



COMMENTARY

Contributing to the chaos while Living – Life – Large

By Dan Abernathy

In 1914 American poet Robert Frost, who was much admired for his depictions of rural life in New England, wrote the poem, "Mending Wall." The gist of the poem is about the barriers people put up between themselves and others. The line in the poem, "good fences make good neighbors" means that people will get along better if they establish boundaries.

Over the years that followed, this line "good fences make good neighbors" grew away from establishing personal boundaries to the actual construction of fences. Perhaps even as far as if you want to be good neighbors help each other build the fence to keep what is yours in.

When the eastern states were still colonies of Great Britain, farmers were bound by the doctrine of common law. Farmers who owned animals that were likely to roam, like cattle, horses, sheep and pigs, were responsible for any damage done by those animals. This made fencing necessary to keep animals in, as opposed to fencing grain or vegetable acres to keep animals out.

Things changed with the expansion of the West. When great herds of cattle were allowed to graze on the lands that once before had been the home of millions of bison. As the buffalo were slaughtered for their robes, the grass opened up for cattle.

With the introduction and expansion of these mossy horned cattle, the Open Range

Doctrine was enacted. This policy allowed the rancher to let his animals roam, leaving it up to his neighbors to fence the animals out.

Now more than 150 or so years later, the Open Range Doctrine is still the law and if you don't want cattle, horses and domestic bison on the land you own, you must fence them out. However the "Fence Out" rule does not apply to sheep. Sheep must be fenced in.

A common and contentious issue for rural landowners involves disputes over trespassing livestock. Wyoming is a "fence out" state for cattle, meaning landowners who do not want to have livestock on their property are responsible for fencing them out.

Traditionally, the "Fence Out" rule is in conjunction with large amounts of government-owned grazing range.

When your neighbor's stock wanders onto your unfenced private property, there are no criminal penalties and the owners of the animals are not necessarily liable for damages. However, if there is a lawful fence separating the properties, the landowner can recover some damages through civil action in a local court or through arbitration. In Wyoming, a lawful livestock fence is a three-strand barbed-wire fence. The wire fence should consist of three strands at a minimum with a top wire height of 43 inches above the ground and space barbed

wire 10 to 12 inches apart.

It is also seen as neglect and deemed a misdemeanor, with a penalty by law, to leave the gate on a lawful fence open, even if it is accidental.

Because both the landowners will benefit, Wyoming law states that costs for building and maintaining fences may be split 50-50. Again with the "Fence Out" law there is no recourse if your neighbor doesn't want to split the cost.

This "Fence Out" law also vaguely applies to fencing on government land. The leaseholders are responsible for maintaining the fences, but because of the "Fence Out" law, if you neighbor sees allotments and don't want a bunch of cattle drifting onto your land, you probably need to maintain the fence yourself.

To this day, the Open Range Doctrine and the "Fence Out" law seems to have made the responsibility for maintaining fences a low priority. This is especially true on government land where it should be the opposite with what the current AUM fees are set at.

Forty years ago I walked mile after mile of fence wearing Tony Lama boots with a riding heel. I thought if you were on a ranch you had to wear cowboy boots, even though they were never made for walking. This spring and summer I walked miles of fence wearing

sandals that my feet graciously praised me for.

No matter what was on my feet, what was with me was the ability to see each fence post that was missing a staple or a wire that was broken and needing to be spliced.

With all these miles of pounding staples and mending wire, my conclusion is the only proper way to fix fence is on your feet. But what I'm seeing now is fencing being done with binoculars and four-wheelers with a lazy and inaccurate conclusion – "It looks good from here."

With this also comes the neighborly communication, perhaps while leaning over the fence. Letting each other know what fence has been walked, while knowing that who ever walked it did a good job.

This copious amount of rambling and barbed words, rambling about vague laws does not hold the same tension on all the fences crisscrossing the county. Like everything some are good and some are bad. But what is happening now is there are a lot of new people joining our rural lifestyle and are not use too or aware of "how things are."

There is tremendous comfort and wisdom in the old saying, "Good fences make good neighbors!" - dB

– You can find more, free spirited and unfiltered insight of Dan Abernathy and his wandering travels at www.contributechaos.com.

MY WYOMING

Cowboy State 'outback' took a beating during the summer

By Bill Sniffin

Wyoming's gigantic back yard – its national forests and wilderness areas – took a mighty beating this summer as Americans tried to escape from urban areas and get away from the scourge of the COVID-19 virus.

From one end of Wyoming to the other, campgrounds, isolated trails, and hidden lake areas were discovered by a new kind of visitor. These were folks desperate to find pristine mountain places away from the dreaded virus that has claimed more than 200,000 people in the USA since March. They wanted open air where they could breathe without masks and could socially interact with their families without worrying about getting sick. They were looking for Wyoming's famed "outback."

My friend Jim Hicks in Buffalo said he heard local reports that the campgrounds and restroom areas in his Big Horn Mountains were littered with human droppings, toilet tissue, and miscellaneous junk left by people not used to showing respect for the backcountry.

He said you look up at the mountains and see camper trailers and pickups in places you have never seen people parking before. It must have been crowded.

Some 200 miles to the southwest, the obscure backcountry trailhead at Big Sandy, east of Pinedale, had its parking lot filled with 400 vehicles on the last weekend in August, according to noted photographer Dave Bell.

Bell said he counted 300 vehicles at the Elkhart Park trailhead lot at the same time.

He said: "It's been quite a summer. Never seen anything like it. Reports are all major trailheads were like this – Green River Lakes, Spring Creek Park, Scab Creek plus the two mentioned earlier."

Bell also lamented: "And now with the incredible blowdown which occurred, the trails are in very bad shape with downed timber. It looks like pick-up-sticks."

Facts show that tourists did come to Wyoming in near-record numbers, which was a shock. The season started slowly because of the COVID-19 epidemic but then about July 4, the floodgates opened and they came to Wyoming from all directions.

These were Americans escaping the bondage of social distancing and strict laws concerning social gathering and travel.

Besides the folks visiting the main tourist attractions, the number who wanted to escape to the hills was an all-time record, too. Records were set at campgrounds all across the state. It was hard to find a camping spot without a reservation.

This would have been a great summer to sell a recreational vehicle. Companies that rent motorhomes and campers were sold out.

We love tourism. It is our No. 2 industry and certainly the brightest spot in the Wyoming economy going forward, virus or not. But perhaps we need to somehow let our visitors know that just because they are out in the wide-open spaces, it does not give them the right to practice bad habits.

LETTER TO THE EDITOR

Hospital would improve communities' health and economy

I am blessed to be the chief executive officer and administrator at Eastern Idaho Regional Medical Center (EIRMC). As the region's tertiary/quaternary medical center, EIRMC has partnered with the Sublette County Rural Health Care District to coordinate and successfully deliver lifesaving care to Sublette County residents.

The teams at Pinedale and Big Piney clinics have stretched limited resources and have effectively served Sublette residents for many years. While the clinics operate like emergency departments, they do not enjoy the security or the backstop of personnel and resources typically found in a hospital setting. This care-delivery model is simply no longer adequate, and the time has come to do things differently.

A hospital in Sublette County would play a major role in providing the necessary infrastructure to the county. Outside of providing lifesaving and necessary care, hospitals are part of the foundation of a stable and diversified economy. By offering more health-care services close to home, there will be many new jobs. The payroll from those jobs will translate to more money staying in Sublette County. Money

that will be spent in buying and renting homes and purchasing goods and services.

Perhaps most importantly, the addition of a hospital would enable Sublette residents to stay at home rather than driving a minimum of 60 miles for care. Families could avoid the cost and inconvenience associated with such travel and be at the bedside of loved ones as they receive treatment or recover from surgery in the hospital.

As an outsider, I realize that my opinion is one that, perhaps, will not be received and weighted like one who resides in Sublette County. And that is as it should be. However, as a health-care expert, I have a solid understanding of what health-care services can do to bolster and improve communities' health and economy.

As such, I offer my humble and full support of the plan to merge the Sublette Center and the Sublette County Rural Health Care District and form a Special Hospital District. I believe this plan will strengthen the county's economic footing and benefit the community for many years to come.

Jeff Sollis, Chief Executive Officer, Eastern Idaho Regional Medical Center

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