about it. She would explain what she explained here today. She feels they would be satisfied that they are managing the horses in a very professional manner.

There was discussion about the conformation of the horse.

Mike McEnroe, representing the ND Chapter of the Wildlife Society, spoke in opposition to the resolution. See attachment #7.

Neutral: None

Chairman Lyson closed the hearing for SCR 4011.

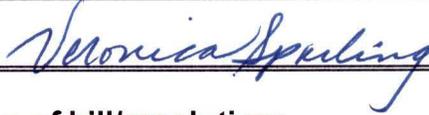
# 2013 SENATE STANDING COMMITTEE MINUTES

## Senate Natural Resources Committee Fort Lincoln Room, State Capitol

SCR 4011  
February 15, 2013  
19030

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A concurrent resolution urging the National Park Service to recognize the historical value of the Nokota horse and provide for its appropriate management in Theodore Roosevelt National Park

### Minutes:

No attachments

Chairman Lyson opened the discussion on SCR 4011.

Senator Triplett: Do Not Pass

Senator Murphy: Second for purposes of discussion.

Senator Triplett felt that the testimony of the Superintendent of the Theodore Roosevelt National Park was quite compelling. The people who spoke as proponents of the bill were describing problems that had happened in the quite distant past -30 years ago. What they are asking the Park Service to do is exactly what they are doing other than the fact that they are not calling them by the Nokota name or interpreting them in the way this group wants them to.

Senator Triplett spoke of the process that Ms. Naylor described the resolution would trigger. Notification would go up the chain and back down, etc. She would have to do a report, etc. Senator Triplett feels passing and sending off unnecessary resolutions just creates more inefficiency in the federal government. This topic is not worthy of putting a burden on federal agencies.

There was discussion about the possible merit of the resolution.

Roll Call Vote: 1, 6, 0

Motion failed.

Senator Laffen: Do Pass

Senator Burckhard: Second

Senator Murphy made a motion to amend the resolution by deleting line 16 and 17.

Senate Natural Resources Committee  
SCR 4011  
February 15, 2013  
Page 2

Senator Triplett: Second

Motion carried by voice vote.

Senator Triplett made a motion to further amend the resolution by deleting line 14 and 15.

Senator Laffen: Second

Motion carried by voice vote.

Senator Triplett stated the resolution is better with the two clauses removed but she still feels it is unnecessary. (Ends at 14:15)

The motion on the floor is Do Pass as Amended.

Roll Call Vote: 6, 1, 0

Carrier: Senator Laffen

13.3078.01001  
Title.02000

Adopted by the Natural Resources Committee

February 15, 2013

2/15/13  
TV

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4011

Page 1, remove lines 14 through 17

Renumber accordingly

Date: 2-15-13  
 Roll Call Vote #: 1

**2013 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 4011**

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Triplet Seconded By Murphy

Senators	Yes	No	Senators	Yes	No
Senator Lyson		✓	Senator Triplet	✓	
Senator Burckhard		✓	Senator Murphy		✓
Senator Hogue		✓			
Senator Laffen		✓			
Senator Unruh		✓			

Total (Yes) 1 No 6

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-15-13  
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 4011

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Laffen Seconded By Burckhard

Senators	Yes	No	Senators	Yes	No
Senator Lyson			Senator Triplett		
Senator Burckhard			Senator Murphy		
Senator Hogue					
Senator Laffen					
Senator Unruh					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*no vote taken  
- went to discussion  
which produced  
the following amendments*

Date: 2-15-13  
Roll Call Vote #: 3

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 4011

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  ~~Amended~~  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Murphy Seconded By Triplet

Senators	Yes	No	Senators	Yes	No
Senator Lyson			Senator Triplett		
Senator Burckhard			Senator Murphy		
Senator Hogue					
Senator Laffen					
Senator Unruh					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*voice vote carried*  
*delete line 16 1/17*

Date: 2-15-13  
Roll Call Vote #: 4

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 4011

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Triplett Seconded By Laffen

Senators	Yes	No	Senators	Yes	No
Senator Lyson			Senator Triplett		
Senator Burckhard			Senator Murphy		
Senator Hogue					
Senator Laffen					
Senator Unruh					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*voice vote carried*  
*delete lines 14 & 15*

Date: 2-15-13  
Roll Call Vote #: 5

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 4011

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended <sup>twice</sup>  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Laffen Seconded By Burckhard

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett		✓
Senator Burckhard	✓		Senator Murphy	✓	
Senator Hogue	✓				
Senator Laffen	✓				
Senator Unruh	✓				

Total (Yes) 6 No 1

Absent 0

Floor Assignment Laffen

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SCR 4011: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Sixth order on the calendar.

Page 1, remove lines 14 through 17

Renumber accordingly

**2013 HOUSE ENERGY AND NATURAL RESOURCES**

**SCR 4011**

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SCR 4011  
March 14, 2013  
19965

Conference Committee

*Erberle*

To recognize the historical value of the Nokota horses and provide for appropriate management in Theodore National Park

**Minutes:**

1-6 "attached testimony."

Rep. Porter: We will open SCR 4011.

Senator Erberle: This bill is talking about the Nokota horse which is honorary equine. For many years I thought this was the state horse, but is not our state horse. We are talking about a type of horse and the background of the horse the legend and the history of it which goes back to Sitting Bulls war ponies that were confiscated from when he surrendered at Fort Union.

When the Theodore National Park was created some of those horses were fenced in it. In the resolution it describes some of their unique characteristics that they have. The Nokota now exists in the registry.

There are many Nokota horse breeders throughout the country as so the access for these horses could be gotten anywhere. What is happening is that they are not honoring the type of horse and strain that is there and they have brought in other types of horses.

If they is going to be calling out there lets manage for the traits of the Nokota breed because it is the state's honorary equine. If you are going to introduce new strains introduce a fresh strain that wouldn't be cross breed to the ones that are there. (Reads lines 14-17 of the original bill) I think the park service and the Dept. of the Interior need to be made aware of our wishes here in N.D. that is a part of our N.D. experience.

Frank Kuntz: I am the Executive Vice-President of the Nokota Horse Conservancy; I am one who has spent 30 years trying to preserve this breed. We were running a race called the Great American Horse Race in N.D., S.D.

and Minnesota. These horses came by accident to us; they should have been in their prime; were breaking down with bone and hoof problems we found them by accident. I am in favor of this bill. (Testimony 1)

Rep. Silbernagel: Is the park or not the guidelines set forth in their rules and regulations?

Frank Kuntz: No they are not following their guidelines.

Rep. Silbernagel: During the couple of roundups there were a couple of instances during the roundup that caused some concern about the care, helicopter that went down and some others instances, what was the care of the horses?

Frank Kuntz: The general care that is out in the park is good but when the National Parks handle them it is not so good.

Rep. Nathe: You mentioned the word "feral" it is on the bill are you opposed to that word?

Frank Kuntz: Feral can mean any type of horse that is in the wild.

Rep. Brabandt: How big is the Nokota horse and what color are they?

Frank Kuntz: There are 2 ranges the old ranch line and the native line. The native line stays in that 14-15 hand range and when I talk about the old ranch line the common practice in the 1880s was to bring in a percheron stallion and breed them. They were about a 15-16 hand line. Colors are a variety of colors with the main one is the blue line.

Leo Kuntz: President of the Nokota Horse Conservancy; we are concerned about keeping the old lines in the horses. It make an animal it requires 3 things the history, blood type, and structure. When they started blood typing they found that in each region the horses were different. Even people who do not know horses can tell the difference. I hope that in 100 years from now we will have these historic backgrounds in the horses that are in the National Park and we have the characteristics and the blood type that is there.

Rep. Porter: How would the park get back to the line of stud services that you are talking about?

Leo Kuntz: There won't be anything done for many years.

Tracy Potter: Executive of the Fort Lincoln Foundation; I am here to represent myself and history. 20 years ago I testified in support of Senator Pete Nathans bill naming the Nokota horse as the state honorary horse. My testimony then and now are much the same. The historic record on this is very clear; the chain of custody so to speak. This resolution is in front of you because the National Park Service has stubbornly refused to acknowledge the chain of custody back to Sitting Bulls herd. They call them park horses or a demonstration herd. Sitting Bulls war ponies has a much better ring to it then park demonstration herd if you want to bring tourists to N. D. We can't tell them how manage the horses in the park but we are citizens and we can petition our government and express that we want recognition for the states honorary equine; it is our right and is the right thing to do.

Kristen Small: I work along with my family in the conservancy to maintain and preserve this unique breed of horse. Every day for the last 30 years my father and uncle have fought to keep the history of the Nokotas' alive. These horses are living history and deserve to be protected, preserved and recognized. We understand that there is not genetic proof that states that these are in fact Sitting Bulls descendants but there is also no genetic proof to tell us that they are not descendants of Sitting Bulls war ponies. We do have countless documentation and compelling evidence from highly credential individuals. (Testimony 2)

Shelly Haugie: I am the Executive Director of the Nokota Horse Conservancy; the horse today is not the horse that Sitting Bull, Teddy Roosevelt or Marquis de Mores had. It is a watered down version of the original native horse that roamed the badlands in the day. I understand it is difficult to own up to decisions made after decades of doing so but recognizing the Nokota horse as the historical resource that it is, is the right thing to do. (Testimony 3)

Rep. Silbernagel: How many Nokota horses are there?

Shelly Haugie: We believe that there is less than 1000 left in the world

Joan Morton: I presenting this letter from Bob Fjetland in regards to the SCR 4011 (Testimony 4) I am asking the Committee to research issues it may see as pertinent, ask questions, seek appropriate legal counsel and in the end reject the resolution as written.

Rep. Nathe: Who is Fjetland?

Shelly Haugie: Mary Lou Weber will speak next and tell who he is.

Mary Lou Weber: I wish to speak on the resolution SCR 4011. Since 1999 I have volunteered for the Theodore National Park I have identified and the wild horses that are in the park. (Testimony 5) I worked very closely with Tom Tescher who has identified and recorded the horses for 40 years. Let the Nokota people do their own promotion and quit harassing the park.

Rep. Nathe: Who is Bob Fjetland?

Mary Lou Weber: He is a friend who has raised Nokota horses for years. He bought several of the 2009 horses from the park and done a lot of research himself.

Rep. Anderson: Is there a place where we can get access to the records of the horses that were released in the park during the years?

Mary Lou Weber: Are you talking about the domestic horses that were released? There are several records in the park. In 1981 they introduced this broakman horse that is a mixed breed and in 1991 they introduced a quarter horse stallion the Arabian horse and a quarter horse mare with the Arabian stallion.

Rep. Anderson: Can we get from the State Historical Society or the park?

Mary Lou Weber: Try the park.

Rep. Damaschen: We will close the hearing on SCR 4011

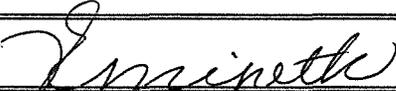
# 2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SCR 4011  
March 21, 2013  
20274

Conference Committee



Urging the National Park to recognize the historical value of the Nokota horse

**Minutes:**

"attached testimony."

Rep. Porter: We will open SCR 4011.

Rep. Silbernagel: Having known the family for many years and their commitment to this project I ask that you give consideration to it.

Rep. Nathe: I make a motion for a do pass.

Rep. Silbernagel: I second.

Rep. Porter We have a motion for a do pass for SCR 4011 motion failed.

Rep. Porter: There is an inkling for a storage facility at the park, that the horses that came out years ago; they registered them; they created their own trade name; and are going on fine with their business. The part in the management system is they threw in other breeds of horses in the 80s so that they wouldn't have an inbred captured crowd. The blood line is very diluted the park is going to manage this the way that they feel necessary anyway. This piece of paper doesn't mean a whole lot on how they are going to manage the system.

Rep. Froseth: When this was first brought out there was a bill that had the same issues that you just stated. There was no evidence that this was the

original breed so rather than naming it the state horse it was named the honorary equine for the state of N.D. These same people were the ones that came in 20 years ago.

Rep. Porter: We will do a roll call we have a motion for a do pass on SCR from Rep. Nathe and a second from Rep. Silbernagel motion failed; Yes 5 No 8 Absent 0.

We have a do not pass from Rep. Hofstad and a second from Rep. Keiser.

Yes 8 No 5 Absent 0 Carrier Rep. Mock

Date: 3-21-13  
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SCR 4011

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken For a Do Pass

Motion Made By Rep Nathe Seconded By Rep Silbernagel

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter			Rep. Bob Hunsakor		
Vice Chairman Chuck Damschen			Rep. Scot Kelsh		
Rep. Jim Schmidt			Rep. Corey Mock		
Rep. Glen Froseth					
Rep. Curt Hofstad					
Rep. Dick Anderson					
Rep. Peter Silbernagel					
Rep. Mike Nathe					
Rep. Roger Brabandt					
Rep. George Keiser					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: voice vote failed  
a motion for a do pass to SCR 4011

Date: 3-21-13  
Roll Call Vote # SCR 4011 2

2013 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SCR 4011

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do pass

Motion Made By Rep Nathe Seconded By Rep Silbernagel

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter		✓	Rep. Bob Hunsakor	✓	
Vice Chairman Chuck Damschen		✓	Rep. Scot Kelsh	✓	
Rep. Jim Schmidt		✓	Rep. Corey Mock		✓
Rep. Glen Froseth	✓				
Rep. Curt Hofstad		✓			
Rep. Dick Anderson		✓			
Rep. Peter Silbernagel	✓				
Rep. Mike Nathe	✓				
Rep. Roger Brabandt		✓			
Rep. George Keiser		✓			

Total (Yes) 5 No 8

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: ~~this~~ motion filed  
a motion for a do pass to SCR 4011

Date: 3-21-13  
 Roll Call Vote #: 33

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. SCR 4011**

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do not pass

Motion Made By Rep Hofstad Seconded By Rep Keiser

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter	✓		Rep. Bob Hunskor		✓
Vice Chairman Chuck Damschen	✓		Rep. Scot Kelsh		✓
Rep. Jim Schmidt	✓		Rep. Corey Mock	✓	
Rep. Glen Froseth		✓			
Rep. Curt Hofstad	✓				
Rep. Dick Anderson	✓				
Rep. Peter Silbernagel		✓			
Rep. Mike Nathe		✓			
Rep. Roger Brabandt	✓				
Rep. George Keiser	✓				

Total (Yes) 8 No 5

Absent 0

Floor Assignment Rep. Mock

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SCR 4011, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4011 was placed on the Fourteenth order on the calendar.

**2013 TESTIMONY**

**HCR 4011**

#1

I am here today as a spokesperson for a type of horse that has been removed from its home. I speak today because the horses cannot verbalize their own plight, they can only speak for themselves conformationally and through historical documentation.

In the mid 1800's, the US Government initiated a policy to eliminate this very horse. They were rounding up the Native people and putting them on reservations, taking their horses and introducing a little larger work horse to discourage them from fleeing and to instead urge them to farm. Also the Native people's horses ran circles (quite literally) around the Cavalry. And after the Native people were put on the reservations, the Government would then send the Cavalry in to round up their horses claiming they were diseased and destroying them. When the Missouri River was being dammed, the Government again went to the reservations and made the Native people get rid of even more of their horses because they were losing the hay ground and grazing land on the river bottom.

After Chief Joseph of the Nez Perz surrendered, it became illegal to breed Appaloosas in this country. That law was rescinded in 1935. It was also part of the genocide policy to create a bison market that totally destroyed the Northern Plains Native people's home, clothing, food and medicine. To most Northern Plains people their horse was a gift from their creator, just like the bison. We took away their children and put them in mission schools where they could not dress, speak or practice any of their traditional native customs.

This type of horse ended up being fenced in the TRNP; the initial policy being the total elimination of the horses. They tried numerous ways - hiring local cowboys who would keep the horses on the run with their Jeeps until they were exhausted, then they would unload their saddle horses and rope them. TRNP also tried poisoning them with hay, but failed in the attempt when, as I understand, the bison ate it. They shot some of them. They also set up snares to capture some of the horses but not with much success.

Fortunately some locals and others protested to the Park and it was decided to keep some as a demonstration herd. In the early 1980's TRNP decided to change the appearance of the wild horses with the introduction of domestic stallions. They introduced a donated Shire stud off the Brookman Ranch in MT that was known for raising bucking horses, some Quarter Horse studs that were donated by local ranchers, and also an Arabian stud donated by Les Sellnow.

So in the 1980s, they were able to target the native stallions and mares in the roundups; all with the help of two helicopters and numerous outriders.

20 years ago the Nokotas were declared North Dakota's Honorary Equine. Now I am back asking the State of North Dakota to urge the National Park Service to acknowledge this type of horse and give it the credit it deserves and has earned.

Does TRNP have DNA evidence or genetic proof that the cabin in the TRNP is actually Theodore Roosevelt's? How did they come to the conclusion that it was his cabin? They did it with historical research. Now they claim it's impossible to prove or disprove the Nokota theory because they don't have genetic samples of pre-settler's horses? Even though they have been presented with historical research of the horses, which was done by Dr. Castle McLaughlin over 20 years ago, they choose to ignore it.

Please vote YES on Resolution 4011. We need a National Park that follows its own laws regardless of the costs, hard work and numerous mistakes made. These horses have an important, interesting and colorful history. They deserve the right to be recognized for what they are.

A handwritten signature in cursive script, appearing to read "Frank Kuehn". The signature is written in black ink on a white background. The letters are fluid and connected, with a long, sweeping horizontal stroke at the end.

The History and Status of the Wild Horses  
of Theodore Roosevelt National Park

Castle McLaughlin

Submitted  
to the  
Theodore Roosevelt  
Nature and History Association

December 1989

## Preface

This report examines the history and status of the feral horses in Theodore Roosevelt National Park. The research upon which this report is based was funded in part by a grant awarded by the Theodore Roosevelt Nature and History Association in 1987. The study was designed to aid in the interpretation and management of the horses by THRO staff.

The objectives of the study were to compile a chronological account of horse management at THRO; to investigate the origins and history of feral horses in the Little Missouri Badlands since first reported in the nineteenth century; and to record the genealogy of the extant herd. Since the feral horses originated at least partially from local ranch stock, information regarding types of saddle horses used in western North Dakota during the period 1880-1947 has been included. Additionally, a short section briefly outlines federal wild equine management. A number of appendices supplement various components of the report.

A variety of research methodologies were employed to gather information regarding the horses. Oral history interviews were conducted with local ranchers regarding both wild and domestic horses in southwestern North Dakota. A survey questionnaire was

administered to former THRO employees in order to collect data on management actions and descriptive accounts of park horses.

Archival, documentary, and photographic research was conducted in THRO files, at the State Historical Society of North Dakota, the Coffrin Gallery, the Yokum Museum, and in private collections.

It became apparent early on that some fieldwork would be necessary in order to gain familiarity with the extant feral horses at THRO. Photographs of the horses greatly aided in identifying individual animals and soliciting genealogical information from Research Advisor Tom Tescher. Although not included in the research proposal, the investigator decided that a photographic inventory of the herd would be a necessary accompaniment to the genealogical and census data. Approximately twenty field trips were accomplished in order to observe and photograph the horses. A photographic record of the park herd from 1965 to 1987, and historic photographs of nineteenth-century Medora area horses, accompanies this report. Photographs taken by the author are designated by "Photo No."; reproductions of historic photographs are designated by "Plate No." Both types of photograph are incorporated into a separate photo album that is to be housed in the THRO library.

Superintendent John Lancaster (1972-1978) established the legalization of ownership of the herd as his top priority regarding the horses, and succeeded in accomplishing this in 1973. Second, he was interested in replacing park stallions with new stock "to forestall inbreeding problems." With regard to the introduction of outside horses, Lancaster stated that

. . . We would not want to corrupt the present herd with introductions of any special breed until or unless it can be firmly established by professional genealogists that the present herd does indeed contain Spanish mustangs.

A Resource Management Plan developed in 1976 recommended the removal and subsequent replacement of park stallions on the grounds that "an inbred herd would not be aesthetically pleasing and would reflect poor management judgment." Horses targeted for removal were defined as "older studs or animals displaying noticeable physical deformities." Introduced animals should be "of the same general domestic stock that is now present" and "of mixed colors to provide contrast within the herd."

The 1978 Proposed Feral Horse Reduction Plan and Environmental Review focused on the need to forestall environmental degradation by reducing the horse population. During the subsequent round-up, two dominant stallions were removed and one was shot, but the 34 horses removed from the park were about equally divided by sex.

The policy of replacing park horses by introducing new animals was implemented during the Wickware administration (1978-1986). The expressed rationale supporting this decision was to increase color variation in the herd and to improve the sale

potential of the horses by creating a more desirable type of horse according to current standards of conformation. Initially the plan was to introduce outside mares. In 1981, Wickware began the introduction of new stallions by negotiating the donation of a purebred Arabian colt with breeder Les Sellnow of Brainerd, Minnesota.

The Wickware administration recognized that the successful introduction of new stallions could not be accomplished without removing dominant park stallions:

The goal of increasing the genepool will succeed only if the stud is dominant enough to take mares from the present stud or if he is assisted to this end by having the competition removed. . . . We plan on taking just such measures.

The primary goal of the ensuing 1981 round-up was to remove dominant stallions (i.e., those with the largest and most stable mare bands). This objective was realized, as many of the dominant stallions were removed by round-up and direct reduction on 8 and 9 October. The implementation of the "replacement" policy received news coverage and met with some local opposition.

During 1982 at least four more stallions were removed or destroyed. The possibility of introducing mares was again raised but was not pursued.

Six young stallions were released during 1981-1982: a registered Arabian, a registered Quarter Horse, three wild horses obtained from the BLM, and a Shire-Paint horse purchased by Medora ranchers from a Montana stock contractor.

The 1984 Natural Resources Management Plan and Environmental Assessment addressed horse management at THRO in some detail. The

plan cited a need for research in order to formulate specific policies, and called for the regular monitoring of the herd and the development of interpretation. The plan recommended the removal and replacement of park-born horses. At the same time, the plan acknowledged that the preservation of "a historic badlands horse herd, with the animals being direct descendants of the horses which were found here when the park was founded" was an alternative approach. In the same discussion, the plan noted that two mechanisms for the selection of horse types at THRO have operated: biological fitness and success, and human preference. Cultural factors that have no effect on biological fitness, such as a desire for a wide range of color patterns, have directed changes in the genetic and phenotypic changes in the herd.

During 1981-1986, the park selectively removed the most biologically and socially successful stallions in order to facilitate their usurpation by the introduced domestic animals. To date, approximately 150 horses descended from stock present in 1947 have been removed from the park. However, only one of the introduced stallions has been able to successfully collect and maintain a harem of mares. Two of the introduced stallions were badly injured in fights with park horses and had to be removed; three others have assumed sub-dominant roles within bands controlled by dominant park-born horses. The Arabian has adapted poorly. A-1, the most successful introduced stallion, controlled 25 horses in 1988, nearly one-half of the entire population (62 or 63). This horse alone can be expected to make a significant impact on the genealogical future of the horses (see "Genealogy").

His offspring are large and strong, and may sell well as potential rodeo stock.

In sum, the National Park Service was not prepared to manage wild horses when the park was established in 1947, and no research had been undertaken to guide that process prior to 1987. Park policy has changed from total elimination of the horses to the protection of a designated number; but more specific decisions regarding the herd have fallen upon the judgment of succeeding superintendents and staff. Future decisions regarding the number and type of horses to be conserved, methods of herd reduction, the continuation of introductions, etc., are decisions pending study; such research must provide the basis for establishing policies and developing a Wild Horse Management Plan.

**Testimony**  
**Senate Concurrent Resolution 4011**  
**February 14, 2013**

Chairman Lyson and Members of the Senate Natural Resources Committee:

My name is Janelle Ferderer, and I would like to urge you to support Senate Concurrent Resolution 4011.

As a teenager and in my early twenties I spent my summers working various jobs in Medora, ND. During that time I became very familiar with the Theodore Roosevelt National Park and spent a great deal of time exploring the beautiful and rugged landscape. One of the most breathtaking and awe inspiring experiences in the Park was to see the bands of wild horses, especially when they were on the move. Their distinctive markings and build were like no other horses I had ever seen, even though I had been raised around horses and was an avid rider.

During that time one of the first culls of the wild herd took place. I remember watching a video of the most inhumane and brutal roundup I have ever seen. Helicopters, ATVs and riders were used to herd the wild horses into pens to be trucked out of the Park. Many horses died of the stress and fear. Those that survived were shipped out and sold to the kill market. I am thankful that there were several stewards of this breed present to spare the ones they could in order to maintain the bloodline at their own expense. I understand that since this time domestic breeds have been introduced into the Park causing dilution of the ancient bloodline of the Nokota horse, and believe this should be stopped. Our national parks have a responsibility to preserve history, not destroy it.

The Nokota was named the honorary equine of North Dakota because they represent the heritage of the North Dakota badlands, and their ancestry can be traced back to early Native American and frontier ranch horses. To treat these majestic animals so poorly is an insult to our state's history.

I believe that the Theodore Roosevelt National park has a responsibility to help preserve the Nokota horse as an irreplaceable natural resource to North Dakota. They should be allowed to live in their natural habitat and be maintained in a humane and respectful manner.

Thank you for your time and consideration. Please support SCR 4011.

Sincerely,

Janelle Ferderer  
241 SE 2<sup>nd</sup> ST  
Linton, ND 58552

#2

**THUNDERBEAR® #280**  
**THE OLDEST ALTERNATIVE NEWSLETTER IN THE FEDERAL**  
**GOVERNMENT**

**January-February, 2009**

**"NOW JUST A DARN MINUTE!"**

Readers will recall that in the last issue of THUNDERBEAR, we left Cindy Orlando, Superintendent of Hawaii Volcanoes National Park, with the distinct possibility that an obscure NPS guideline would require that she phase out the 2,000 Hereford cattle now operating as "organic lawn mowers" in the new Kahuku Ranch unit of the park and replace them with historically accurate, but vicious, Hawaiian Longhorns, which would make visiting the park a more thrilling experience.

Sadly, this does not appear to be the case. Cindy is off the hook. She is not required to replace the effeminate Herefords with lusty longhorns.

Here is a note from Jerry Rogers, former Associate Director, Cultural Affairs of the NPS

Hi PJ,

Like the preceding # 278, this issue is as good and as fun as always. Thanks for what you do for all of us.

As seems to have become usual, I don't really know the answer to the question you asked me in the Hawaii story in the # 279 issue. I am copying Bob Utley on this message because I know he will recall the incidents I mention below.

I cannot think of any overall requirement of law to preserve "breeds" as opposed to species. I am thinking of some situations in which a park believes it should do so--specifically. Lyndon B. Johnson NHS, where Johnson's "effete English" Herefords (your phrase) are deemed to be park cultural resources. Having been at the LBJ ranch in about 1965 in the company of Bob Utley and a mad genius Texas Tech Park Administration Professor named Elo Urbanovsky, and having observed the President's ranch foreman Dale Malacek polishing the hooves of the ancestors of said Herefords with a power buffer, I would have to say those animals are very much cultural resources of the park. If there are other examples, my guess is that they would result from case by case consideration of the mission of the individual park unit.

Some people have engaged in careful breeding programs aimed at selecting out certain breed characteristics in order to recover breeds such as Spanish Churro sheep that Navajos began to herd a couple of centuries ago.

Essentially they are trying to breed out the "improvements" that have been bred into certain animals over time. I recently saw an ox that resulted from such breeding at Shaker Village at

page 1

Pleasant Hill, Kentucky. Again, I am not aware of much of this sort of thing happening in NPS units, nor of any requirements to do so.

Some parks that have bison herds are dealing with the fact that not all bison were the same 150 years ago, and that some bison that survived the great slaughter managed to acquire cattle genes. I think Yellowstone may still be dealing with some of this from bison brought to the park decades ago from Texas--probably from the herd of Charles Goodnight who actively bred cattalos.

There is a current issue related to this question at Theodore Roosevelt National Park, where a herd of horses that are almost certainly direct descendants of 'Sitting Bull' ponies is not acknowledged as such by the park or the region. They were removed from the park rather than being managed as cultural resources, as Bob and others believe would be correct.

Your Hawaii story reminds me that J.Frank Dobie said the feral longhorn was the second most dangerous animal in North America, right after the Grizzly bear. Long ago at Fort Davis National Historic Site, I was sifting through the Post Surgeon's daily reports. The Post Surgeon was exasperated by a requirement that had come down from Headquarters to monitor the health of beef animals delivered to the post as food for the troops, reporting that he was unable to perform the required check of the temperature of this bunch of longhorns "owing to the wildness of the animals." That conjured images of a guy wearing an officer's hat and a white smock running around a corral behind giant steers with a rectal thermometer in his hand while dodging the horns of other steers.

By the way, I never actually held the coveted title "Chief Historian." Verne Chatelaine, Herb Kahler, Bob Utley, Harry Pfanz, Ed Bearss, Dwight Pitcaithley, Martin Pechir, and others maybe including Russ Mortensen and Ross Holland did, but not I. (*Jerry is being a bit modest, the Chief Historian of the NPS reports to the Associate Director, Cultural Affairs, in this case, Jerry--Ed.*)

Keep up the good work.

Jerry Rogers

Thank you, Jerry!

Hawaii Volcanoes Superintendent Cindy Orlando tells me that HAVO is ending the cattle operation in the new Kahuku Ranch addition in April this year, and, JUST A DARN MINUTE! she has no intention of replacing them with historic "Vancouver" Longhorns from the Parker Ranch. (Nor is she required to by NPS regulation, as Jerry Rogers pointed out.)

Incidentally, if you would like to hunt the "Vancouver Longhorns," Hawaii's historic wild cattle, the Parker Ranch can arrange a hunt of Hawaii's most dangerous game for a little over \$2,000 (there is no season). The Parker Ranch supplies everything including guns; ammunition and a paniolo (cowboy) guide who will make sure you don't end up on the horns of the beast. The Parker people will also cut up the critter for you; not a bad deal, considering.

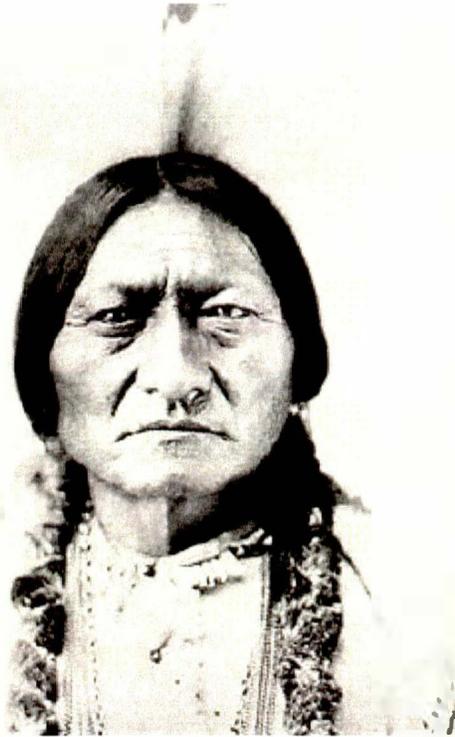
Still, the issue of historic breeds of livestock in a national park setting is an interesting one.

Jerry brought up several interesting points in his letter.

The first is the fascinating story of the Ponies of Sitting Bull.

If this story is true, then these horses are living historical artifacts connecting us with the way of life of one of greatest Native American leaders, Sitting Bull.

In 1876, after defeating General George Crook at the Battle of the Rosebud, and virtually annihilating, Colonel Custer's 7th cavalry at the Battle of the Little Big Horn, Sitting Bull deemed it prudent to take his people across "The Medicine Line", that invisible border that the superstitious Americans dared not cross, and into "Grandmother's Country" (Queen Victoria's Canada) where they were allowed to settle in the Cypress Hills under the benign supervision of the Royal Canadian Mounted Police.



By the 1880's, American cries for vengeance had diminished to the point where it would be possible for the Lakota to return to the United States. The buffalo were gone and therefore the Lakota would not need all those horses if they were going to be peaceable farmers, now would they? So as part of the homecoming deal, Sitting Bull had to give up the pony herd. A willing buyer was the visionary Marquis De Mores, a French count who built a chateau in the Badlands and named a town after his wife, Medora. He envisioned a vast cattle empire, complete with slaughterhouse and rail spur for processing and shipping the meat and so on. The idea of Indian ponies fascinated him. Here was a working animal that had been bred by the Indians to suit the rugged Northern Plains environment. It was (relatively) small and not as pretty as European horses, but it was incredibly hardy and enduring. It did not freeze to death in the winter or die of thirst in the summer. It happily lived on grass and did not require supplementary grain or hay.

The Marquis bought many of Sitting Bull's ponies. Possibly, so did his near sighted neighbor and fellow rancher, Theodore Roosevelt.

Things went reasonably well until the Great Blizzard of 1886, which put the cattle out of existence and the open range cattle industry out of business.

The Marquis and Roosevelt went on to other things. Sitting Bull's ponies? Some undoubtedly died in the blizzards, some lived out their lives on other ranches, and some, it is said (and here it

gets tricky) drifted into the Badlands and became the "Wild Ponies" of Theodore Roosevelt National Park in North Dakota.

Now neighbors, generally speaking, most "wild" horse legends are just that; rural legends and federal land managers accept them at their peril.

Nothing brings the crazies out of the woodwork faster than a "wild" horse story.

If the horses are on an Eastern or Gulf Coast barrier island, then OF COURSE they are the descendents of horses shipwrecked on a 16th century Spanish treasure galleon!

If the "wild" horses are in or even near Shenandoah National Park, then OF COURSE they must be the descendents of Col. John Singleton Moby's ghostly cavalry horses.

There is a lesson for Land Managers here: Never EVER refer to a loose horse that has strayed onto federal property as a "wild" horse! If you do, hundreds of "wild" horse crazies and dozens of equally crazy "wild" horse organizations will immediately descend upon you and your operation and make life miserable for you!

Geography will not save you! If your park is in the Midwest, then OF COURSE your "wild" horses will be descendents of those used by Jesse James! If your park is back East, say Saratoga Battlefield NHS then OF COURSE your "wild" horses will be the descendents of the horses of the Connecticut Light Horse.

The correct terminology, particularly when dealing with a reporter, television or otherwise, is that you have some "strayed livestock" in the park and that you are assiduously searching with due diligence for the rightful owners, who are undoubtedly wetting their pillows with grief over the loss of their beloved ponies. In the interim, you have placed these "strayed livestock" in a fenced enclosure where teenaged girl volunteers from the local 4-H are caring them. (Horses have a terrifying constituency in the Perpetual Teen Age Girl, ranging in age from 16 to 60, who regard all horses as "Sacred" and God help any federal land manager who inconveniences the object of their affection in any way!)

If, after due diligence, you are unable to find the owners, then and only then will you place the strayed animals with devoted foster families who will sign a blood oath that they will not sell the horses for dog food or steaks for perverted Europeans.

Now neighbors, by now you should have concluded that your kindly editor is not a sucker for a "wild horse" tall story.

Just to reinforce my prejudices, I sent off an inquiry on the legend of Sitting Bull's Ponies being the ancestors of the feral horses of Theodore Roosevelt National Park to the



superintendent of that park, Ms Valerie Naylor.

("If in doubt, ask a ranger" and all that) Anyway Superintendent Naylor wrote me back very promptly and said:

"...There is NO evidence that the feral horses in Theodore Roosevelt are descended from Sitting Bull's ponies and there is no way to determine that. There are some people who perpetuate that story."

Your editor was soon to discover who those "some people" are.

They are Robert Utley and Dr. Castle McLaughlin, two of the premier experts on Western Americana in the United States, as well as retired NPS historian Jerry Rogers, no slouch himself in the worship of Clio. They vehemently dispute the position of Superintendent Naylor and the NPS on the subject of Sitting Bull's ponies.

In addition to having been the Chief Historian of the National Park Service and the author of 16 books on the Western frontier, Utley has the reputation among fellow historians as the finest historian of the American frontier in the 19th century. Indeed, the Western History Association provides the annual "Robert M. Utley Award" for the best book on the military history of the frontier and Western North America.

Even more to the point, Utley is the author of *THE LANCE AND THE SHIELD: THE LIFE OF SITTING BULL*. This means that the author has more than a passing knowledge of Sitting Bull and his ponies.

Naturally, I decided to check with Bob. Here is what he had to say:

Dear PJ,

As Chief Historian of the National Park Service, 1964-72, I was instrumental in formulated the policies and standards for the care of park historic resources that basically remain in place. As one of the architects of the National Historic Preservation Act of 1966, and as Deputy Director of the Advisory Council on Historic Preservation, 1976-80, I am familiar with federal preservation law. I judge the horses to have represented two important heritages of Theodore Roosevelt National Park. The cowboy heritage of Theodore Roosevelt and the Marquis De Mores, the basis for the park's creation in the first place, and the heritage of the Northern Plains Indians, particularly, Sitting Bull's Lakotas, who ranged over and fought other tribes in this area for generations. In fact, two important battles between Sitting Bull's warriors and US Army troops were fought very near the existing park.

The wild mustang horses that the park disposed of some years back were a mixed bloodline that remained basically intact during the century they had run wild in the Little Missouri Valley. The strains were two: cow horses that entered this area when the Marquis de Mores set up his cattle operation, and the Indian horses confiscated when Sitting Bull surrendered with his following at

Fort Buford in 1881, and which the Marquis purchased. Thus these horses represented a highly significant resource of the park.

I therefore believe that the decision to dispose of these horses violated the policies and standards of the National Park Service and constituted a federal undertaking within the meaning of Section 106 of the National Historic Preservation Act. This was not recognized or acknowledged by park management at the time, so of course, no compliance was initiated under Section 106.

Thanks to the Nokota Horse Conservancy, a philanthropically supported enterprise based in Linton, North Dakota, the bloodlines of these two heritages have been preserved. In other words, significant historic resources of the park still exist outside of the park.

I believe it is advisable for the National Park Service, at the least, to open a dialog with the Nokota Horse Conservancy described in the enclosed brochure. These horses have been preserved largely through the interest and effort of Frank and Leo Kurtz and Shelly Hague, with vital support of Castle McLaughlin, the last an anthropologist, is now with the Peabody Museum at Harvard and did much of the research groundwork during two tours as park seasonal in 1986 and 1987.

I don't know whether it is feasible to restore some of these horses to the park. That is the outcome I would like to see flow from the talks I am advocating. In any event, since the horses at the conservancy are still park historic resources of major significance, some kind of partnership or relationship between the park and the conservancy seems to be in order. At the very least, Dr. Castle McLaughlin should be invited to present her evidence.

Sincerely,

Robert Utley

OK, next enter Dr. Castle McLaughlin. Dr. McLaughlin is Associate Curator of North American Ethnography at the Peabody Museum at Harvard University. In the interest of full disclosure, Dr. McLaughlin is also vice-president of the Nokota Horse Conservancy, so she does have a dog in this fight.

Dear PJ,

When Theodore Roosevelt National Park was created in the 1950's, a concerted effort was made to get rid of the wild horses, which are strongly disliked by the NPS and most rangers whose mission then was to "recreate" the biological landscape of the 19th century. A superintendent who was also a historian, reversed that policy, circ 1970, and advocated treating the horses as an historical resource rather than a nuisance.

At that time, the park decided to maintain an "historical demonstration " herd. Then in the 1980's, another superintendent went into a partnership with local ranchers who proposed getting rid of the wild horses in the park and breeding bucking horses instead, so that the park could

make money by selling them as rodeo stock, That decision was protested by the public, as well as a number of wild horse biologists, but they forged ahead.

I entered the story in 1986, when I was hired to ride a round up as a seasonal ranger, and was subsequently hired to conduct research on the history, administrative history, and social organization of the horses; a project I worked on for three years.

Regardless of the Sitting Bull connection, the NPS has been criticized from many quarters for getting rid of the original horses, which are well documented to have been in the Badlands since the 1880's, when Theodore Roosevelt wrote about them.

Most American wild horse herds started in the 1930's with cast off ranch horses augmenting the Badlands' herds during the Great Depression. However, most of the tamer and slower horses seemed to have been culled out over the years as local ranchers often chased and captured a few for sale.

When I arrived, the horses were extremely wild and very difficult to approach. Many also had Spanish colonial characteristics, as has been documented by several independent horse experts. However, the NPS got rid of those and replaced them with domestic stock.

I was young and deeply discouraged to discover that local politics trumped doing the right thing; especially when the park turned a deaf ear on the protests of respected biologists etc, as I thought the public deserved to see "real" wild horses, rather than quarter horses and also felt that the original breed stock, not others, deserved to be there after all that time.

The Sitting Bull connection came up during my research, it was mentioned by several local ranchers and had in fact, been published as early as the 1930's. The paper trail is really quite clear. The Lakota horses surrendered at Fort Buford in the 1880's, were purchased by the Marquis de Mores, who founded the town of Medora, now park headquarters, and raised the horses on the open range there. After a few years, he sold them to another local who continued to breed them and to lose them in the Badland. It's pretty clear that the Lakota horses were not the only wild horses in the area, and that they were not the only ancestors of the modern herd.

But the real evidence is the horses themselves. We have photographs of the original wild horses, and the correspondence between them and the horses called "Nokotas", the ones removed from the park and purchased by the two ranching brothers is really astounding. In fact, the "Indian pony" appearance of the park horses and the dominant colors of black, roan, and grey were what the ranchers and the NPS objected to in the 1980's, and they justified "modernizing" the herd by saying that there was no market value for old time horses like that, whereas the public would buy the offspring of currently popular domestic breeds. This is documented in NPS records.

The numbers of horses has been contentious, but since Theodore Roosevelt is an enclosed park, everyone has recognized that the population would have to be managed. The issue at THRO has been the change in the herd. The public can literally walk up and pet some of the horses. These are "wild" horses? I am not alone in feeling that something has been lost in the process.

Apparently, the problem is that the park cannot admit a mistake or re-think a superintendent's decision. Also there is still anti-horse sentiment, and the park has been very reluctant to invest in horse management expertise of any kind. I am sure a contributing factor is the increased cost of more careful and informed horse management in these straitened economic times.

But it seems to me that they have simply dug in their heels on principle. Recently the park has stated that the Sitting Bull connection would require genetic proof; but since no one thought to take a blood sample from the horses in the 1880's, that is clearly impossible. Also, it is unlikely that these Lakota horses were "pure" anything in relation to known breeds, so I am not sure they would have genetic markers/signatures that would distinguish them anyway. I don't believe that Lakota horses or other plains herds were "pure" Spanish mustangs; that is one of those romantic notions, but they evidentially did have some Spanish colonial characteristics.

One has to wonder why the NPS would be so hostile toward several of their most distinguished former staffers such as Bob Utley and Paul Hedrin, and so adverse to the possibility, which, if true, could only enhance the appeal of Theodore Roosevelt National Park as a destination and demonstrate good will toward scholarship and the Native Peoples whose land they now manage. These horses could well be the only bona fide descendants of an important Native American Herd. Objectively, it makes no sense. I believe that is why this situation is so galling to Utley, Hedren, and others.

Sincerely,

Dr. Castle McLaughlin  
Associate Curator of North American Ethnography  
Peabody Museum, Harvard University

Well now, neighbors! As old timers used to say "It's a difference of opinion that makes a horse race!" and we seem to have a difference of opinion between the present administration at Theodore Roosevelt and the NPS on one side and Jerry Rogers, Robert Utley, Dr. Castle McLaughlin, et al on the other side.

In the next issue of THUNDERBEAR, we will present the views of superintendent Valerie Naylor and her staff as well as the Regional staff, who are backing the position of Superintendent Naylor, i.e. that there is no provable connection between Sitting Bull's ponies and modern day horses in and around Theodore Roosevelt National Park.

Clearly, this issue requires more publicity. Your kindly editor has been told that NATIONAL GEOGRAPHIC magazine has a larger circulation than THUNDERBEAR.

I don't believe that for a moment, but it is worth considering that we take the issue to THE NATIONAL GEOGRAPHIC for more publicity and possible resolution.

You see "wild" horses, American Indians, The West, and Theodore Roosevelt are iconic symbols of America! Put them all together and you have the kind of story that only NATIONAL GEOGRAPHIC, with its incomparable color photography can tell!

One can visualize a two-page color spread of blue roan ponies running through the badlands! That and other photos of the horses, ranchers, the Badlands, Utley, Naylor, McLaughlin et al, would complement the text, which would be an interesting debate between the two factions on the subject of Sitting Bull's horses.

Your friendly editor will return to the Washington, DC area, on or about April 15 and will straightaway broach the idea of an article on the "Mystery Horses of Theodore Roosevelt National Park: Fact or Fiction?" to the editors of NATIONAL GEOGRAPHIC magazine. The NATIONAL GEOGRAPHIC should be able to get a well known Western writer such as Tim Egan, George Wuerthner, or Terry Tempest Williams to do the text, asking questions of Utley, McLaughlin, and Naylor.

Such a debate should lead in the direction of a solution if not the solution itself!

So where does your kindly editor stand on the subject of Sitting Bull's Ponies? Well, I'm agnostic on the subject, but I'm looking forward to a good argument from all concerned!

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Horse races, Dickinson, N.D.



<b>Title</b>	Horse races, Dickinson, N.D.
<b>Date of Original</b>	between 1882 and 1900
<b>Description</b>	Two men on horseback race along a dirt track in Dickinson. A crowd watches from the sidelines. A man identified as W. Clark is identified by a small arrow. Croppie is identified as the horse winning the race.
<b>General Subject</b>	Sports & Recreation Animals People
<b>Subject (LCTGM)</b>	Racetracks (Horse racing) Horse racing
<b>Personal Name</b>	Clark, William Croppie (Horse)
<b>Location</b>	Dickinson (N.D.)
<b>Decade</b>	1880-1889 1890-1899
<b>Item Number</b>	00227-057
<b>Format of Original</b>	Photographic prints
<b>Notes</b>	Photographer unknown. Title created by staff.

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March 15 – Reprinted from MARMARTH MAIL

Wallis Huidekoper Rode Range in North Dakota

The following interesting little thumbnail sketch of Wallis Huidekoper, the very well known Montana cattleman, is clipped from a recent issue of the Philadelphia Public Ledger:

“I met a well set-up, carefully dressed young man the other day who looks as much like a cowboy as a \$7000 limousine resembles a push cart. But he is a cowboy, and I suspect the most successful one that Philadelphia can boast. When Wallis Huidekoper, son of the General A.C. Huidekoper, went to Western North Dakota he spent three years in the saddle learning the big game of raising cattle. He made Dickinson, North Dakota his headquarters. Every month he drew down ( ) in wages and that was all. But he acquired what after – practical knowledge of land as well as steers. Then this well-bred chap proceeded to build up a ranch for himself, organizing the Deep Creek Cattle Company. Selling out his North Dakota holdings he went to Montana. There he had a tidy domain of 30,000 acres which was one of the largest in Montana. I hear of hundreds of instances where country lads come to the city and shine. I mention Mr. Huidekoper to show that a city man may go back to the land and also do some conspicuous ( ).”

CROPPY

By Major A.C. Huidekoper

“Cropy” was his name. His dam belonged to a Sioux Indian warrior who fought at the Custer fight on the Little Big Horn. As proof that she was there, she had a bullet through her neck. Notwithstanding her wound she trailed north with the tribes to the Canadian border, where the warriors were relieved of their arms, and the war ponies scattered. Some of these ponies came to the Marquis de Mores at Medora, North Dakota. I bought some thirty mares to cross on a thoroughbred horse that I owned and that is how “Cropy” came to the HT Ranch.

The boys of the ranch called this stallion “Grey Wolf”! His proper registered name was “Bound.” He was grey in color, fifteen-three hands in height, a grandson of old “Lexington.” He had an honorable racing record on eastern tracks, when I bought him from Squire Demsey (a most excellent man) who lived at Springboro, Pennsylvania. “Bound” was one of the best sires I ever owned. I gave him sixty mares and he returned me thirty-three foals. He was dominating and on one occasion queer.

We had a mare that weighed about 1150 pounds, bright bay in color, spotted on her rump. She had Arab blood in her. I put her in “Bound’s “ harem. He drove her out. He repeated this three times, and then I gave up. This was the only mare he ever refused that was put in his charge. “Bound” would herd

his bunch of mares as well as a man could, and there was not a big enough stallion on the range to take a mare from his harem.

From this Indian pony dam and from this thoroughbred sire was born "Croppy" out on the range.

He never saw the inside of an enclosure until he was brought into the corral to be branded. After that for three years, he was brought in at the spring and fall roundup to be counted and looked at, and then turned loose on the range.

When "Croppy" was three years old he was brought in to be broken, as a cow pony. He was grey in color, fifteen hands high, and as both his ears were frozen off, he was promptly named "Croppy." After "Croppy" was broken, he would carry a two hundred pound man all the day untiringly.

At that time the great event of the season was the 4<sup>th</sup> of July horse races at Dickinson, North Dakota.

All the cow outfits sent their fastest ponies, and some of the livery men along the railroad, especially Jerry Hayes of Dickinson, put in some smart ones.

The races were classed, and conditioned, for quarter dashes, half miles, and miles. Anyone could enter and fit their ponies the best they could, but for the big event – the cow pony race. The conditions were that the ponies were to come in the rough – just as they were from their regular range work. They were to race with regulation stock saddle, bridles, cinches, curb bit, and to be ridden by one of the cowboys belonging to the outfit from which the pony was entered.

Guy Clark, an Englishman born, who had been educated in Canada, and then came to the states, was superintendent of the HT ranch at that time. Clark always had things in ship-shape, his ponies for the general race were slick as eels, and had racing saddles, snaffle bits, with rings at the ends as was the style at that time.

That year we elected to send in three entries: "Bob Fitzsimmons" for the mile, "Shorty" for the half mile, and "Croppy" for the big event – the Cow Pony Race. We sent the ponies to Dickinson a few days before the races, and we followed later in the Petaluma Cart. About half way to Dickinson, which was 55 miles from the ranch, we overtook a man leading a horse. To see a man afoot in that country indicated trouble, so we stopped to inquire.

The man was small, he was old, he wore a white pith helmet (a most unheard of thing in that country). His mare looked slick and racy. The man said he came from Ekalaka, where he had raced his mare and won. Before we left him he said, "Boys, I bid you free, I am dead broke; if you will stake the mare at the livery for the day of the races, stake me for grub, and pay the entry fee to the races for the mare, I will repay you double after the races, for the mare is lightning fast and can skin anything around here." We agreed to the proposition – Cow men are easy that way when a fellow is out of luck.

The bartender at Frank Kihm's hotel was named Fox (we called him Foxey). He said that he was a Belgium count, and I guess he was some time ago. He was six feet in height, dressed in immaculate white, with the proverbial diamond pin on his breast. We liked Foxey and he liked us. When settled at

the hotel, he called us aside and said, "Boys, I have always backed the HT ponies, and I have won money on them, but I am not going to back them this time. I thought you might hear of it and wonder why it was. Well, I tell you, on the quiet – a lady with a hat full of money has come down from Miles City. She is kept by the scion of an English noble's family. She is "in the know" and tells me that some professionals from St. Paul are coming up with some thoroughbred horses and clean you up. As much as I dislike it, I have to put my money to win, and that is why I won't back you."

We thanked him, but I don't think it had much effect, for Clark was a bulldog, and the boys backed their ponies, win or lose.

The day of the races the town moved to the race grounds, and everyone who could, within fifty miles came too. We won with "Bob Fitzsimmons", we won with "Shorty", we lost on the Ekalaka mare; and then came the big event of the day, the Cow Pony Race, and our "Croppy". There were a good many preliminary functionings to the Cow Pony Race. The judge examined the saddles to see if they were of regulation weight, looked at the cinches, bridles and bits. When "Croppy" appeared the crowd laughed and jeered, and said, "Look at the old cow without any ears".

"Croppy" behaved well at the post, He was quiet but always up on his toes. The entries were numerous. It was a standing start, and when the gun was fired and the judge said "go," they were off like a squadron of cavalry. Most of the riders went to the quirt from the jump-off, but our rider touched "Croppy" with his spurs; he was off like a flash and was never headed from start to finish, and as he came down the home stretch, the crowd yelled, "Look at 'Croppy', see him run – the pony without any ears."

"Croppy" was the hero of the hour, and the pride of the HT outfit. We took Foxy back to town in the Petaluma and he said, "Never again, never again."

North Dakota was a prohibition state at that time (this was long before the eighteenth amendment), but little attention was paid to the law at the frontier town. Clark had received good odds from the lady from Miles City, and was a good winner. The HT boys had their pockets full of money, so the champagne flowed freely that night and the toast was "Croppy" -- the little son-of-a-gun without any ears.

Sometimes I draw a long sigh when I think of those old days on the HT Ranch – a sharp morning, a Grey Wolf mount, the "red pack", the chase after the buffalo wolves, the return to "Shackford" with an alkali thirst and a wolfish appetite; then John Tyler, with a saddle of antelope and bull berry jam, and as a finale, the pipe of peace as we stretched on the settee by the side of the big open fire.

Great days – Great days – and I have seen a bit too. The Nile and its wonder; Blidah with its 500 Arab stallions; Rome when the Pope still walked in the city; Monte Carlo and its pleasures; Paris with its Jardin de Marble; the Perche country where 1500 pounds was considered heavy for a Percheron stallion; Vienna – its regal stables under Emperor Franz Joseph; Beautiful Budapest; Jamaica, the loveliest of islands; Delmonico's at 14<sup>th</sup> Street; and 26<sup>th</sup> Street in the –50's, and all are gone.

Reprinted from Marmarth Messenger, Thursday, September 15, 1938

#4

NPS CULL LIST 10/2/94

Tom ID NPS ID Identification & Characteristics

sex

7701	A-6	Old Griggs Mare	F
7902	B-1	White/grey	M
8002	G-2	Red Roan Mare	F
8003	C-2	Star, black	F
8101	A-5	Bald face, grey spots	F
<del>8502</del>	<del>E-1</del>	Big red roan stallion	M
<del>8601</del>	<del>K-1</del>	Sorrel & white pinto	M
8602	G-3	Star & snip, Buckskin	F
8705	M-1	Baldface, Bay & white	M
8801	B-4	Star, bay, WH LF & WH RH	F
<u>8806</u>	H-7	Black, long snip, WH LH	M
8807	H-9	Bald face Roan, dark grey	M
9001	A-8	Star, bay, long snip	M
9006	L-4	Red Roan, sm. star	F
9109	L-3	Blaze face sorrel	M
<u>9110</u>	M-4	Baldface grey, WH hind	M
<u>9203</u>		Baldface sorrel	M
9205		Grey striped faced	F
9207		Brown, big star, W RH	M
9209		Black, no white	M
9210		Bay star, strip & snip	M
9211		Blue roan, no white	M
<del>9212</del>		Roan red head	F
9213		Bald face, red-grey	M
9214		Bald face, dark grey	M
9216		Bay mare star low	F
9219		Baldface grey, wh spots left rib	M
9220		Brown, WH RH	M
9302		Baldface sorrel, WH LF, RH, LH	M
<u>9303</u>		Blue Roan, WH hind	M
9305		Red roan filly	F
9306		Bay strip face	F
9309		Red Roan Star & snip, WH RH	F
9312		Blue Roan, star	F
9313		Piebald Black	F
9318		Brown Big star	M
9403		Grey, strip face	F
9404		Blue Roan colt	M
9405		Roan filly	F
9406		Baldface sorrel	F
9407		Brown filly star, WH LH	M
9408		Black Baldface, WH RH	F
9409		Blue Roan	F
<u>9410</u>		Starface red roan, WH H	M
9412		Baldface sorrel	F
9414		Starface red roan	F
9415		Sorrel & white, pinto	F
9418		Baldface Black, WH spot L rib	M
9419		Sorrel white pinto	M
9420			M

## Tom ID NPS ID Identification &amp; Characteristics

7901	K-2	Little Grey Mare
8102	E-2	Baldface, Blue & white Pinto
8301	D-1	Stripface Blue Roan
8302	E-3	Baldface, grey
8401	C-3	Bald, Bay & White paint
8501	AA-2	Blue Roan, Sm star, spots on butt
8503	C-4	Bald Face Sorrel, paint
8702	D-3	Star face, Sorrel, stockings
8703	G-5	Star & long snip, Bay
8802	J-2	Brown, Star & snip, BR & BLK point
8803	F-4	Bay crooked star snip
8804	L-2	Dark Grey Mare, Roan face, star
8805	M-2	Black Mare, WH hind
8901	F-3	Baldface, buckskin
8902	E-7	Baldface Blue stud, WH spots R rib
8903	J-3	Bay & White paint, bald, BL eye r
8904	L-5	Baldface, Red Rose Grey
8906	H-3	Blue Roan Stallion
9002	G-7	Red Roan
9004	F-6	Bay filly, Star & snip
9005	C-9	Blue Roan
9101	A-11	Bald face sorrel, Bl eye L, paint
9104	B-12	Sorrel, strip face
9105	D-6	Red Roan
9106	G-11	Small star, bay
9202		Baldface palomino
9204		Baldface, red grey, stocking except RF
9208		Baldface sorrel, white hind
9215		Blue Roan
9217		Bald face, red roan, WH RH
9304		Grey & White Pinto
9310		Bald face black
9311		Buckskin snip
9314		Baldface Black
9317		Bald face, blue, WH hind socks
9320		Blue, star
9402		Blue Roan
9411		White & Bay, pinto
9413		Starface & strip red roan
9416		Brown Star Roan
9417		Bald Face Roan, WH LH
9421		Baldface brown
9422		Piebald brown & WH spot each side
9423		Baldface Black
9424		Blue roan star face
7601	B-3	Bald, Black, white spot R barrel
7801	A-4	Crop ear, white mane & tail
8001	A-3	Bald face, black, WH LF, WH RH, pink
8701	B-14	Big star, Blue roan
8704	E-5	Star, Bay
8905		Baldface Grey
9007	C-8	Sm star, Grey stallion
9103	A-13	Yellow & white pinto
9103	A-14	Buckskin & white pinto
9108	F-7	Black with star
9111	C-14	Star, Blk - Dk Grey
9218		Strip face, WH RLH, light red roan (white)
9301	S	Red roan, big star
9315		Chestnut star & strip
9316		Red Roan

The Indians of the Northern Great Plains developed a distinctive type of horse that provided the foundation stock for the nineteenth-century ranchmen on the Northern Plains (Remington, 1960; Wyman, 1963). Lewis and Clark and other early travelers described them as solid colored with white markings, or as roan, and equal in performance to any horse in the country. ~~Frederick Remington described them in 1888:~~

By Roosevelt. In his essay "In the Cattle Country," originally published in 1888, he wrote of the Medora area: In a great many--indeed, in most--localities there are wild horses to be found, which, although invariably of domestic descent, being either themselves runaways from some ranch or Indian outfit, or else claiming such for their sires and dams, yet are quite as wild as the antelope on whose domain they have intruded.

In the summer of 1884, 60 of De Mores<sup>1</sup> Sioux mares were purchased by A. C. Huidekoper, scion of a wealthy Pennsylvania Dutch family and the earliest large-scale rancher in North Dakota. This ranch was known as the HT (brand, corporate name the Little Missouri Horse Company). The HT was not only the largest horse breeding operation ever run in North Dakota but also one of the largest in the country. "There was no ranch of **equal** size and importance east or west. Like several other ranchers, Huidekoper switched entirely to raising horses after the winter of 1886-87;

The basis of his saddle stock were 800 "western horses" In 1881 he purchased a grey Thoroughbred stallion from Kentucky, grandson of the famous sire Lexington (Huidekoper, 1947; Sellnow, 1985). This

horse, named "Bound" but called "Grey Wolf" on the range, was a grey stallion 15.3 hh and proved to be an excellent sire (Huidekoper,1947:23)

Huidekoper explained:

The horses I handled were of a different type from the general run of cow outfits in that they were picked geldings from mustang mares, bred to a Kentucky thoroughbred race horse, grandson of the great Lexington.

The reason for this extreme cross was to obtain a rugged and fast horse capable of long and hard riding and one that could outrun and range-gather scattered manadas and wandering horses. These mounts were just right for this purpose, but too hot-blooded for general cow work.

The mustang mares had an interesting history in that they formerly belonged to Sitting Bull. Then that wily Sioux Medicine Man surrendered at Fort Buford the summer of 1881, after his four years exile in Canada, his, ponies were confiscated and sold at public auction. Some 350 of these Indian horses were bought by the post traders, Leighton, Jordan and Hedderick who, a year and a half later, sold 250 head including all mares, to that much talked of adventurer and visionary stockman and founder of the town of Medora, the Marquis de Mores. As these mares were the type wanted by my outfit, the Little Missouri Horse Company, a deal was made with the Marquis whereby some 60 mares were bought, our choice. They were well suited as equine matrons to go with a thoroughbred stud: solid colors, strong and active, uniform in type, good rustlers, and easy keepers. Many were war ponies and had been in the battle of the Little Big Horn, for they carried scars from the rifles of Custer's troopers (Huidekoper, 1955:64)

The production of Sioux-Thoroughbred crosses, which

Huidekoper called "American horses," soon became a major focus of the ranch operation. Many were shipped east to be sold as polo ponies, one selling for \$1,500 and another for \$2,500 (Huidekoper, 1924: 35)

T. W. Ingersoll to the HT:

Since the horses were the main attraction on the ranch, Ingersoll took pictures of the horses. At one time a hundred or more were being driven over rocky ridges of the Badlands by cowboys heading for the HT barns. One could see the beauty and activeness of those Sioux mares and their offspring. Mr. Huidekoper had purchased these fine mares from the Indians and bred them with racing thoroughbreds and Percheron stallions from Kentucky. The colts, a strong, active lot he called "American Horses," made fine range riding horses and back east they sold well for athletic purposes. They were of many colors including greys, buckskins, sorrels, pintos, strawberry roans, and roans. Many had white faces. . . (Noyce, 1959:34).

In describing his production of "American horses" (the Sioux crosses), A. C. Huidekoper said:

The breeding of this herd was a most interesting problem. With the exception of some full-blooded stallions, the rest of the herd ran at large. . . . their herds, it was almost as easy to find a herd as to find a man in the directory. You might have to ride fifty miles, but you would find him at the selected spot (Huidekoper, 1947: 35).

In *The Mustangs*, Dobie states that the ranchers of western North Dakota used horses descended from the Sioux-Thoroughbred crosses bred by DeMores and Huidekoper: When, after four years of exile in Canada, Sitting Bull of the Sioux finally, in 1881, surrendered at Fort Buford, North Dakota, his war ponies were sold at auction and bought for a song by post traders. The mares went to that fantastic character, the Marquis de Mores of Medora. Then the Little Missouri Horse Company topped these mares and bred them to a Kentucky Thoroughbred stallion. Among them were grullos and buckskins with black stripe down the back. Some showed scars from the bullets of Custer's troopers. In the terrible winter of '86-87, which killed a great majority of cattle on all northern ranges, these little Sioux mares survived. Their clean-boned, strong, fast, long-winded offspring are still a tradition among Dakota ranch people well into the 40s. (Dobie, 1952 [orig. pub. 1934]: 90).

Harry Roberts, son of the HT foreman stated:

It was very common to breed Indian mares to Thoroughbred studs in the early days; they got good results, tough horses. The HT had a Thoroughbred stud which was bred to common mares--two of the colts had plumb white heads. There were a lot of bald-faced horses in the old days; We used to ride 30-50 miles a day; probably an average of 20 miles in a work day. Mr. Roberts stated that he felt that the THRO horses are representative of the early Indian-based ranch horse. When shown photographs of THRO horses, he said, "Oh yes, those are the oldtime horses. They sure do look different from other horses."

When asked if he thought that the park horses could still have some of the early Indian horse blood, perhaps even be partially descended from the Sioux mares his father managed at the HT, he answered, "I'm sure of that." No other informants mentioned the HT horses.

Jack Murphy (Killdeer, son of Red Murphy) stated the older type was tough. They weren't fast, but they could go all day and the next, they were good horses. Now horses can't go like that. . . Murphy believes the THRO horses to be a remnant group of early ranch-type horses, "the same horses everyone rode."

Ed Newcomb (Grassy Butte) believes the park horses are the last of the turn-of-the-century ranch and wild horses (the types being the same early on; see "Wild'Horses"). He said of the early type:

People bragged about the badlands horses--called them "broncos," they were so tough. You knew they were mustangs

L. M. Barnhart had "mustang Indian pony types; not a lot. He got most of his horses by catching wild ones" (Newcomb). Northrup said the Barnhart horses were "the Indian pony type; pintos and baldfaced horses."

Newcomb :

He [Rhodes] rode common horses, the same type that everyone else had here. Those horses were caught, . canned, and shot; now they are very seldom seen.

Tom Tescher told the Brainard Daily Dispatch (2 November 1981) that he had become interested in wild horses because of an experience he had as a first-grader:  
We drove by car over to the Petrified Forest (area that

is now within the boundaries of the national park) and as we came over the hill there was this wild stallion with his band of mares looking right at us. . . . It just did something to me.

Lifelong area rancher and horseman John Griggs (Medora) said, "There were always wild horses in the badlands; they are the most important thing in the park."

Another area rancher, George Schwint (Medora), avowed that there have been wild horses throughout the area since his childhood, "from south of Medora to up north; all through the hills; I used to see them when I rode horseback."

Newcomb said:

I haven't seen horses like that for years--used to see quite a few of them like that, they're typical of the horses everybody used to ride. I used to catch and break that type once in a while when I was young.

Barnhart recalled that as late as the early 1950s there were free-roaming horses "all the way to Williston" and that he used to chase them west of Grassy Butte. Ranchers chased the horses in the park and kept the colts that were caught:

The park round-ups took out the owned horses. Bay was the ideal ; people didn't try to catch the Indian type or colored horses. But the park never got them all--no one, I mean the cowboys, wanted to. The park wanted them out, but the locals didn't . They were fantastic to watch, as smart as they were. The mares were

easier to catch than the studs. There was a heavy blue roan stud in the late 1940s and early 1950s that was a hell of a horse--no one could catch him. One time near Peaceful Valley he jumped an 8-foot corral and went straight up the side of a cliff.

Both Tom and Alvin Tescher acknowledge that horses have been running free in the badlands since before their youth. They knew cowboys of the previous generation who chased them (e.g. "Badlands Bill" McCarty, Louis Pelissier, etc.) and have seen people catch badlands horses since their childhood.

"You could always tell the type apart..... He described the park horses as "more mustangy than wild horses elsewhere" and said, "We probably harmed them by taking the mustang out

Tom Tescher-does not like to speculate about the ultimate origin of the horses and will say only that they "could be old blood." *He approved of putting a limited # of stallions into the park herd.*

When Tom rode through the park in 1962, he observed the following horses: two grey stallions, a small blue roan stallion, two young black-and-white paint stallions, two or three "wild" grey mares, a blue mare (which later became the "Old Blue Mare") with a young filly, and a young blue bald-faced stallion. (There were also others.)

Both Alvin and Tom Tescher expressed the desire that the

"older type" of park horses remain in the park; these horses are viewed as a link with the past and are admired for their wildness and strength

*John Gripps*  
*AS FAR AS TRESSPASS HORSES*

Former Ranger Robert Morey (SR; THRO 1953-1957) states:

Regarding trespass ranch horses, Morey asserts,

I never heard of any case where this bunch of horses

intérmingled with the "wild bunch." Usually the

deliberate trespass horses were encouraged to range

west of the Little Missouri, probably to avoid intermingling

with the "wild bunch." Morey also comments that "the feeling

prevalent among the park staff during my tenure at THRO was that

there had been feral horses in the badlands at least as- far back as

Theodore Roosevelt's time and that a few head were appropriate to the

theme of the memorial park as it was then designated."

Former Park Ranger Bob Morey (SR; THRO 1953-1957) had this to say about the event:

In April of 1954 a so-called "wild horse round-up" was held and participated in by several local ranchers and

cowboys. It was condoned by the park, and the coralls

at Peaceful Valley were used. Considerable publicity

and local TV coverage took place, b u t , a s f a r a s I

know, not many ( if any) of the "wild bunch" were corraled.

As I remember, Jim Barnhart's rodeo s t r i n g were

most of the animals corraled.

In sum, the 1954 round-up was successful on several counts.

One, it removed most of the trespass ranch horses.

within the park at this time. It is my recommendation that the Theodore Roosevelt National Park give careful consideration of any proposals to introduce new blood lines into the wild horse population

*IN OF KENTUCKY —*

***The cayuse is generally roan in color, with always a tendency this way, no matter how slight. He is strongly built, heavily muscled, and the only bronco which possesses square quarters. In height he is about 14 hands; and while not possessed of the activity of the Texas horse, he has much more power. This native stock was a splendid foundation for the horse breeders of Montana and the Northwest to work on, and the Montana horse of commerce rates very high. This condition is not at all to the credit of the cayuse, but to a strain of horses early imported into Montana from the West and known as the Oregon horse, which breed had its foundation in the mustang (Remington, 1960: 108).***

A 1977 evaluation of the park horses by BLM Range Conservationist and Wild Horse Management Specialist Milton Frei found no evidence of inbreeding among the park horses, as determined by appearance and vigor.

little more difficult to break than the so-called "tame animals." But the wild stallions are, whenever possible, shot; both because of their propensity for driving off the ranch mares, and because their incurable viciousness makes them always unsafe companions for other horses still more than for men. . . (Roosevelt, 1981: 23).

In describing local ranch horses, Roosevelt had this to say:

Our outfit may be taken as a sample of everyone else's. . . . All our four-horse teams are strong, willing animals, though of no great size, being originally just "broncos," or unbroken native horses, like the others (Roosevelt, 1981: 33; emphasis added).

Saddle horses of Roosevelt's Maltese Cross Ranch are shown in Figure 9. The horses are small, with the long mane and tail typical of the mustang/Indian horse type. They appear to be largely solid-colored, although one seems to have a bald face and several have white socks.<sup>9</sup>

The Marquis de Mores, founder of Medora and a consummate horseman, appears to have favored the Indian horse as a mount during his years as a frontier cattleman. A newspaper clipping from the de Mores family album dated 18 August 1883 recounts the visit of an Associated Press party to Medora that summer, during which the Marquis gave them a tour of the developing town. The writer noted that area residents rode "small Indian horses" and that the Marquis provided them with the same for their tour. Members of the party were afraid to mount these animals until a Major Bickham "selected a cream-colored Cayuse called Buckskin" and trotted him up and down the street, "whereupon the timid took courage from his example." The group then proceeded:

"Let me show you my abattoir, refrigerator house, cattle pens, stores and offices," said de Mores, lead-

<sup>9</sup> The writing on this figure identifying the horses as mustangs was done by Bill Phillips of the BLM.

The Sixty-third Legislative Assembly of North Dakota has introduced SENATE CONCURRENT RESOLUTION NO. 4011

Planned testimony:

I am Valerie Naylor, Superintendent of Theodore Roosevelt National Park. Thank you for the opportunity to speak to the Senate Natural Resources Committee. I appreciate the interest of the Committee in feral horse management at Theodore Roosevelt National Park. The National Park maintains a healthy herd of horses within the South Unit, as a historic demonstration herd, as noted in the resolution. I'm sure you will agree that a limited herd is a good thing, as the park can only support so many horses – we also have many other grazers in the park, such as bison and elk. The horses are important to the park, and we have every intention of maintaining them in the South Unit into the future.

The horses in the South Unit today are descendants of ranch horses that roamed the badlands prior to the time when the park was fenced in the mid-1950s. This is also stated in the resolution and we agree. Many decades later, these horses are special because they and their ancestors have lived free in the park for many generations. They are truly North Dakota horses, Theodore Roosevelt National Park horses, and wild or – more accurately - feral horses. That alone makes them special.

The resolution asks the park to manage the horses in a manner that ensures their preservation. I want you to know that we *do* manage the horses in a responsible, careful, thoughtful, and science-based manner. The reference to an attempt to change the appearance of the horses by introducing different bloodlines is misleading and outdated. The park did introduce some additional stallions into the park in the distant past, but has not done so for 30 years. The goal at that time was to prevent negative effects of inbreeding, at a time when the horse population was around 40 animals, with a very small breeding population. At the time, park management was trying to do what they thought was best for the horses: to prevent inbreeding which might cause their demise. We can't change that now, and I don't think we should second guess it. Since the 1980s, we've learned a lot about genetics, the park horses, and horse management. The stallions that were introduced over 30 years ago were subsequently removed from the park, as were most of their obvious offspring. The park has no desire or intent now to introduce new horses to the herd or in any way change the

appearance of the horses. Again, the horses are special because they have lived in the park for generations.

I want to stress that we know these horses well and we manage them carefully. You may not know that we are working with veterinarians and leading reproductive scientists on a major, cutting-edge research project on contraception in the horse herd, testing a contraceptive to see if it might be effective in limiting population growth so that round ups and sale of excess horses would not be necessary on a regular basis. We are also studying any potential side effects of the contraception on the horses' health or behavior. We hope to revaccinate some of the horses this fall, and continue this ground breaking research project for a few more years. As part of this research project, we have excellent records on all of the horses in the park, and we use that information to track and manage the horses.

The park is planning a round up and sale of some of the horses this fall. That is necessary, as we currently have over 160 horses in the park – many more than the target range of 50-90. But we wanted to leave the horses and the bands undisturbed during the research project so as not to influence their behavior or the results of the study, which is why the population is high right now.

We feel this resolution is unnecessary, as we are already doing what it requests – managing special horses in the South Unit of the park so that they will continue to be a magnificent part of the national park's landscape and treasured by future generations of North Dakotans and visitors from across the nation and around the world.

Thank you for the opportunity to speak to you today.



North Dakota Chapter

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# THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL R. McENROE  
NORTH DAKOTA CHAPTER, THE WILDLIFE SOCIETY  
SENATE CONCURRENT RESOLUTION 4011  
SENATE NATURAL RESOURCES COMMITTEE  
FERUARY 14, 2013**

**Chairman Lyson and members of Committee:**

**For the record; Mike McEnroe, representing the North Dakota Chapter of The Wildlife Society. The Chapter opposes Senate Concurrent Resolution 4001 dealing with the management of the Nokota horse at Theodore Roosevelt National Park.**

**The Chapter stands in support of the National Park Service on SCR 4011. As presented by Superintendent Naylor, Theodore Roosevelt National Park manages the wild horse herd using science-based management practices in concert with the management of the bison, elk, and other big game herds in the park. The Park is already doing what this SCR requests.**

**The Resolution is unnecessary and implies that the Park is not soundly managing the wild horse herd. For these reasons the Chapter urges a Do Not Pass recommendation on SCR 4011.**

**Thank you. I will try to answer any questions that the Committee may have.**

## TESTIMONY for SCR 4011

14 WHEREAS, after decades of removal efforts by the National Park Service, today only a  
15 historical demonstration herd remains in Theodore Roosevelt National Park; and  
16 WHEREAS, the National Park Service has undertaken efforts to change the appearance of  
17 the wild horses in the park by introducing non-Nokota bloodlines; and

Amending (removing) lines 14-15 and 16-17 takes away any responsibility for what happened in Theodore Roosevelt National Park the last 30 years. And that is the main reason for SCR4011. We are just asking Theodore Roosevelt National Park to do their job. And that is to acknowledge and give credit to the horse of the Northern Plains Natives. I sometimes think that if we had just half the documentation that these horses were descendents of Custer's horses, it would be a very different story.

What we DO know is when Sitting Bull surrendered at Ft. Buford in 1881; terms of his surrender were his horses and his weapons. The Marquis DeMores bought Sitting Bull's horses to raise on a large scale. Theodore Roosevelt wrote about the native horses his outfit used. HC Huidekoper, who ranched near Amidon, ND in the 1880s, ran between 4000 and 7000 head of horses. He bought 60 Sitting Bull mares from the Marquis and crossed them with a Thoroughbred stud and Percheron studs.

We know that when the Theodore Roosevelt National Park perimeter fenced was enclosed, a number of wild horses were fenced in. In the 1954 roundup, 99% of the horses and mules were branded. Ranger Morey stated "to his knowledge, none, if any, of the wild horses were chased or caught".

During the 1960s, Theodore Roosevelt National Park policy on the horses was total elimination. But some locals and others protested because those horses belonged there and were there for as long as they could remember. Terrain was rough and they were not able to catch them all.

From the 1960s through the 1980s, the horses in Theodore Roosevelt National Park were chased, some were caught, some shot, others snared.

In 1979, Harvey Wickware replaced John O. Lancaster as superintendent of Theodore Roosevelt National Park. During Wickware's administration, an effort was made to change the genotype and phenotype of the Park horses. To implement this goal, blue roan and grey stallions were destroyed and/or removed and sold and domestic stallions representing modern breeds were introduced to replace them. The rationale for this action was to produce a variety of horses that would appeal to the modern horseman and command a higher sale price. (Wickware personal communication – Theodore Roosevelt National Park records).

So during the following years, the Theodore Roosevelt National Park began to target the Native studs so that the introduced studs would be able to compete. They also started using two helicopters and outriders and became very successful at getting rid of the native type horses.

This is North Dakota's Honorary Equine, they are descendents of Sitting Bull's horses and the turn of the century ranch horses. A YES vote on this resolution would be doing the right thing for the horses, the Northern Plains natives, for the State and for this Nation.

Thank You –

Frank Kuntz

# Robert Utley, Former NPS Chief Historian

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Interview from May 2009

2/14/2013

Testimony for SCR 4011 for North Dakota's 63<sup>rd</sup> Legislative Assembly

Nokota • Horse Conservancy

208 NW 1<sup>st</sup> Street  
Linton, ND 58552  
[www.nokotahorse.org](http://www.nokotahorse.org)

## Robert Utley, Former NPS Chief Historian Interview

May 2009

"What I object to is the National Park Service insisting on a question to an answer, let me put it another way ... insisting on scientific evidence for what is essentially a historical question. You don't answer historical questions with scientific evidence (genetics). You answer it with historical research. Castle's done it.

I come nowhere near knowing what her evidence is, but I know what her conclusions are and I share her conclusions. I have vigorously objected to the Park Service's continued insistence on genetic evidence, which is simply an easy way to get off the hook. They don't have to listen and it is insulting to a senior scholar who is the expert, who started the whole research when she was wearing a park service uniform, declining to have her come out and at least present her case. I believe that she has made the connection between the Sitting Bull ponies and the cowboy ponies that have produced the unique Nokota® blend. I believe that those running wild within the Theodore Roosevelt National Park constitute a historic resource just like TR's cabin and so forth, and the landscape is a historic resource that the service is obligated to interpret and preserve."

"What I have urged is no more than the Regional Director of the Park Service to get into a conversation with the people down in Linton and listen to what Castle has to say. And some of those horses ought to be back in the Park; but if they aren't, they still should be recognized as historic resources of the Park that should be treated as such and interpreted as such. Now I've got the authority to say that. I was Chief Historian of the National Park Service, I wrote virtually all of the standards and policies by which these things are judged."

master plan calls for moving it and the Park Service balked on that. I lined up three former chief historians, three former superintendents of the battle field, the archeologists and others as plaintiffs and, under the auspices of the Public Employee for Environmental Responsibility (PEER), we sued the Park Service and the Park Service backed off. And so that's the kind of thing, it was because Bob Utley led the charge, that it had the credibility with PEER and also with the federal court. And that has not happened here.

Now the Park has all kinds of other problems, you know they are in a standoff with North Dakota over how to reduce the elk herd. And I can appreciate all she (Valerie Naylor, TRNP Superintendent) is going through, that woman also though is a black-and-white non-compromiser, and in this case despite what I wrote, despite what Paul Hedren, who was watching this unfold (he was Superintendent up at Fort Union Trading Post) he watched this and he weighed in with the Regional Director, who just had retired, and so what they did was simply refer it to the Superintendent to draft a reply which Ernie Quintana, the Regional Director, signed. That's where it has stood ever since May 9<sup>th</sup> 2007."

"I wrote the biography of Sitting Bull and I am an authority on that, but all I know is that they were auctioned off after he surrendered and the Marquis bought them. I also know that the Marquis brought in his own cowboys so that they brought their horses and they got mixed up but you know it is Castle who has documented all of this, as I have not. What I am telling you is what I understand from Castle's word, so I can't add authority to her research and conclusions. What I can do is what I have already done, is make a big stink of fighting my old agency, as a person with considerable credibility and distinction and that hasn't worked."

"The problem is they don't want to acknowledge that they did the wrong thing back then and be embarrassed by it. I'd love to see them embarrassed, that's what we did when we sued them over Little Bighorn. That's what we did when they were getting ready to severely damage the old Santa Fe trail building in Santa Fe which is a regional

headquarters for the Park Service. It was built by the CCC, it's a national historic landmark, and we headed them off there. We are fighting them over some bad things that are being done over here at the LBJ National Park of which my wife was once superintendent. So I am not new to fighting the Park Service."

"So the agitation has continued and I don't know whether you follow this guy Thunder Bear... he is reviving it. He wants to do an article for National Geographic that brings the whole thing... as long as it is agitated in public its embarrassing the Park Service, that's what I want to continue happening. I don't think in the foreseeable future, unless we can get the new director, whoever he/she may turn out to be, to take personal notice, that we can go any further then trying to keep the agitation up and embarrassing the Park Service before the public. They don't like to be embarrassed. The first letter here was to the Director of the Park Service and she was, however ineffective, a very good friend (I address her as Dear Mary) but she was not a successful director. She never responded. Most issues like this they like to leave to the Regional Director, and the Regional Director left to the Superintendent. So you run into one (Superintendent) as stubborn as one in TR, the best you can hope for is to keep the pressure up. And I think this Thunder Bear character, I know he is on our side and he resents how quickly she brushed him off when he asked for her side of the story. He's not a national figure and his publication periodically is only on the internet, so I don't think, unless he can really put together and does put together an appealing article for National Geographic, I think we're stuck where we are."

"As I understand it they do want to keep a sustainable number of wild horses for visitors to look at just like elk. But it would be an additional effort to make sure that they had Nokota® horses that weren't mixing with any other horses and that would have been a big effort and they didn't want to be bothered.

Sitting Bull probably knew that country and the little Missouri better than this Superintendent does because there were battles he fought up there and he ranged all

"And I had other high positions. I was on the Advisory Council on Historic Preservation as Deputy Director, which oversees the federal law that would have applied in the case of TR when they started taking those horses out, because that was a federal undertaking with an adverse effect. I am using official terminology, adverse effect on the Park, and that is a violation of the regulations of the Advisory Council and therefore federal law. The Park then should have recognized those as historic resources and followed all of the hoops you have to jump through under the National Historic Preservation Act of 1966. And almost certainly they would have tripped over one of those hoops, because I don't think the State Historic Preservation Officer is the first one that looks at whether these are historic resources, and either goes along with it or signs off on it. I suspect, I don't know who it was (we called them SHPO's), was in ND then or how that person would have reacted but I suspect it would have been defined against the Park. And in that event the Park complies, or if it refuses to comply, it has to go clear up to the Advisory Council, which reports directly to the President, and be considered and the Advisory Council will render an opinion, in this case it would have been... of course, it is a historical resource. But the Park Service almost *never* goes that far. I mean this is the... the Park Service is the one who originated the law and it's just unthinkable that it would not have been stopped from moving those horses then. But they didn't recognize them, and nobody else did, as historic resources. And the Superintendent wanted to get rid of them, whoever it was then."

"So what now needs to be done in light of Castle's further research and her distinguished position and her conclusions, is for the Park Service to get off this genetic kick and at least listen to what she has to say. It also ought to listen to someone with my pedigree."

"We had a similar case, not similar, but we had a case at Little Bighorn last year, in which we were trying to stop them from doing a bad thing, which was enlarging the visitor center. And I said no, that thing was built in the wrong place to begin with, it's an adverse affect under the preservation law and you can't enlarge it because the

over it. A breed of his horses and the cowboy horses wraps up the two significant themes, historical themes, on which the significance of that Park is based. And that is the Indian and the cowboy, DeMores and TR, you know you don't get much more significant than that. And all I have been arguing for is that, not that they bring the horses back, I wouldn't trust them, but they open a dialog with the people in Linton and work out some sort of arrangement by which they are acknowledged as historic resources and to the degree, and this will probably never happen, is reintroduce them but that's not going to happen under the present management. It's just not going to happen; they won't even listen to Castle."

"But you've got to have a Park Service who would like to do this and I stand ready as long as I live to cultivate that. I can't cultivate it within this Park Service; I've made too many enemies for one thing or too many people that say that is just Utley. If you had this kind of combination, a receptive Park Service, a Superintendent who would listen and was sold, and a conservancy that was viable and able, maybe with some federal funding, and then the public support in North Dakota, possibly South Dakota, that would bring pressures on the congressional delegation. Sign up the governor, too. It's probably going to happen."

"Well Castle has made the case. I am providing the credible backup to Castle, one who knows the Park Service, one who has influence with a lot of people who have been kept down in the Park Service."

# Senator Kent Conrad

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## Correspondence

2/14/2013

**Testimony for SCR 4011 for North Dakota's 63<sup>rd</sup> Legislative Assembly**

### **Nokota • Horse Conservancy**

208 NW 1<sup>st</sup> Street  
Linton, ND 58552  
[www.nokotahorse.org](http://www.nokotahorse.org)

30 May, 2012

Senator Kent Conrad  
530 Hart Senate Office Building  
Washington, DC 20510

Senator Conrad,

I was disappointed in your reply to the letter I sent regarding the Nokota horse, as it failed to address the substance of my concerns, which center on the unique historical relevance of the Nokota. These horses represent not just a distinctly American breed of horse that was specifically designed for life on the Northern Prairie and the challenge of life as war horses and buffalo hunters, but also a vital link to our collective past.

In your letter you refer to the horses in the Theodore Roosevelt National Park as feral. This is a misnomer that oversimplifies and misunderstands the nature and distinct heritage of the original National Park horses. This misrepresentation of the horses endangers a resource that could, if the public were properly educated, become a living national treasure.

There is significant and substantial research, collected over a period of time and utilizing a wide variety of historical documents, that identifies and traces the Nokota from their enclosure in the National Park back to A.C. Huidekoper and the Marquis de Mores, and from thence to the horses surrendered by Sitting Bull. This research was conducted by skilled and well trained researchers, including Dr. Castle McLaughlin of Harvard University, and major historians Paul Hedren and Dr. Robert Utley have examined her research and found it to have a lot of merit.

In an ideal world the National Park would be the driving force behind the efforts to preserve the Nokota horse. Unfortunately, due to a number of policy decisions over the past 30 years, from the introduction of domestically bred horses to the inappropriate and dangerous handling of horses during roundups and sales, the representatives of the TRNP have been resistant to information pertaining to the historical significance of the Nokota horse. By failing to acknowledge the important historically based information regarding the development of this breed, park officials are forfeiting an opportunity to both educate the public and preserve a historical treasure. Given that preservation and education are integral parts of the National Park's mission, the missed opportunity to preserve the Nokota horse is doubly unfortunate.

Everyone regrets the policies that stripped the native peoples of their land, livelihood, and cultural identity. Let us not repeat the injustice of these policies by failing to give assistance and protection to the horses they developed. To this day much of Native American history is ignored, passed over in silence. One cannot help but wonder if the heritage of the Nokota would be as disregarded if they were the descendants of Custer's horses rather than the descendants of Indian horses.

You have before you a chance to lead. You note that there has been no local push for the restoration of the Nokota horse to the National Park, but how could there be when the public, not just locally but nationally, remains uneducated about the lineage of these horses? Yes, the reintroduction of Nokotas into the park would necessitate further adjustments to the horse population in the park, but these adjustments take place on a regular basis anyway. This is not a local issue; it is a national issue. The benefits of restoring these horses to the park are many. Beyond the obvious historical advantages there are economic opportunities as well. The reintroduction of the Nokota to TRNP could become a vehicle

through which the National Park receives positive publicity that could in turn lead to greater tourism in the area.

Much has already been lost, but much can yet be saved. You have the opportunity to play an integral part in saving an irreplaceable living testament to the Great American past. It is my continued hope that you will have the wisdom and courage to provide strong leadership on this issue.

Sincerely

Frank Kuntz

208 NW 1<sup>st</sup> Street  
Linton, ND 58552  
701.321.2320  
fkshbek@bektel.com

KENT CONRAD  
NORTH DAKOTA

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AGRICULTURE, NUTRITION, AND FORESTRY  
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## United States Senate

June 15, 2012

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Frank Kuntz  
208 Northwest 1st Street  
Linton, ND 58552-7007

Dear Frank:

Thank you for contacting me again about the Nokota horse. It was good to hear from you.

I understand your views on the issues surrounding the Nakota horse, and its historical significance to our state and our nation. As I have written, neither the National Park Service (NPS) nor the Theodore Roosevelt National Park have expressed interest in pursuing the introduction or re-introduction of the Nokota horse on Theodore Roosevelt National Park or other national park lands.

Based on numerous conversations and direct communication with the National Park Service by my staff, a great deal of management latitude is granted to NPS Park Managers on issues such as this. The NPS is very reluctant to substitute its judgment for that of local park management. Park management has not signaled an interest in repopulating the Theodore Roosevelt National Park with Nokota horses, and neighboring ranches appear to support park management on this position.

The story of the Nokota horse is certainly intriguing. Of course, not everyone agrees with your conclusions about the original park horses. Most notably, Theodore Roosevelt National Park management and many of its neighbors to the park have not expressed support for the Nokota Horse. In your letter, you suggest that the lack of a public push for bringing the Nokota horse to the park is due to a lack of education about the Nokota horse. You and other members of the Nokota Horse Conservancy may wish to continue educating and building support for the Nokota horse among those who enjoy the park and provide input to the park's management plan.

Given the need for additional education, it appears that your proposal is a longer term project. As you know, I am retiring from the Senate at the end of this year. As a result, I am not initiating new projects that do not have a high likelihood of being completed before the end of the year.

Again, thank you for contacting me.

Sincerely,



KENT CONRAD  
United States Senate

KC: wsko

*As you know, I have always been intrigued by the Nokota horse, but have not had much success in selling the idea. K*



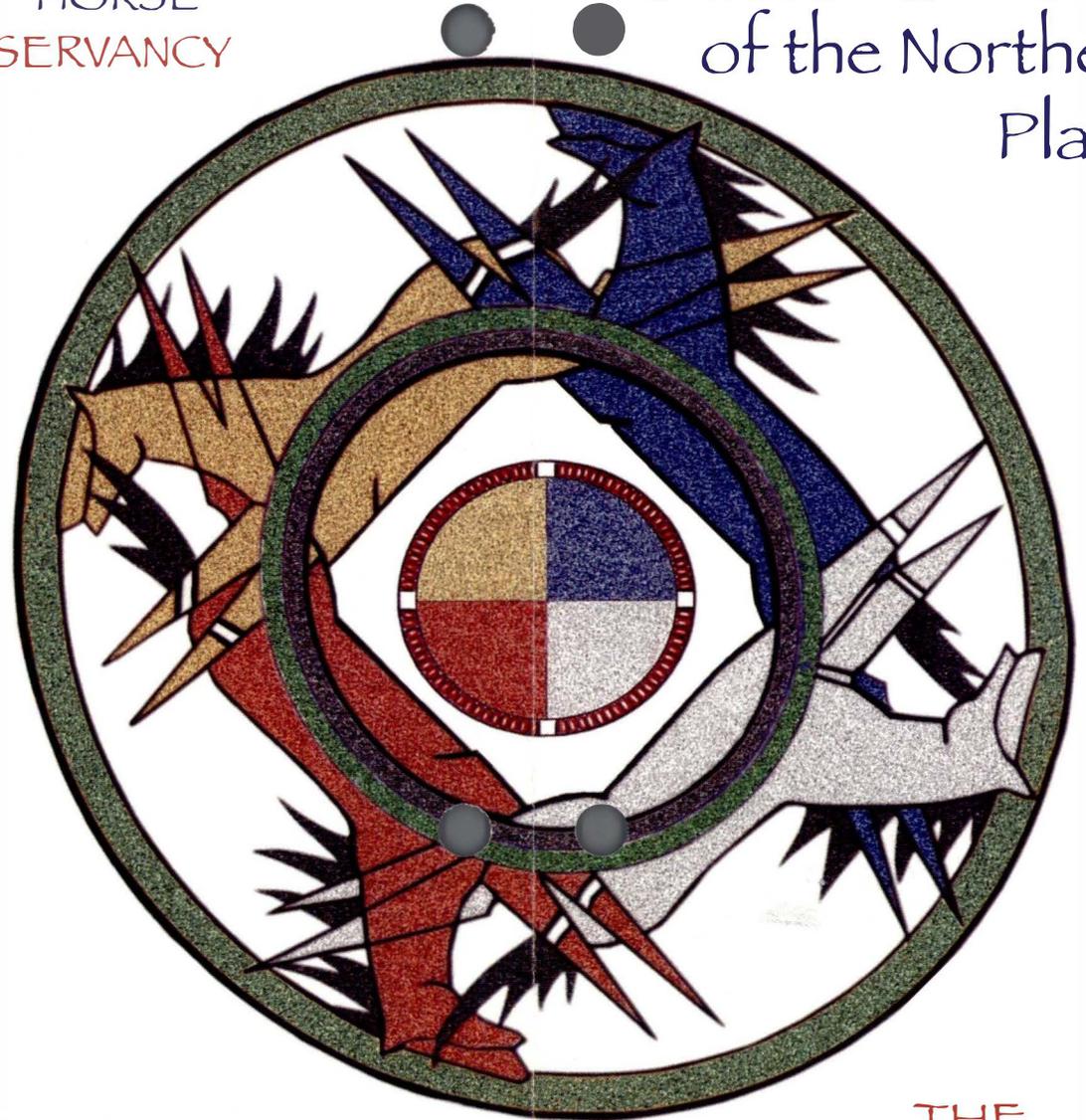
The Nokota Horse Conservancy is a non-profit organization dedicated to preserving these unique horses for the next generation.

Your **tax-deductible contributions** are greatly appreciated. Support for our Sponsor a Horse program buys feed to keep the animals alive through the harsh North Dakota winters. Visit the horses online or contact us today to learn how you can help us protect the Nokota horses through education, preservation and promotion.

[www.nokotahorse.org](http://www.nokotahorse.org)

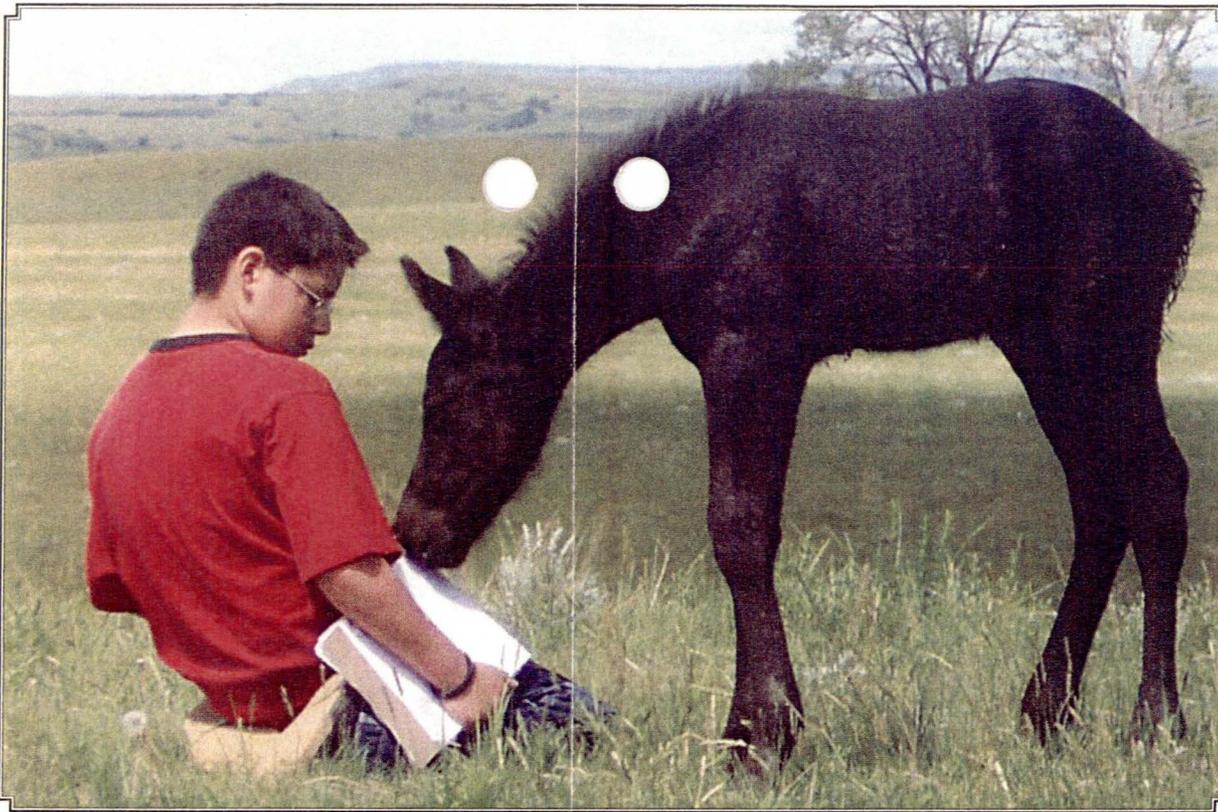
THE  
NOKOTA  
HORSE  
CONSERVANCY

SAVING  
the Native Horse  
of the Northern  
Plains



Nokota Horse Conservancy  
208 NW 1st Street  
Linton, North Dakota 58552  
Tel: 701.254.4302 • Fax: 701.254.4205  
Email: [info@nokotahorse.org](mailto:info@nokotahorse.org)

THE  
NOKOTA  
HORSE  
CONSERVANCY



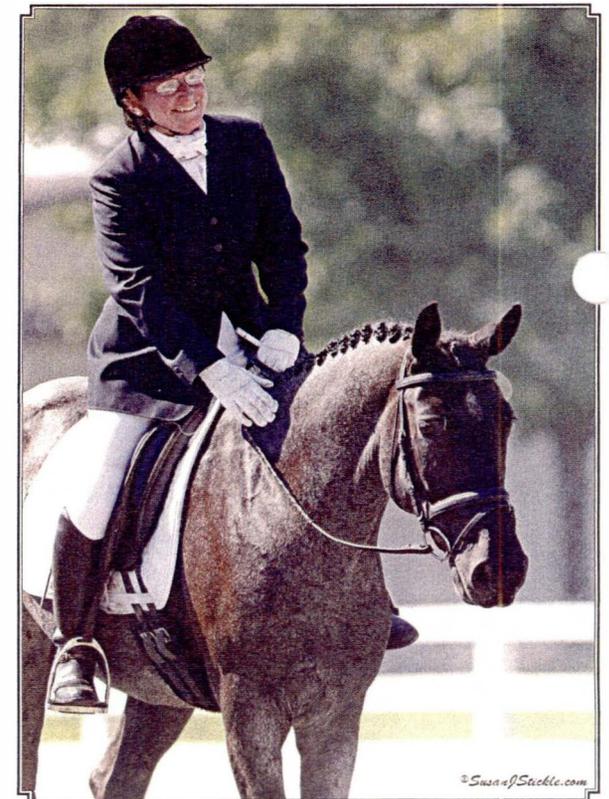
The Nokota Horse Conservancy is a non-profit organization formed in 1999 to protect the last wild horses in North Dakota. Descended from generations of ranch and Indian horses, including horses confiscated from Sitting Bull's Lakota people in 1881, Nokota horses are living history. They are smart, tough, athletic, and colorful: many are blue or red roans or overo paints. These horses survived in the Little Missouri badlands for more than 100 years, until they were removed by the National Park Service and sold for slaughter during the 1980s.

The Kuntz family bought and maintains the herd, but they cannot do it alone.

The Conservancy's mission is to save the Nokota horses by acquiring land for a permanent sanctuary and by reuniting them with people. Nokotas make wonderful, personable saddle horses and are making a splash on the hunt field, in the dressage ring, and on the trail. Please visit our website to learn more about what Nokotas can do for you, and what you can do to help preserve them for future generations.

## Goals & Programs

- Supporting a herd of horses
- Creating a sanctuary
- Working with United Tribes Technical College to stage a summer camp for Native American youth
- Partnering with Native Americans and other groups to promote the benefits of working with horses
- Maintaining a breed registry & archive



3

**THUNDERBEAR® #280**  
**THE OLDEST ALTERNATIVE NEWSLETTER IN THE FEDERAL**  
**GOVERNMENT**

**January-February, 2009**

**"NOW JUST A DARN MINUTE!"**

Readers will recall that in the last issue of THUNDERBEAR, we left Cindy Orlando, Superintendent of Hawaii Volcanoes National Park, with the distinct possibility that an obscure NPS guideline would require that she phase out the 2,000 Hereford cattle now operating as "organic lawn mowers" in the new Kahuku Ranch unit of the park and replace them with historically accurate, but vicious, Hawaiian Longhorns, which would make visiting the park a more thrilling experience.

Sadly, this does not appear to be the case. Cindy is off the hook. She is not required to replace the effeminate Herefords with lusty longhorns.

Here is a note from Jerry Rogers, former Associate Director, Cultural Affairs of the NPS

Hi PJ,

Like the preceding #278, this issue is as good and as fun as always. Thanks for what you do for all of us.

As seems to have become usual, I don't really know the answer to the question you asked me in the Hawaii story in the #279 issue. I am copying Bob Utley on this message because I know he will recall the incidents I mention below.

I cannot think of any overall requirement of law to preserve "breeds" as opposed to species. I am thinking of some situations in which a park believes it should do so--specifically. Lyndon B. Johnson NHS, where Johnson's "effete English" Herefords (your phrase) are deemed to be park cultural resources. Having been at the LBJ ranch in about 1965 in the company of Bob Utley and a mad genius Texas Tech Park Administration Professor named Elo Urbanovsky, and having observed the President's ranch foreman Dale Malacek polishing the hooves of the ancestors of said Herefords with a power buffer, I would have to say those animals are very much cultural resources of the park. If there are other examples, my guess is that they would result from case by case consideration of the mission of the individual park unit.

Some people have engaged in careful breeding programs aimed at selecting out certain breed characteristics in order to recover breeds such as Spanish Churro sheep that Navajos began to herd a couple of centuries ago.

Essentially they are trying to breed out the "improvements" that have been bred into certain animals over time. I recently saw an ox that resulted from such breeding at Shaker Village at

Pleasant Hill, Kentucky. Again, I am not aware of much of this sort of thing happening in NPS units, nor of any requirements to do so.

Some parks that have bison herds are dealing with the fact that not all bison were the same 150 years ago, and that some bison that survived the great slaughter managed to acquire cattle genes. I think Yellowstone may still be dealing with some of this from bison brought to the park decades ago from Texas--probably from the herd of Charles Goodnight who actively bred cattalos.

There is a current issue related to this question at Theodore Roosevelt National Park, where a herd of horses that are almost certainly direct descendants of 'Sitting Bull' ponies is not acknowledged as such by the park or the region. They were removed from the park rather than being managed as cultural resources, as Bob and others believe would be correct.

Your Hawaii story reminds me that J.Frank Dobie said the feral longhorn was the second most dangerous animal in North America, right after the Grizzly bear. Long ago at Fort Davis National Historic Site, I was sifting through the Post Surgeon's daily reports. The Post Surgeon was exasperated by a requirement that had come down from Headquarters to monitor the health of beef animals delivered to the post as food for the troops, reporting that he was unable to perform the required check of the temperature of this bunch of longhorns "owing to the wildness of the animals." That conjured images of a guy wearing an officer's hat and a white smock running around a corral behind giant steers with a rectal thermometer in his hand while dodging the horns of other steers.

By the way, I never actually held the coveted title "Chief Historian." Verne Chatelaine, Herb Kahler, Bob Utley, Harry Pfanz, Ed Bearss, Dwight Pitcaithley, Martin Pechir, and others maybe including Russ Mortensen and Ross Holland did, but not I. (*Jerry is being a bit modest, the Chief Historian of the NPS reports to the Associate Director, Cultural Affairs, in this case, Jerry--Ed.*)

Keep up the good work.

Jerry Rogers

Thank you, Jerry!

Hawaii Volcanoes Superintendent Cindy Orlando tells me that HAVO is ending the cattle operation in the new Kahuku Ranch addition in April this year, and, JUST A DARN MINUTE! she has no intention of replacing them with historic "Vancouver" Longhorns from the Parker Ranch. (Nor is she required to by NPS regulation, as Jerry Rogers pointed out.)

Incidentally, if you would like to hunt the "Vancouver Longhorns," Hawaii's historic wild cattle, the Parker Ranch can arrange a hunt of Hawaii's most dangerous game for a little over \$2,000 (there is no season). The Parker Ranch supplies everything including guns; ammunition and a paniolo (cowboy) guide who will make sure you don't end up on the horns of the beast. The Parker people will also cut up the critter for you; not a bad deal, considering.

Still, the issue of historic breeds of livestock in a national park setting is an interesting one.

Jerry brought up several interesting points in his letter.

The first is the fascinating story of the Ponies of Sitting Bull.

If this story is true, then these horses are living historical artifacts connecting us with the way of life of one of the greatest Native American leaders, Sitting Bull.

In 1876, after defeating General George Crook at the Battle of the Rosebud, and virtually annihilating Colonel Custer's 7th cavalry at the Battle of the Little Big Horn, Sitting Bull deemed it prudent to take his people across "The Medicine Line", that invisible border that the superstitious Americans dared not cross, and into "Grandmother's Country" (Queen Victoria's Canada) where they were allowed to settle in the Cypress Hills under the benign supervision of the Royal Canadian Mounted Police.



By the 1880's, American cries for vengeance had diminished to the point where it would be possible for the Lakota to return to the United States. The buffalo were gone and therefore the Lakota would not need all those horses if they were going to be peaceable farmers, now would they? So as part of the homecoming deal, Sitting Bull had to give up the pony herd. A willing buyer was the visionary Marquis De Mores, a French count who built a chateau in the Badlands and named a town after his wife, Medora. He envisioned a vast cattle empire, complete with slaughterhouse and rail spur for processing and shipping the meat and so on. The idea of Indian ponies fascinated him. Here was a working animal that had been bred by the Indians to suit the rugged Northern Plains environment. It was (relatively) small and not as pretty as European horses, but it was incredibly hardy and enduring. It did not freeze to death in the winter or die of thirst in the summer. It happily lived on grass and did not require supplementary grain or hay.

The Marquis bought many of Sitting Bull's ponies. Possibly, so did his near sighted neighbor and fellow rancher, Theodore Roosevelt.

Things went reasonably well until the Great Blizzard of 1886, which put the cattle out of existence and the open range cattle industry out of business.

The Marquis and Roosevelt went on to other things. Sitting Bull's ponies? Some undoubtedly died in the blizzards, some lived out their lives on other ranches, and some, it is said (and here it

gets tricky) drifted into the Badlands and became the "Wild Ponies" of Theodore Roosevelt National Park in North Dakota.

Now neighbors, generally speaking, most "wild" horse legends are just that; rural legends and federal land managers accept them at their peril.

Nothing brings the crazies out of the woodwork faster than a "wild" horse story.

If the horses are on an Eastern or Gulf Coast barrier island, then OF COURSE they are the descendents of horses shipwrecked on a 16th century Spanish treasure galleon!

If the "wild" horses are in or even near Shenandoah National Park, then OF COURSE they must be the descendents of Col. John Singleton Moby's ghostly cavalry horses.

There is a lesson for Land Managers here: Never EVER refer to a loose horse that has strayed onto federal property as a "wild" horse! If you do, hundreds of "wild" horse crazies and dozens of equally crazy "wild" horse organizations will immediately descend upon you and your operation and make life miserable for you!

Geography will not save you! If your park is in the Midwest, then OF COURSE your "wild" horses will be descendents of those used by Jesse James! If your park is back East, say Saratoga Battlefield NHS then OF COURSE your "wild" horses will be the descendents of the horses of the Connecticut Light Horse.

The correct terminology, particularly when dealing with a reporter, television or otherwise, is that you have some "strayed livestock" in the park and that you are assiduously searching with due diligence for the rightful owners, who are undoubtedly wetting their pillows with grief over the loss of their beloved ponies. In the interim, you have placed these "strayed livestock" in a fenced enclosure where teenaged girl volunteers from the local 4-H are caring them. (Horses have a terrifying constituency in the Perpetual Teen Age Girl, ranging in age from 16 to 60, who regard all horses as "Sacred" and God help any federal land manager who inconveniences the object of their affection in any way!)

If, after due diligence, you are unable to find the owners, then and only then will you place the strayed animals with devoted foster families who will sign a blood oath that they will not sell the horses for dog food or steaks for perverted Europeans.

Now neighbors, by now you should have concluded that your kindly editor is not a sucker for a "wild horse" tall story.

Just to reinforce my prejudices, I sent off an inquiry on the legend of Sitting Bull's Ponies being the ancestors of the feral horses of Theodore Roosevelt National Park to the



superintendent of that park, Ms Valerie Naylor.

("If in doubt, ask a ranger" and all that) Anyway Superintendent Naylor wrote me back very promptly and said:

"...There is NO evidence that the feral horses in Theodore Roosevelt are descended from Sitting Bull's ponies and there is no way to determine that. There are some people who perpetuate that story."

Your editor was soon to discover who those "some people" are.

They are Robert Utley and Dr. Castle McLaughlin, two of the premier experts on Western Americana in the United States, as well as retired NPS historian Jerry Rogers, no slouch himself in the worship of Clio. They vehemently dispute the position of Superintendent Naylor and the NPS on the subject of Sitting Bull's ponies.

In addition to having been the Chief Historian of the National Park Service and the author of 16 books on the Western frontier, Utley has the reputation among fellow historians as the finest historian of the American frontier in the 19th century. Indeed, the Western History Association provides the annual "Robert M. Utley Award" for the best book on the military history of the frontier and Western North America.

Even more to the point, Utley is the author of *THE LANCE AND THE SHIELD: THE LIFE OF SITTING BULL*. This means that the author has more than a passing knowledge of Sitting Bull and his ponies.

Naturally, I decided to check with Bob. Here is what he had to say:

Dear PJ,

As Chief Historian of the National Park Service, 1964-72, I was instrumental in formulated the policies and standards for the care of park historic resources that basically remain in place. As one of the architects of the National Historic Preservation Act of 1966, and as Deputy Director of the Advisory Council on Historic Preservation, 1976-80, I am familiar with federal preservation law. I judge the horses to have represented two important heritages of Theodore Roosevelt National Park. The cowboy heritage of Theodore Roosevelt and the Marquis De Mores, the basis for the park's creation in the first place, and the heritage of the Northern Plains Indians, particularly, Sitting Bull's Lakotas, who ranged over and fought other tribes in this area for generations. In fact, two important battles between Sitting Bull's warriors and US Army troops were fought very near the existing park.

The wild mustang horses that the park disposed of some years back were a mixed bloodline that remained basically intact during the century they had run wild in the Little Missouri Valley. The strains were two: cow horses that entered this area when the Marquis de Mores set up his cattle operation, and the Indian horses confiscated when Sitting Bull surrendered with his following at

Fort Buford in 1881, and which the Marquis purchased. Thus these horses represented a highly significant resource of the park.

I therefore believe that the decision to dispose of these horses violated the policies and standards of the National Park Service and constituted a federal undertaking within the meaning of Section 106 of the National Historic Preservation Act. This was not recognized or acknowledged by park management at the time, so of course, no compliance was initiated under Section 106.

Thanks to the Nokota Horse Conservancy, a philanthropically supported enterprise based in Linton, North Dakota, the bloodlines of these two heritages have been preserved. In other words, significant historic resources of the park still exist outside of the park.

I believe it is advisable for the National Park Service, at the least, to open a dialog with the Nokota Horse Conservancy described in the enclosed brochure. These horses have been preserved largely through the interest and effort of Frank and Leo Kurtz and Shelly Hague, with vital support of Castle McLaughlin, the last an anthropologist, is now with the Peabody Museum at Harvard and did much of the research groundwork during two tours as park seasonal in 1986 and 1987.

I don't know whether it is feasible to restore some of these horses to the park. That is the outcome I would like to see flow from the talks I am advocating. In any event, since the horses at the conservancy are still park historic resources of major significance, some kind of partnership or relationship between the park and the conservancy seems to be in order. At the very least, Dr. Castle McLaughlin should be invited to present her evidence.

Sincerely,

Robert Utley

OK, next enter Dr. Castle McLaughlin. Dr. McLaughlin is Associate Curator of North American Ethnography at the Peabody Museum at Harvard University. In the interest of full disclosure, Dr. McLaughlin is also vice-president of the Nokota Horse Conservancy, so she does have a dog in this fight.

Dear PJ,

When Theodore Roosevelt National Park was created in the 1950's, a concerted effort was made to get rid of the wild horses, which are strongly disliked by the NPS and most rangers whose mission then was to "recreate" the biological landscape of the 19th century. A superintendent who was also a historian, reversed that policy, circ 1970, and advocated treating the horses as an historical resource rather than a nuisance.

At that time, the park decided to maintain an "historical demonstration " herd. Then in the 1980's, another superintendent went into a partnership with local ranchers who proposed getting rid of the wild horses in the park and breeding bucking horses instead, so that the park could

make money by selling them as rodeo stock, That decision was protested by the public, as well as a number of wild horse biologists, but they forged ahead.

I entered the story in 1986, when I was hired to ride a round up as a seasonal ranger, and was subsequently hired to conduct research on the history, administrative history, and social organization of the horses; a project I worked on for three years.

Regardless of the Sitting Bull connection, the NPS has been criticized from many quarters for getting rid of the original horses, which are well documented to have been in the Badlands since the 1880's, when Theodore Roosevelt wrote about them.

Most American wild horse herds started in the 1930's with cast off ranch horses augmenting the Badlands' herds during the Great Depression. However, most of the tamer and slower horses seemed to have been culled out over the years as local ranchers often chased and captured a few for sale.

When I arrived, the horses were extremely wild and very difficult to approach. Many also had Spanish colonial characteristics, as has been documented by several independent horse experts. However, the NPS got rid of those and replaced them with domestic stock.

I was young and deeply discouraged to discover that local politics trumped doing the right thing; especially when the park turned a deaf ear on the protests of respected biologists etc, as I thought the public deserved to see "real" wild horses, rather than quarter horses and also felt that the original breed stock, not others, deserved to be there after all that time.

The Sitting Bull connection came up during my research, it was mentioned by several local ranchers and had in fact, been published as early as the 1930's. The paper trail is really quite clear. The Lakota horses surrendered at Fort Buford in the 1880's, were purchased by the Marquis de Mores, who founded the town of Medora, now park headquarters, and raised the horses on the open range there. After a few years, he sold them to another local who continued to breed them and to lose them in the Badland. It's pretty clear that the Lakota horses were not the only wild horses in the area, and that they were not the only ancestors of the modern herd.

But the real evidence is the horses themselves. We have photographs of the original wild horses, and the correspondence between them and the horses called "Nokotas", the ones removed from the park and purchased by the two ranching brothers is really astounding. In fact, the "Indian pony" appearance of the park horses and the dominant colors of black, roan, and grey were what the ranchers and the NPS objected to in the 1980's, and they justified "modernizing" the herd by saying that there was no market value for old time horses like that, whereas the public would buy the offspring of currently popular domestic breeds. This is documented in NPS records.

The numbers of horses has been contentious, but since Theodore Roosevelt is an enclosed park, everyone has recognized that the population would have to be managed. The issue at THRO has been the change in the herd. The public can literally walk up and pet some of the horses. These are "wild" horses? I am not alone in feeling that something has been lost in the process.

Apparently, the problem is that the park cannot admit a mistake or re-think a superintendent's decision. Also there is still anti-horse sentiment, and the park has been very reluctant to invest in horse management expertise of any kind. I am sure a contributing factor is the increased cost of more careful and informed horse management in these straitened economic times.

But it seems to me that they have simply dug in their heels on principle. Recently the park has stated that the Sitting Bull connection would require genetic proof; but since no one thought to take a blood sample from the horses in the 1880's, that is clearly impossible. Also, it is unlikely that these Lakota horses were "pure" anything in relation to known breeds. so I am not sure they would have genetic markers/signatures that would distinguish them anyway. I don't believe that Lakota horses or other plains herds were "pure" Spanish mustangs; that is one of those romantic notions, but they evidentially did have some Spanish colonial characteristics.

One has to wonder why the NPS would be so hostile toward several of their most distinguished former staffers such as Bob Utley and Paul Hedrin, and so adverse to the possibility, which, if true, could only enhance the appeal of Theodore Roosevelt National Park as a destination and demonstrate good will toward scholarship and the Native Peoples whose land they now manage. These horses could well be the only bona fide descendants of an important Native American Herd. Objectively, it makes no sense. I believe that is why this situation is so galling to Utley, Hedren, and others.

Sincerely,

Dr. Castle McLaughlin  
Associate Curator of North American Ethnography  
Peabody Museum, Harvard University

Well now, neighbors! As old timers used to say "It's a difference of opinion that makes a horse race!" and we seem to have a difference of opinion between the present administration at Theodore Roosevelt and the NPS on one side and Jerry Rogers, Robert Utley, Dr. Castle McLaughlin, et al on the other side.

In the next issue of THUNDERBEAR, we will present the views of superintendent Valerie Naylor and her staff as well as the Regional staff, who are backing the position of Superintendent Naylor, i.e. that there is no provable connection between Sitting Bull's ponies and modern day horses in and around Theodore Roosevelt National Park.

Clearly, this issue requires more publicity. Your kindly editor has been told that NATIONAL GEOGRAPHIC magazine has a larger circulation than THUNDERBEAR.

I don't believe that for a moment, but it is worth considering that we take the issue to THE NATIONAL GEOGRAPHIC for more publicity and possible resolution.

You see "wild" horses, American Indians, The West, and Theodore Roosevelt are iconic symbols of America! Put them all together and you have the kind of story that only NATIONAL GEOGRAPHIC, with its incomparable color photography can tell!

One can visualize a two-page color spread of blue roan ponies running through the badlands! That and other photos of the horses, ranchers, the Badlands, Utley, Naylor, McLaughlin et al, would complement the text, which would be an interesting debate between the two factions on the subject of Sitting Bull's horses.

Your friendly editor will return to the Washington, DC area, on or about April 15 and will straightaway broach the idea of an article on the "Mystery Horses of Theodore Roosevelt National Park: Fact or Fiction?" to the editors of NATIONAL GEOGRAPHIC magazine. The NATIONAL GEOGRAPHIC should be able to get a well known Western writer such as Tim Egan, George Wuerthner, or Terry Tempest Williams to do the text, asking questions of Utley, McLaughlin, and Naylor.

Such a debate should lead in the direction of a solution if not the solution itself!

So where does your kindly editor stand on the subject of Sitting Bull's Ponies? Well, I'm agnostic on the subject, but I'm looking forward to a good argument from all concerned!

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March 4<sup>th</sup>, 2013

To: Mr. Todd Porter

Chairman, House Energy and Natural Resources Committee

From: Bob Fjetland

14985 225<sup>th</sup> St.

Welch, MN 55089

651-388-3984

Mr. Porter and Members of the House Energy and Natural Resources Committee

My name is Bob Fjetland and I am presenting this letter in regards to the proposed Concurrent Resolution No. 4011. To be noted, I am a life time resident in the State of Minnesota.

Frank Kuntz, singularly or in concert with the Nokota Horse Conservancy, has proposed Resolution No. 4011 to the Legislative Assembly of North Dakota.....this action has placed this issue on a National Platform with the potential to affect future efforts of the Theodore Roosevelt National Park Management Team and supporters of the horses from all across the nation. As such, I feel obligated to come forward.

In regards to Resolution No. 4011, I take specific exception to the following points as:

Line No. 10....During the period noted as "most of the 20<sup>th</sup> Century", these horses were not known as Nokota Horses, or ever designated as such. It should be noted that Leo Kuntz himself, whom is credited with creating the Nokota name, didn't do so until 1990.

Line No. 12....The "wild bands" that were fenced in, were never considered Nokota Horses. The statement is misleading.

Line No. 14...Although currently stricken from the original Resolution proposal, the statement, "Today only a historical demonstration herds remains", is misleading. The remaining horses within the Park have never been designated as being Nokota Horses.

Line No 16...Although currently stricken for the original Resolution proposal, the statement, "the National Park Service has undertaken efforts to change the appearance of the wild horses in the Park by introducing non-Nokota bloodlines" is misleading. The horses within the Park are

not designated as being Nokota Horses and the claimed “introduced non-Nokota” bloodlines was done prior to the Nokota name even existing.

The Nokota Horse Conservancy, and in particular Frank Kuntz, has demonstrated an ongoing effort to criticize, antagonize and degrade management philosophies and efforts of Theodore Roosevelt National Park and its management of the horses. This action can only be suspect, when considering what his motives may be. As with all public servants, whether part of a Legislative Assembly or a National Park Management Staff, you, and they, have a very difficult job to do. The adversarial relationship promoted by Frank Kuntz and the Nokota Horse Conservancy has no place in this already difficult balance and should not be encouraged. For the above considerations, I urge the Committee to fully research the issue, ask questions and **Reject the Resolution “As Written”**.

The Nokota Horse Conservancy is Incorporated as a Limited Liability Corporation in the State of North Dakota and was granted Non Profit Status in early 2000. When certain lines of horses were removed from TRNP, and acquired by the Nokota Horse Conservancy, they subsequently were registered as Nokota Horses by the Nokota Horse Conservancy. Not before! The Nokota Horse Conservancy, appears by law, to hold exclusivity of the Nokota name and its definition through a pending or completed, Trademark Registration of the name “Nokota”, with the United States Patent and Trademark Office. In consideration of Resolution No. 4011, I strongly encourage the Committee to seek extensive legal counsel in defining the consequences to the public, the State of North Dakota, the National Park Service and the Department of Interior, should a wild horse, on public lands, be named and manipulated by individuals promoting a Trademark protected, and as such, a privately owned Breed of Horse, for personal gain.

In concluding, I am asking the Committee to research issues it may see as pertinent, ask questions, seek appropriate legal counsel and in the end, **Reject Resolution No. 4011 As Written**.

Thank you for your consideration,

Bob Fjetland

Todd Porter  
Chairman, House Energy and Natural Resources Committee

Marylly Weber

12880 Bogus Jim Road  
Rapid City, SD 57702

Mr. Chairman and Members of the House Energy and Natural Resources Committee

I am Maryly Weber and I wish to speak concerning the Senate Concurrent Resolution No. 4011.

Since 1999 I have volunteered for Theodore Roosevelt National Park identifying and recording the wild feral horses. From '99 until his death in '08 I worked very closely with Tom Tescher who had identified and recorded the horses for 40 years. At that time I began keeping detailed records of all the horses in the park. During the past 14 years, I have worked with Head Biologist, Mike Oehler, Superintendent, Valerie Naylor, and other park personnel in this capacity. I have grown to love the horses and appreciate the work park personnel are doing to develop more humane methods of handling horses as well as other species of large animals.

I have worked at the handling facility for the last four roundups, so I know how the horses were treated during that process. In 2008 Valerie invited me to attend a workshop conducted by low stress livestock handler, Whit Hibbard, in which he taught how to move large animals safely and effectively with as little stress to the animal as possible. I was privileged to be able to ride with Whit in three low stress field trials testing the method, one of which was successful in bringing in 10 horses. This method holds great promise for future small roundups.

From 2009 until the present, I have taken part in a cooperative study between the park and Dr. Dan Baker of Colorado State University. Every breeding season the horses are closely observed and recorded as to behavior, condition, reproduction, and injection site reactions for field testing of the contraceptive, Gona-Con, which has just been approved for use with wild horses. They hope to retreat mares this fall.

I feel the park personnel are doing what they can to proactively and responsibly manage the horses along with the other large species within the park.

These horses are valuable historical assets to the park and to North Dakota because they are the last remnant of horses so essential to the livelihood of Native and immigrant people. Preliminary ancestral DNA testing has shown them to have a variety of bloodlines including Spanish, Irish Thoroughbred, Scandinavian, other European and Asian bloodlines, as well as the more recent American breeds, Quarter Horse and Rocky Mountain Pleasure. They have survived in the badlands for over 100 years.

I would like to see them preserved and appreciated by the people of this great state and nation. However I urge you NOT to pass this resolution for the following reasons:

(1) It is wasteful of taxpayers' money and government time to send this resolution to the Department of the Interior when it is clear that the park is managing the horses responsibly.

(2) This resolution insinuates that some of the current horses in the park are less valuable than others because of bloodlines introduced over 30 years ago. It's too late to change that. I agree with the park that ALL the current park horses represent North Dakota's frontier heritage and have equal right to live there.

(3) I object to calling any of them Nokota while they are living in the park. The horses were there long before the name Nokota was coined, about 1989. The Nokota breed was developed from horses removed 30-40 years ago, and in 2009 there were many statements recorded in the media from park and Nokota people that there were NO Nokotas in the park. Because of that, horses removed in 2009 were registered as North Dakota Badlands Horses. But, NONE are given a breed designation while in the park.

If you want to recognize the horses in Theodore Roosevelt National Park, even promote them as "legendary," I would applaud that, but please do not call them by someone's breed name. Let the Nokota people do their own promotion and quit harassing the park.

Thank you for this opportunity.

Sincerely,

Marylu Weber

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## TESTIMONY for SCR 4011

VAL NAYLOR TESTIMONY: "I appreciate the interest of the Committee in **feral horse management** at Theodore Roosevelt National Park".

- Feral horses can be any type or breed of horses that are able to take care of themselves in the wild.

VAL NAYLOR TESTIMONY: "The National Park maintains a healthy herd of horses within the South Unit, **as a historical demonstration herd**, as noted in the resolution".

- What is a historic demonstration herd? How would the National Park Service define a historical demonstration horse?

VAL NAYLOR TESTIMONY: "The horses in the South Unit today are descendants of ranch horses that roamed the badlands prior to the time when the Park was fenced in the mid-1950s. This is also stated in the resolution and we agree".

- So then the next question would be what type of horse was running wild in the badlands at that time?

VAL NAYLOR TESTIMONY: "Many decades later, these horses are special because they and their ancestors have lived free in the Park for many generations. **They are truly North Dakota horses**, Theodore Roosevelt National Park horses, and wild or – **more accurately – feral horses**. That alone makes them special".

- She states "they are truly North Dakota horses, etc." and once again she says "more accurately ...feral horses", but not once did she mention any connection to Sitting Bull's horses. And what is a Theodore Roosevelt National Park horse?

VAL NAYLOR TESTIMONY: "We *do* manage the horses in a **responsible, careful, thoughtful**, and science-based manner".

- She did not mention historical evidence. What about historical documentation? That is how they know they have Roosevelt's cabin. Why is historical documentation appropriate for the cabin, but not the horses?

"Responsible, careful, thoughtful". What happened in the last two roundups with crashing the helicopter penning horses from one pen to another and the roundup after when a horse jumped into the crowd? With a little horse-sense none of that should have happened.

VAL NAYLOR TESTIMONY: "The reference to an attempt to change the appearance of the horses by introducing different bloodlines is **misleading and outdated**".

- What's misleading about the introduction of the Brookman Shire, the quarter horse studs and the Arabian in the 1980s after removing the native studs? That's what the park did, and when is historical documentation outdated?

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VAL NAYLOR TESTIMONY: "The Park did introduce some additional stallions into the park in the distant past, but has not done so for 30 years".

- They did that to change the type of horse that was in the Theodore Roosevelt National Park. They introduced domestic studs.

VAL NAYLOR TESTIMONY: "The goal at that time was to prevent **negative effects of inbreeding**" ...

- In-breeding was NEVER a problem in the Theodore Roosevelt National Park. In April of 1977, the Bureau of Land Management Range Conservationist Milton Frei, in charge of the BLM wild horse program in Nevada stated, "If the wild horses at Theodore Roosevelt National Park are compared with those on BLM-administered lands, it is obvious that the Theodore Roosevelt National Park horses are much more superior in terms of conformation and condition".

VAL NAYLOR TESTIMONY: "We can't change that now, and I don't think we should second guess it. Since the 1980s, we've learned a lot about genetics, the park hoses and horse management. The stallions that were introduced over 30 years ago were subsequently removed from the park, as were most of the obvious offspring".

- Current Theodore Roosevelt National Park park records will show you that the current herd in Theodore Roosevelt National Park are offspring of the Brookman Shire and Quarter Horse studs, NOT the Native studs.

VAL NAYLOR TESTIMONY: "Again, the horses are special because they have lived in the park for generations".

- That's right ... they are special because they have lived in the park for generations. But wouldn't the turn of the century ranch horse and the descendents of Sitting Bull's horses that were there during Roosevelt's, DeMores', Sitting Bull's, and HC Huidekoper's times be what the visitors should be seeing? That is what the Theodore Roosevelt National Park is all about ... preservation.

VAL NAYLOR TESTIMONY: "As part of this research project, we have excellent records on all of the horses in the park, and we use that information to track and manage the horses". "But we wanted to leave the horses and the bands undisturbed during the research project so as not to influence their behavior or the results of the study, which is why the population is high right now. We feel this resolution is unnecessary, as we are already doing what it requests – **managing special horses** in the South Unit of the park".

- How would she define a special horse? What's special about a domestic crossed horse that you can find in anyone's backyard? How would the National Park Service define a special horse?