

Bounded by FR 300 (Rim Road) and Rte 260 from Forest Lakes to Show Low, AZ

# WILD HORSES ON THE ARIZONA RIM



Photo Credit: Pamela Reed (c) 2005

# **The Wild Horses of Apache Sitgreaves National Forests**

***Arizonan's very own living symbols of our rich American  
history***

As he crossed Black River at Big Bonita Creek and approached a meadow where Francisco Coronado had camped in 1540 near a trail used in the 1870s by U.S. Cavalry General George Crook and his troops, Arizonan and former Secretary of the Interior Stewart Udall said, "I am reminded of the extent to which, for many centuries, horses played a major role. This very forest has been the scene of a dramatic pageant of military horsemanship. If we had a time machine to go back, we would have watched young Spaniards, in the summer of 1540, astride the first European horses ever to stomp the ground in what is now the American West (Arizona Highways, April 1984)." Many experts agree that the first true ancestor of the Apache Sitgreaves National Forests (ASNF) wild horses roamed North America during the prehistoric era and then migrated to Eurasia where they evolved into the modern horse as we know them, were domesticated and spread throughout Europe including to Spain.

Historical documents provide much evidence that some of the ASNF wild horses are ancestors of the first horses reintroduced in North America by Francisco Coronado in 1540. In his search for the seven cities of gold Coronado spent much time on the Mogollon Rim and in ASNF. He brought with him scores of mounts. Servants drove more horses to be used as remounts. When they camped, the horses were allowed to graze and run in the meadows of ASNF. In 1653, the letters, maps and diary of Father Eusebio, demonstrate that he brought more horses to the Rim, on an apostolic exploration to possibly expand his ministry. Later, General George Crook brought mounted soldiers to the region using a trail close to the Coronado trail. The wild horses of ASNF have a rich history of military equitation



Photo Credit: top photo, Gerri Wager

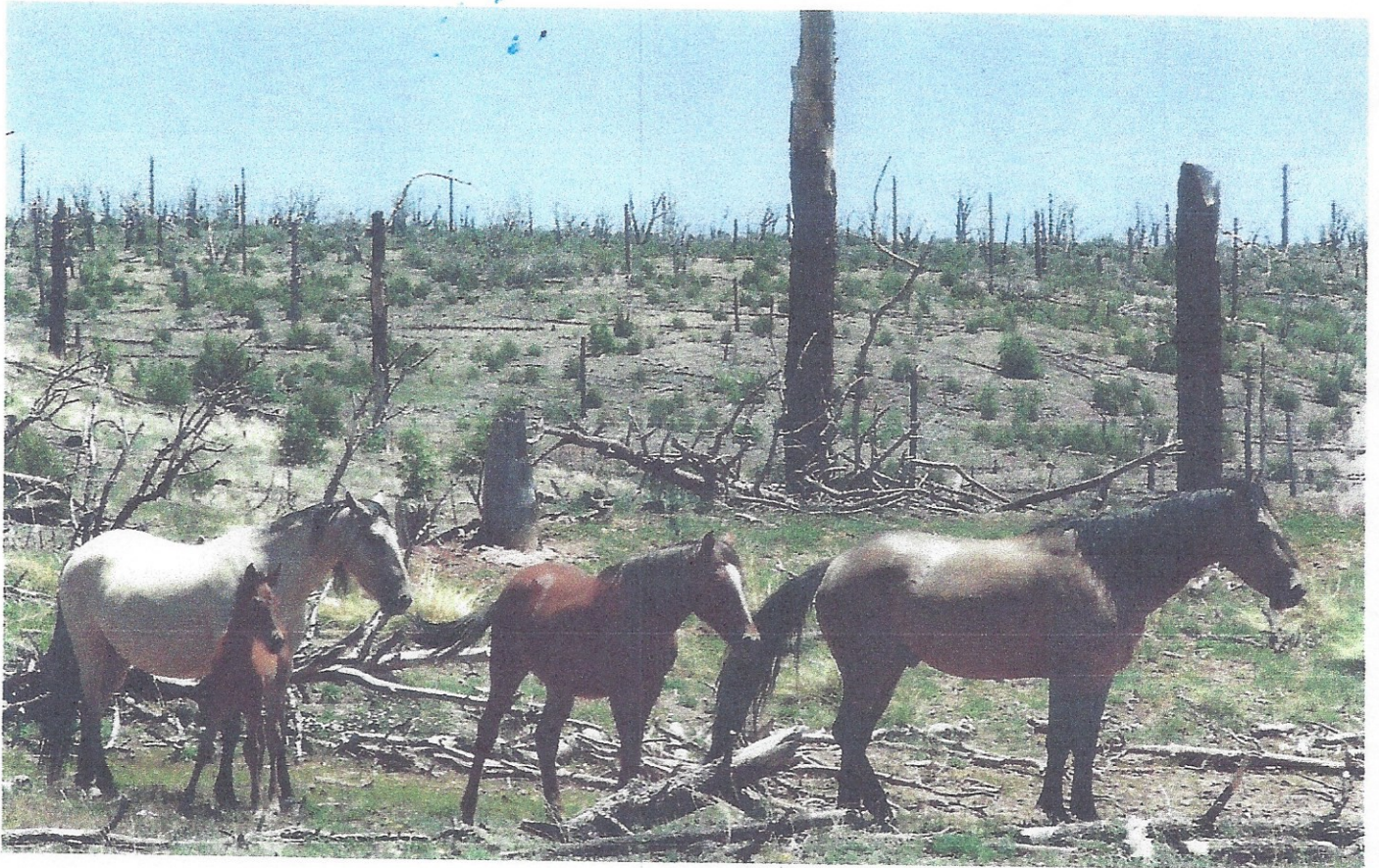


Photo Credit: Barbara Reis

# Timeline of the History of the Apache Sitgreaves Wild Horses (ASNF)

Prehistoric era: Ancestor of the horse roams North America

Circa 30,000 BC: Ancestor of horse migrates to Eurasia, is domesticated and ultimately traded to European countries including Spain.

Circa 20,000 BC: Prehistoric cave drawings dated circa 20,000 BC on the Spanish Iberian Peninsula show that wild horses have roamed the Spanish Iberian Peninsula for thousands of years. Some of these horses are domesticated and selectively bred to become the modern Andalusian. At about the same time, the wild Sorrai horse evolves in Spain with its characteristic buckskin color, dun line, black mane and tail, and black markings on the legs. Some of the Sorrai horses are domesticated and incorporated into Spanish horse bloodlines.

Circa 700-800 AD: The African Barb comes to Spain during the invasion of the Berbers and is bred with Spanish stock to become the Spanish Barb.

1540 – Francisco Coronado and his expedition to the Seven Cities of Gold travel over the Mogollon Rim near Pinetop, McNary, Vernon and St. Johns bringing scores of Spanish horses including Barbs and Andalusians. Horses are allowed to forage in some areas of the Rim and Apache Sitgreaves National Forests. Coronado Expedition marks the re-introduction of the horse to the West and to North America including in Apache Sitgreaves National Forests. Muster roles and ships logs note numbers of horses and colors of horses including black, chestnut, bay, and buckskin, colors of many of the wild Apache Sitgreaves horses today.

1653 - Father Eusebio Kino makes an apostolic expedition to the Mogollon Rim and Apache Sitgreaves National Forests “to the borders of the land of the Apacheria.” Father Kino, an ultimate horseman, brings Andalusians, Barbs and Jennets from Spain to Mexico where they are kept at his Mission Dolores. The horses are used on the 1653 expedition as mounts for Father Kino and Spanish soldiers who accompany him. Scores more are herded as remounts and some left in areas of good forage on the Rim and in Apache Sitgreaves Forests to breed as more remounts on the trip back.

1870's - General George Crook brings mounted cavalrymen to the Mogollon Rim and Apache Sitgreaves National Forests near the Coronado Trail and Crook's Trail is established. Some of the mounts likely run and breed with the wild Spanish horses already established in Apache Sitgreaves by the Coronado and Kino expeditions.

1971 – The Wild Horse and Burro Act is passed providing federal protection for unmarked, unbranded, free-roaming wild horses and burros on Bureau of Land Management Land (BLM) and United States Forest Service (USFS) land and mandating that the horses and burros be managed in viable numbers. The Act declares that the wild horse is the living symbol of the West and mandates that wild horse and burro territories be established to protect wild horses and burros.

1973 – Approximately 20,000 acres in Apache Sitgreaves National Forests in the Black Mesa District were established as the Heber Wild Horse Territory to protect wild horses as mandated under the 1971 Act.

January 15, 1974 – USFS attempts to have Heber Wild Horse Territory disbanded making the argument that only five “trespass horses” remain who go back and forth between the White River Apache Reservation and Apache Sitgreaves National Forests. The USFS argues that there are only five remaining wild horses who will die out but no census count or evidence of this is provided. The Heber Wild Horse Territory is not closed.

February 1, 1989: Mack Hughes narrates to his wife, Stella Hughes, the *Hashknife Cowboy*, his memoirs of cowboy life on the sprawling Hashknife Ranch in New Mexico and Eastern Arizona circa 1922. In the chapter on wild horses, Hughes describes thousands of wild horses called broomies by the cowboys running on the Rim and the delight the ranchers took in running with the broomies. Some of the broomies were caught and tamed to become excellent ranch horses. Continuous wild horse sightings in Apache Sitgreaves National Forests are documented in the Hughes book, in Jo Baeza’s Arizona Highways February 1988 story *Horses of Arizona*, and by residents through narration and pictures from the early part of the 20<sup>th</sup> century through the present.

July 19, 2005 – The USFS fails to manage the Heber Wild Horse Territory as mandated by law, fails to provide a management plan for the wild horses and the Territory, fails to keep accurate counts of wild horses in and associated with the Heber Wild Horse Territory and Apache Sitgreaves National Forests for years prior to July 19, 2005. Yet the USFS issues solicitation for bids to have unbranded, unclaimed free-roaming wild horses in Apache Sitgreaves National Forests removed as what they call “trespass horses” and hauled to Holbrook auction house on July 19, 2005. Solicitation is done without required compliance of a full study of the impact on the environment as required by law under the National Environmental Protection Act (NEPA). In addition, the USFS has never done a NEPA or the required development of a management plan for wild horses in Apache Sitgreaves National Forests and for the almost 20,000 acre Heber Wild Horse Territory set aside for the wild horses by Congress as a sanctuary. The USFS provides no evidence of any investigation of any kind to support the “trespass horse” assertion. However, historical documents and affidavits of residents together with photographs provided by residents to attorneys for the horses demonstrate a continuous presence of the ASNF wild horses generations before the Rodeo Chediski fire.

**September 9, 2005** – Attorneys Debra Sirower, Christine Broucek, and Anthony Merrill, for the firm of Bryan Cave LLP, file a civil action asking first for a Temporary Restraining Order (TRO) and writ of mandamus, second, Preliminary Injunction and, third hearing of a lawsuit in the Federal District Court for the District of Arizona, Phoenix, on behalf of plaintiffs: In Defense of Animals, the International Society for the Protection of Wild Mustangs and Burros, the Animal Welfare Institute, Patricia Haight and Richard Potts. The suit alleges that the USFS has failed to do a full NEPA as required under the law, that the USFS must do a full NEPA and that the removal of the horses be stopped pending a full NEPA and development of a management plan and that a writ of mandamus be issued ordering the USFS to do these things. Federal District Court Judge Fredrick Martone hears the case.

**September 9, 2005** - Judge Fredrick Martone issues a Temporary Restraining Order enjoining the United States Department of Agriculture (USDA) and USFS from rounding up, removing or awarding a bid for capture of horses in ASNF.

**December 5, 2005** – Attorney Anthony Merrill presents oral arguments before Judge Fredrick Martone for a preliminary injunction (PI) preventing the removal of horses in ASNF until the lawsuit can be fully litigated.

**December 19, 2005** – Judge Fredrick Martone grants the PI and enjoins the USDA and USFS from awarding a bid for capture of horses in ASNF, and capturing and removing horses in ASNF until a final judgment is entered in the case.

**March 13, 2007** – Plaintiffs and defendants enter into a stipulated agreement stipulating that the USFS will do a full and complete NEPA and develop a management plan for unbranded, unclaimed free roaming horses in the Heber Wild Horse Territory and on associated lands in ASNF and that plaintiffs will be kept informed regarding the NEPA process. Plaintiffs reserve the right to object to any portion of the NEPA and to re-file suit.

**September 2, 2008** – USFS issues scoping document indicating they may keep only a very small number of wild horses on the almost 20 thousand acre Heber wild horse territory. Attorney Anthony Merrill writes USFS a letter pointing out to them that a decision statement is inappropriate and unsatisfactory in a scoping document meant only to set out how the NEPA will be done.

To 2010 – There has been no further public action on the part of the USFS regarding the wild horses of ASNF and the Heber wild horse territory and plaintiffs who, under the stipulated agreement, and other community members who are to receive information on the NEPA process have received no further information.

Though the designated Heber Wild Horse Territory is, by acreage, limited, it was never fenced or managed in any way. It was simply lines drawn on a map. The wild horses actually travel an approximate 275,000 acres contained by the Forest Road 300 (the Rim Road) which runs from Highway 260 at Forest Lakes to Show Low (about 55 miles). This road follows the fenced boundary between the White Mountain Apache Reservation and the Apache Sitgreaves Forest. Highway 260 east to Show Low basically forms the additional boundaries creating an area approximately 6/7 miles wide. There are residential and commercial operations, camp grounds, a fishing lake, ranching operations and general recreation activities located on the perimeter and within the overall area in question.

