

12. THE UNION PACIFIC

I have written previously of the Union Pacific Railroad (UP) land grant¹ and its influence on land use in the Livermore area.

The UP did sell most of the land eventually, much of it at \$1.25 per acre. Many of the ranches in the Livermore area included land purchased from the UP. Nonetheless, by the late 1970s, the UP still owned about 800,000 acres of land between Omaha and Ogden (around 10% of their original grant).

For the most part, the land still owned by the UP was remote and of such low economic potential that it never attracted buyers. This was true of seventeen sections (almost 11,000 acres) in the Sheep Creek area that had been leased to the Steinhoff Ranch and the Williams Ranch before that.

Traditionally, the Eaton Grazing Permit and the lease of the seventeen UP sections were part of the same ranching operation. When the Steinhoffs sold, the UP lease was transferred to Speculator A.

Either Speculator A or Speculator B had failed to keep the lease current. Jeanne and I were lucky that the lapse of the UP lease had remained below the radar so other interested parties² hadn't snatched it up. We were able to get it reinstated after applying to Union Pacific Resources in Omaha.

Only one of the seventeen sections was fenced ~ the one just east of Lyle Van Wanning's place. The remaining sixteen sections were interspersed within the National Forest (see map opposite).

The National Forest recognizes the rights of enclosed private landowners or their lessees to graze. The mechanism for grazing where there is no fencing between private land and the surrounding National Forest is called a '*Private Land Permit*.'

When the National Forest establishes a Private Land Permit, it determines the season of use and the amount of grazing that can be utilized on the private land.

Some of the UP lease was located in the Eaton Permit. The rest of it was located in the Sheep Creek and George Creek Permits to the east. Under the Private Land Permit that Jeanne and I were entitled to as lessees of the sixteen unfenced UP sections, we should have the opportunity to run cattle on the George Creek and Sheep Creek Permits.

This set the stage for a set-to with the Colorado Division of Wildlife (DOW). In the 60s the DOW had purchased the old Munz place,³ now its Upper Cherokee Park Unit. This was adjacent to the George Creek Permit. The Forest Service had entered into a game management agreement that ceded much of the administrative control of the area to the DOW.

The DOW's area Game Warden, Roy Brown, told the National Forest that the UP land inside the George Creek Permit was practically useless and it couldn't support additional grazing.

Our lease payment to the UP was based on the number of cattle that were allowed to graze. Roy Brown's assertion to the National Forest gave me reason to enlist the aid of the UP because this all affected their bottom line by restricting the amount of grazing that we would have to pay for.

To my surprise, in response to my petition for their help, two men responsible for managing all 800,000 acres of UP lands, came out from Omaha to investigate (their idea of a junket, I guess). Also surprised were Roy Brown and the DOW.

The official DOW response was for Roy to get us all on horseback and show the UP guys how worthless their land was. On the appointed day, Roy led us at a sharp clip on the roughest possible route through heavy timber well off any of the trails or meadows. I could tell what he was up to, but kept quiet.

Roy made sure it was a punishing ride. When we stopped for lunch and dismounted, my UP guys were hurting. They weren't alone ~ I pretended not to notice as Roy grabbed his stirrup leather to keep from falling when he stepped out of his saddle. His legs

had just about gone out from under him. I got down gingerly.

Prior to becoming Game Warden, Roy had been a respected and experienced cowboy in the area, but it had been a hard ride and he was pushing fifty. The UP guys and I were about fifteen years younger.

The next morning the UP guys and I met for breakfast and went over area maps showing all the meadows that Roy had not ridden us through. They told me that they had agreed the previous evening (as they convalesced in the hotel hot tub) that the DOW subterfuge had been way too transparent.

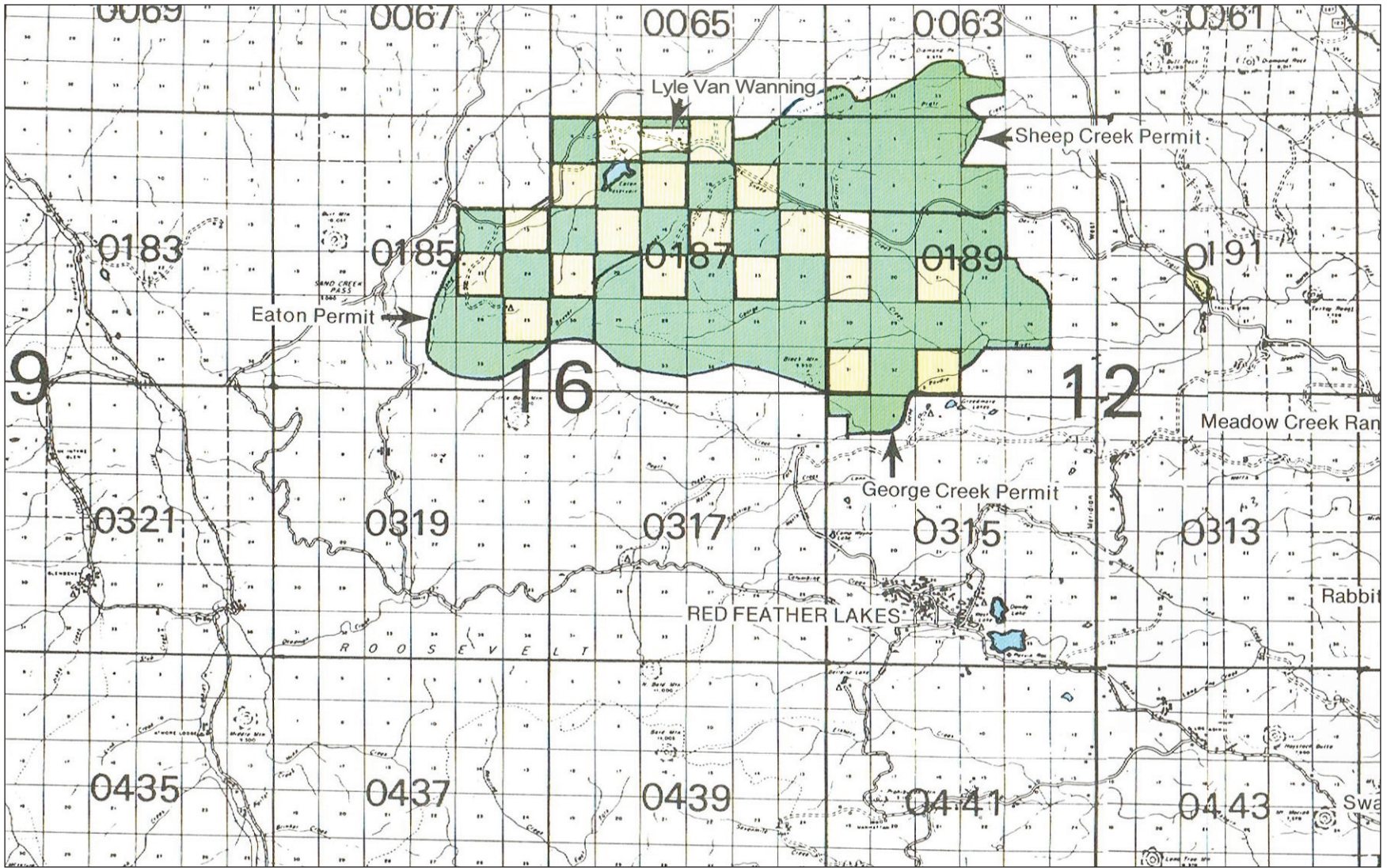
They had not endured Roy's torture ride in vain. After returning to Omaha, they leaned hard on the DOW and the Forest Service, and we got the increases in our cattle numbers under our Private Land Permits that we were looking for.

Roy was a solid guy, but my relationship with him and the DOW was a prickly one for many years after that.

¹ The enormous land grant was not sufficient to guarantee financial success. The UP went bankrupt in 1893. The Larimer County records show that the UP was chronically in arrears on its property taxes during this time.

² The Colorado Division of Wildlife would have had good reason to want to control the UP lease, as would the Logan Ranch, Carey Ranch or the Koch Ranch because of their other grazing interests in the Sheep Creek area.

³ Ref. Munz Lane in the chapter on Kent Stevens.



Seventeen Section UP Lease (in yellow)