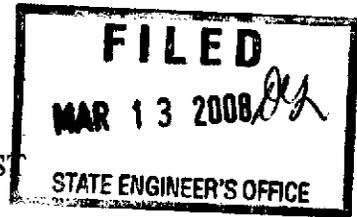


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER.....76493.....
FILED BY.....LARRY A. HIIBEL.....
ON.....NOVEMBER 16TH...2007....., TO APPROPRIATE
THE WATERS OFUNDERGROUND.....



PROTEST



Comes now.....United States Department of Interior, Bureau of Land Management, Winnemucca Field Office.....
Printed or typed name of protestant
whose post office address is.....5100 East Winnemucca Blvd, Winnemucca, NV 89445
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation isFederal Land Management Agency..... and protests the granting
of Application Number76493....., filed onNovember 16....., 2007.....
by LARRY A. HIIBELto appropriate the
waters of UNDERGROUND..... situated inPershing.....
Underground or name of stream, lake, spring or other source
County, State of Nevada, for the following reasons and on the following grounds, to wit:

The source of water described under application 76493 is an existing artesian well located on public land (as described by the water right survey). The construction of this well has not been authorized, and is subject to trespass proceedings if the applicant cannot or will not satisfy the regulations found at 43 CFR 2800. The Bureau of Land Management will be further guided in this matter by the regulations found at 43 CFR 9237.1. The applicant is currently in arrears with this office due to unauthorized livestock grazing.

The State Engineer has previously sought information regarding authorized grazing use in this area. Additional information has been provided by the applicant and is attached in the form of a notarized affidavit (from the applicant) and a newspaper article that appeared in the Humboldt Sun in the February 22-25, 2008 edition. Please note the highlighted sections.

THEREFORE the Protestant requests that the application be...Held in abeyance, pending the applicant's compliance with
Denied, issued subject to prior rights, etc., as the case may be
the regulations found at 43 CFR 2800.

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed
Agent of protestant

.....Gail G. Givens, Field Manager.....
Printed or typed name, if agent

Address.....5100 East Winnemucca Blvd.....
Street No. or P.O. Box No.

.....Winnemucca, NV 89445.....
City, State and Zip Code No.

Subscribed and sworn to before me this7th, day of.....March, 2008.....



.....Stephanie Burdick.....
Notary Public

State of.....Nevada.....

County ofHumboldt.....

**\$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.**

June 25, 2007

**Larry Dudley Hiibel
PO box 1323
Winnemucca, NV 89446
775-304-6862**

TO:

R. Reader, Special Agent, Badge #R-134
UNITED STATES DEPARTMENT OF THE INTERIOR
Law Enforcement and Security
1340 Financial Blvd.
Reno, NV 89502-7147
775.861.6448

And copies of the same to:

U.S. Courts – CVB
Charlotte, NC 28272-0939
800.827.2982
CERTIFIED MAIL

BLM Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89802
775.636.4000
CERTIFIED MAIL

Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

**NOTICE OF REFUSAL FOR FRAUD AND CHALLENGE
TO JURISDICTION**

I have received an alleged criminal violation notice No. L 0116430, the original and/or copy is attached hereto. This instrument is being returned in a timely manner and is "Refused for Fraud." pursuant to Title 42 USC Sec. 1986. You have sent me a fraudulent document that:

1. Fails to allege any necessary or essential facts sufficient to constitute the elements of a crime under oath.

COPY

2. Has not been sworn to before a magistrate.
3. Is unsupported by an affidavit under oath.
4. Is alleging violation of a mere regulation and not a statute or law by one who is not a government agent or employee.
5. Lack of Jurisdiction and lack of Primary Jurisdiction.

Mr. R. Reader, Badge No. R-134 purports to be a law enforcement officer. The fraudulent instrument purports to determine the legal or equitable status, rights, duties, powers or privileges of any person or property yet is insufficient on its' face to invoke the court's jurisdiction in the first instance. This instrument is operative only upon a federal enclave. Therefore, I am refusing this for
In Fraudem Legis and want of jurisdiction.

Respectfully submitted this 25th day of June, 2007.



Larry Dudley Hiibel
PO box 1323
Winnemucca, NV 89446
775-304-6862

Attachments: //Larry Hiibel Affidavit in Support of Refusal for Fraud w/Exhibit.

2. Has not been sworn to before a magistrate.
3. Is unsupported by an affidavit under oath.
4. Is alleging violation of a mere regulation and not a statute or law by one who is not a government agent or employee.
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In Fraudem Legis and want of jurisdiction.

Respectfully submitted this 25th day of June, 2007.



Larry Dudley Hiibel

PO box 1323

Winnemucca, NV 89446

775-304-6862

Attachments: //Larry Hiibel Affidavit in Support of Refusal for Fraud w/Exhibit.

**AFFIDAVIT IN SUPPORT OF
"REFUSAL FOR FRAUD"**

Pershing County)
) ss:
State of Nevada)

REPORT OF CRIMINAL ACTIVITY BY AFFIDAVIT OF WITNESS/VICTIM

BEFORE ME the undersigned authority, a Notary Public in and for the State of Nevada, appeared Affiant Larry Dudley Hiibel, being upon oath administered by me, and having personal knowledge of the facts herein, affirms the following to be true, correct, and certain under penalty of perjury in accordance with the laws of the State of Nevada that:

1. **THAT**, I, Larry Dudley Hiibel, the Affiant herein, dwelling at Grass Valley Road, Leach Hot Springs Ranch, approximately 30miles from Winnemucca, Nevada (without the federal zone) hereby state that I am over the age of 18 years and testify that I have personal, first-hand knowledge and believe that the truths and facts herein are true, correct, complete, certain, and not misleading.
2. **THAT**, On or about the April 05, 2007, AD, in the county of Pershing, Nevada state, Affiant was at home gardening with his daughter Mary Hiibel.
3. **THAT**, On or about the 05th day of April, 2007, AD, an alleged BLM employee by the name of Mr. R. Reader, with a Badge Number R-134, under Arms while claiming to act on behalf of the US Department of Interior, approached Affiant within Affiant's yard, within Pershing County, Nevada state, without a federal enclave, and delivered to Affiant an alleged citation. A copy of citation L 0116430 (CVB Location Code N17R) is attached as **Exhibit A**.
4. **THAT**, a John Doe in plain clothes accompanied the above-alleged agent. Affiant does not remember if he gave his name.

5. **THAT**, Mr. Reader, explained that this ticket wasn't a summons to court but that additional documents and court dates would be forth coming in the mail. I did not understand.
6. **THAT**, Mr. Reader alleged that I had cattle in unauthorized grazing.
- THAT**, I have no livestock branded to me in Pershing County./
8. **THAT**, Mr. Reader knew, or should have known, that the document purporting to be a "Violation Notice" was an illegal instrument under the Federal Rules of Criminal Procedure (See, in particular, Rule 3, Rule 4, and Rule 9) and were therefore a fraud, Mr. Reader, was attempting to persuade me to waive my Rights by signing the said Violation Notice, and was threatening to mandate summoning me before a magistrate court in Reno, Nevada, by and through this instrument.
9. **THAT**, Affiant believes and is supported in this belief by the facts that the person who attempted to issue the "violation notice" did so without knowledge of the facts, jurisdiction or authority as the notice was issued without a federal enclave, and the violation was purported, under the law of location, to be within a federal enclave, which it was not.
10. **THAT**, Affiant believes that the acts of Mr. R. Reader were meant to intimidate and harass in order to compel Affiant to forfeit his civil rights, constitutional rights, and the use of his property rights.
11. **THAT**, by signing the alleged citation alleging unauthorized livestock use I made no admission of owning said livestock nor do I waive any of my rights.
12. **THAT**, Mr. Reader knew, or should have known, that the legal document purporting to be a violation notice, styled as a "ticket" or "citation" labeled United

States District Court Violation Notice No. L 0116430 noticing Affiant he was mandated to appear in court without a warrant or a court order was therefore an illegal, forged document.

13. **THAT**, Affiant believes that the person who issued the Violation Notice forged the document and delivered it without jurisdiction to do so.
14. **THAT**, Moreover, the U.S. Attorney's Office for the District of Nevada, should Affiant appear in court, has no powers of attorney to represent the "United States of America". See Bouvier's Law Dictionary, Sixth Edition revised (1856) for the correct legal definitions of the terms "Union" and "United States of America" i.e. the 50 States of the Union. In particular, their respective State Attorneys General already adequately legally represents the 50 States of the Union.
15. **THAT**, Nevada state has retained criminal jurisdiction within the state of Nevada without federal enclaves.
16. **THAT**, Affiant upon examination of the sham legal process styled as a "Violation Notice" of an alleged complaint for a PETTY OFFENSE INFORMATION FOR VIOLATION OF: Title 43, Code of Federal Regulations, Section 4140.1 – Grazing without a Permit in Violation of the Taylor Grazing Act signed by an alleged, R. Reader, finds that:

The instrument is a copy which fails to allege the necessary and essential facts sufficient to constitute the elements of a crime under oath within Nevada state *without* a federal enclave and was unsupported by an affidavit of a person having first hand knowledge of the facts. Affiant has not seen or been provided any evidence that the instrument(s) are sufficient to invoke the court's jurisdiction in the first instance.

17. **THAT**, The "Violation Notice L 0116430" is hereby returned and Refused for *In Fraudem Legis* and want of jurisdiction.

U.S. Bureau of Labor Management
 United States District Court
 Violation Notice

CVB Location Code

Violation No. **L0118430** Officer Name (Print) _____ Officer No. _____

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense (mm/dd/yyyy) _____ Offense Charged CFR USC State Code

Place of Offense _____

Offense Description _____

DEFENDANT INFORMATION

Last Name _____ First Name _____ MI. _____



A IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).
 B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

Forfeiture Amount _____
 + \$25 Processing Fee _____
 Total Collateral Due _____

PAY THIS AMOUNT →

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address _____ Date (mm/dd/yyyy) _____
 Time (hh:mm) _____

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

Defendant Signature _____

Return to CVB With Payment

BLM Form 5260-9 (July 2004)

CENTRAL VIOLATIONS BUREAU
 PO BOX 740026
 ATLANTA GA 30374-0026

Postage
 Required
 Post Office will
 not deliver
 without proper
 postage.



(K.A.)

Further Affiant Saith Naught.

Larry D Hiibel

Victim, Witness, and Non-Attorney

Larry Dudley Hiibel

PO box 1323

Winnemucca, NV 89446

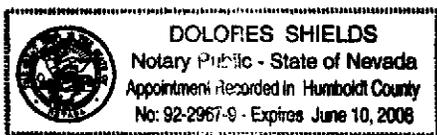
775-304-6862

Duly sworn before me Dolores Shields a Notary Public in and for ~~Bershing~~ Humboldt County, State of Nevada; appeared Larry Dudley Hiibel, known and made known to me, and did affirm the truth of the facts herein stated and placed his signature on this document on this the 25th day of June, 2007.

Notary Public

My Commission expires: 6/10/08

Notary Public Signature Dolores Shields



CERTIFICATE OF SERVICE

RE: NOTICE OF REFUSAL FOR FRAUD AND CHALLENGE TO JURISDICTION

The original and or/copy of the foregoing document was sent by United States Certified mail, return receipt requested, this 25th day of June, 2007 to the following addresses:

Original to:

R. Reader, Special Agent, Badge # R-134
John Doe, Special Agent
UNITED STATES DEPARTMENT OF THE INTERIOR
Law Enforcement and Security
1340 Financial Blvd.
Reno, NV 89502-7147
775.861.6448
CERTIFIED MAIL

And copies of the same to:

U.S. Courts – CVB
Charlotte, NC 28272-0939
800.827.2982
CERTIFIED MAIL

BLM Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89802
775.636.4000

I certify that the foregoing is true under penalty of perjury. Executed on June 25, 2007, at Winnemucca, Nevada.

Signed:



Larry Dudley Hiibel
PO box 1323
Winnemucca, NV 89446
775-304-6862

June 25, 2007

Larry Dudley Hübel
PO box 1323
Winnemucca, NV 89446
775-304-6862

TO:
U.S. Courts – CVB
Charlotte, NC 28272-0939
800.827.2982
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And copies of the same to:

R. Reader, Special Agent, Badge #R-134
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775.861.6448

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50 Bastian Road
Battle Mountain, NV 89802
775.636.4000
CERTIFIED MAIL

Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

NOTICE OF REFUSAL FOR FRAUD AND CHALLENGE TO JURISDICTION

I have received an alleged "Notice to Appear" (criminal violations notice No. L 0116430), the original and/or copy is attached hereto. This instrument is being returned in a timely manner and is "Refused for Fraud." pursuant to Title 42 USC Sec. 1986. You have sent me a fraudulent document that:

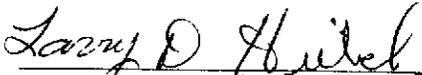
1. Has no signature.
2. Fails to allege any necessary or essential facts sufficient to constitute the elements of a crime under oath.

3. Is in violation of rule's Rule 3, Rule 4, and Rule 9 of the Federal Rules of Criminal Procedure.
4. The facts in this case have not been sworn to before a magistrate.
5. Is unsupported by an affidavit under oath.
6. Is alleging violation of a mere regulation and not a statute or law by one who is not a government agent or employee.
7. Lack of Jurisdiction and lack of Primary Jurisdiction.

The fraudulent instrument purports to be a legal summons for a criminal offense, determine the legal or equitable status, rights, duties, powers or privileges of any person or property yet is insufficient on its face to invoke the court's jurisdiction in the first instance. This instrument is operative only upon a federal enclave. Therefore, I am refusing this for

In Fraudem Legis and want of jurisdiction.

Respectfully submitted this 25th day of June, 2007.



Larry Dudley Hiibel

PO box 1323

Winnemucca, NV 89446

775-304-6862

Attachments: //United States District Court – Notice to Appear (L0116430).

CERTIFICATE OF SERVICE

RE: NOTICE OF REFUSAL FOR FRAUD AND CHALLENGE TO JURISDICTION

The original and or/copy of the foregoing document was sent by United States Certified mail, return receipt requested, this 25th day of June, 2007 to the following addresses:

Original to:

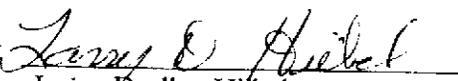
U.S. Courts – CVB
Charlotte, NC 28272-0939
800.827.2982
CERTIFIED MAIL

And copies of the same to:

R. Reader, Special Agent, Badge # R-134
John Doe, Special Agent
UNITED STATES DEPARTMENT OF THE INTERIOR
Law Enforcement and Security
1340 Financial Blvd.
Reno, NV 89502-7147
775.861.6448
CERTIFIED MAIL

BLM Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89802
775.636.4000

I certify that the foregoing is true under penalty of perjury. Executed on June 25, 2007, at Winnemucca, Nevada.

Signed: 
Larry Budley Hiibel
PO box 1323
Winnemucca, NV 89446
775-304-6862

UNITED STATES DISTRICT COURT - NOTICE TO APPEAR

You are notified that a violation notice issued to you personally or placed on your vehicle remains unanswered.

VIOLATION NUMBER	DATE VIOLATION ISSUED	COLLATERAL (AMOUNT DUE)
L0116430	04/05/2007	APPEARANCE REQUIRED
OFFENSE	LOCATION CODE	PLATE NUMBER
UNAUTH GRAZING LIVESTOCK	N17R	
UNITED STATES OF AMERICA VS LARRY D HLIBEL LEACH HOT SPRINGS RANCH BOX 1323 WINNEMUCCA, NV 89446	DATE/TIME OF COURT APPEARANCE	COURT LOCATION
	06/21/2007 02:00 PM	U.S. DISTRICT COURT 400 S. VIRGINIA ST. 4TH FLOOR RENO, NV 89501

A court appearance has been scheduled in this matter. This notice is your final opportunity to pay the collateral (amount due) in the sum indicated above. You may pay on-line at www.cvb.uscourts.gov or return the bottom portion of this notice in the envelope provided with your check or money order made payable to **Central Violations Bureau**. Write the violation number and location code on your check or money order. Do not send cash through the mail. The collateral (amount due) will then be forfeited and the case will then be closed without the need for your personal appearance. If the collateral amount due is marked "MANDATORY" or "APPEARANCE REQUIRED," there is no dollar amount you can pay in lieu of your court appearance. You must appear in court at the date, time, and place indicated on this notice.

To assure that payment is received and processed before your court date, you must mail this notice and payment 10 days before the above specified court appearance date that has been set for your case.

Failure to pay the collateral (amount due) or appear before the judge at the date and time shown above, may result in your arrest. If you appear before the court and plead guilty or are convicted, the court may impose any sentence authorized by law, not limited to the amount set forth above, and also may impose a special assessment of \$5, \$10, or \$25 for each offense. If you are charged with a motor vehicle violation, a record of your payment of collateral may be reported to the Department of Motor Vehicles of your state.

Checks tendered in payment of this obligation are received subject to collection and full credit given only after they are accepted by the financial institution on which they are drawn. For further information regarding this notice call (800) 827-2982 or visit the website at www.cvb.uscourts.gov.

SPECIAL INSTRUCTIONS

If payment has been sent disregard this notice.
 Detach this portion and return with your payment

U. S. Courts - CVB
P.O. Box 70939
Charlotte, NC 28272-0939
(800) 827-2982

LOCATION CODE	VIOLATION NUMBER	COLLATERAL (Amount Due)
N17R	L0116430	APPEARANCE REQUIRED

DEFENDANTS NAME AND ADDRESS	TO PAY BY CREDIT CARD PLEASE COMPLETE THE FOLLOWING:
LARRY D HLIBEL LEACH HOT SPRINGS RANCH BOX 1323 WINNEMUCCA, NV 89446	Credit card type: <input type="checkbox"/> VISA <input type="checkbox"/> MC <input type="checkbox"/> AMEX <input type="checkbox"/> DISCOVER
	Card holder name: _____
	Credit card number: _____
	Telephone number: _____
	Expiration date: _____
	Signature: _____

You may pay on line at www.cvb.uscourts.gov. Please make your check or money order made payable to: **Central Violations Bureau**. Write the violation number and location code on your check or money order.



COMMUNITY NEWS

Humboldt General Hospital recently welcomed Barbara Ludington to its staff. Ludington is the new licensed social worker for the facility.

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Local Weather

Fri	45/27	
Mk of rain and snow showers.		
Sat	46/31	
Considerable cloudiness. Highs in the mid 40s and lows in the low 30s.		
Sun	41/24	
Mk of rain and snow showers. Highs in the low 40s and lows in the mid 20s.		

Mountain geothermal facility has a target production of 31 megawatts net, with a potential for up to 100 megawatts of net production.

In comparison, he said Sierra Pacific's Valmy plant produces 125 net megawatts and Newmont Mining Corporation's power production plant creates 180 net megawatts.

Rancher, BLM at odds over events that led to her arrest

By Rudy Herndon
The Humboldt Sun

WINNEMUCCA — Inger Casey says that she is not an angry person by nature.

But nearly one month after Bureau of Land Management agents conducted a roundup of her livestock, the 66-year-old rancher is still outraged by the day's events.

The Jan. 21 impoundment of Casey's 58 cattle was one of several enforcement actions aimed at removing "unauthorized" livestock from public lands in Pershing and Humboldt counties.

In other high-profile raids, BLM agents seized and later returned about 51 cattle from Mary Hibbel and another 14 cattle from four individuals who had not been named in court orders from Federal Magistrate Robert McQuaid. About 200 horses were also seized in a separate roundup near McDermitt.

Casey was initially detained and charged with assaulting, resisting or impeding "certain officers or employees" following an altercation with five agents involved in the roundup of her cattle.

— See ARREST, Page Two —

Dr. Tom Harris of the University of Nevada presented information on the gold industry's market effect in Humboldt and Pershing counties and discussed ways to stabilize northern Nevada's rural economy during a Humboldt-Pershing Sustainable Development Partnership meeting on Feb. 14 at the Winnemucca Convention Center.

A 20-year Power Purchase Agreement (PPA) was approved with Nevada Power Company. Under the contract, the plant at

Blue Mountain will supply between 18 and 31 megawatts of net electrical power to the utility company.

approval for the project. They are now in the authorization process through the Public Utilities Commission (PUC) and are anticipating completion of that phase in 30 to 60 days.

Another 30- to 60-day period has been established for an underground injection program public notice to take place.

These partnered counties came on board to form the Gold Belt Coalition, comprised of sustainable development groups in communities along the Interstate 80 corridor from Elko to Lovelock who are economically dependent upon the mining industry.

Hibbels dispute BLM's admission of error

Family says agency should have known of brand transfer

By Rudy Herndon
The Humboldt Sun

WINNEMUCCA — The Bureau of Land Management has admitted that it mistakenly seized livestock in last month's roundup of animals on public lands. But that acknowledgement did little to satisfy the family of brand owner Mary Hibbel.

BLM Winnemucca Field Manager Gail Givens said earlier this month that the agency was not aware that former owner Larry Hibbel had transferred the 777 brand over to his daughter.

The transfer, which occurred while the agency had several actions pending against Larry Hibbel, nullified Federal Magistrate Robert McQuaid's order authorizing the Jan. 21 roundup. That's because Larry Hibbel was the only family member named in the order.

But Hibbel's son Ted said the agency should have known the transfer had taken place.

Ted Hibbel presented the Humboldt Sun with a copy of a certified and notarized "Notice of Refusal for Fraud and Challenge to Jurisdiction," which he said



Cattle impounded by the Bureau of Land Management last month were initially held in Winnemucca until they were claimed and fines and impound fees paid.

alerted the BLM to the transfer.

"I have no way of knowing that Larry Hibbel has transferred the 777 brand to his daughter," Ted Hibbel said. "I have no way of knowing that Larry Hibbel has transferred the 777 brand to his daughter."

They were open to interpretation: "You can read that statement a lot of different ways," he said. However, a more straightforward reading can be found in the state's updated brand book.

According to Nevada Division of Livestock Identification brand recorder Billie Brazel, the transfer to Mary Hibbel was first recorded in July 2006.

Ultimately, the BLM was responsible for tracking those changes, Brazel said. "They could have kept current with the required supplement to the brand book, or they could have called in."

Givens has acknowledged that slip-up. "It's one of those things that was a mistake on our part," he said.

— See ERROR, Page Two —

Internet

HOW SERVING WINNEMUCCA

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\$9.95/mo

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Just 30 more

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LocalNet 623-2228

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DR SALE



Humboldt County

10 Acre Class A
1 800 Head Cattle
Forest Permits

off at 775-421-4045
Associates Real Estate

ERROR

(Cont. from Page One)

"We were operating from the previous year's brand book, and we didn't catch the change in time."

However, Givens said the transfer would have been irrelevant prior to 2005. Under a state law passed that year, impoundments can only be carried out against individuals named in court orders.

Regardless of that law, Ted Hibbel thinks that the order authorizing the Jan. 21 impound-

ment would still be invalid. That's because it was not signed or stamped by a court clerk.

Moreover, he claims that the federal government has no jurisdiction in Pershing County beyond the U.S. Post Office and federal building.

He said that jurisdiction was limited by a 1937 state law that provides for the cession of state lands to the federal government for specific purposes.

But the cession of state lands did not end with that law, accord-

ing to historical records posted on the Nevada Legislature's Web site.

While those cessions are no longer codified in Nevada Revised Statutes, they have been updated regularly by state legislators.

In the mid-1940s, lawmakers changed statutes to allow cessions by legislative resolution. The process was further simplified in 1981, when legislators revised statutes to allow for cession of state lands by a legislative

commission.

The U.S. Ninth Circuit Court of Appeals has also recognized the federal government's jurisdiction over public lands in Nevada.

In the 1997 case *USA v. Gardner*, the court affirmed that the United States owns title to public lands ceded by Mexico under the 1848 Treaty of Guadalupe Hidalgo. In that same ruling, the court declared that the United States may regulate grazing on public lands in Nevada.

HPSD

(Cont. from Page One)

Sustainable development is a broad and still-evolving concept with a goal to improve and sustain the economies, communities and environments affected by the boom and bust cycles that traditional mining has inflicted on northern Nevada. Cooperative sustainable development coalitions are actively working to minimize the detrimental effects of mine closure on the communities that have sustained these mines.

In 2007 the Northern Nevada Partnership Group, consisting of representatives from Elko, Lander, Eureka, Humboldt and Pershing counties, was awarded the BLM Hardrock Mineral Community Outreach and Economic Security Award for their efforts to plan for regional sustainability and economic well-being after mining has ceased.

ARREST

(Cont. from Page One)

She pleaded "not guilty" to the charge at her Jan. 30 arraignment in U.S. District Court.

Casey said last week that she is considering legal action against several agents involved in the roundup, claiming among other things that they lacked the authority to arrest her and transport her to the Washoe County jail.

"These BLM guys can't arrest you," she said.

But according to a provision of the Federal Land Policy and Management Act of 1976, they can.

The law authorizes federal personnel to carry out the enforcement of laws and regulations governing public lands and their resources. Moreover, it gives those agents the power to enforce state laws and local ordinances on public lands.

The dispute over the BLM's law enforcement powers seems

clear-cut when compared to the two wildly differing accounts of the day's events.

Casey maintains that the roundup occurred on a neighbor's private deeded lands, and said it appeared as though BLM agents were trying to run the cattle off the property.

But according to BLM Winnemucca Field Manager Gail Givens, the agency used Global Positioning System (GPS) units to determine that the animals were on BLM-administered land at the time in question.

"If in fact they had been on private lands, we would not have done that (roundup)," he said.

Casey said she rushed down to the scene of the impoundment to warn the agents that they were on private property.

The altercation that led to her arrest only began after an agent riding an ATV hit her truck, she said. "I was yelling at this four-

wheeler on my right that they were on deeded land," she said. "I didn't know there was one on my left — he ran into me."

Soon afterwards, she was forcibly removed from her pickup. In the process, agents tore her shirt and threw her to the ground, she said.

However, BLM Special Agent Zachary Oper has contradicted Casey's version of events. According to an affidavit that Oper filed in U.S. District Court, Casey drove her pickup toward five BLM agents at a high rate of speed, leading one to conclude that she was trying to run them over.

Ultimately, it will be up to a jury to determine whether the BLM agents acted appropriately, and to decide which version of events is correct. Both sides will have their proverbial day in court this May, when Casey's assault trial is scheduled to begin.

POWER