Exhibit 4
Declaration

I, Barbara Flores, make this Declaration in support of Plaintiffs’ Motion for Summary Judgment. I am submitting this on behalf of the American Mustang and Burro Coalition, which has brought this suit on behalf of its members.

1. I, as a member of the Colorado Wild Horse and Burro Coalition (CWHBC) since its inception in 1989, and as a member of the Board of Directors of the American Mustang and Burro Assoc., Inc. have been concerned and involved in the management of the wild horses in the West Douglas Herd Area (WDHA). The West Douglas HA is one of the most beautiful of all the wild horse ranges I have visited in the six western states where I have been on wild horse or burro ranges. With its varied terrain and thick pinion juniper forests and streams, it is both rugged and peaceful. For the observant, the hidden pictographs on rock walls are gems to be cherished, reminders of the rich and ancient indigenous history of the area. The history of the horses themselves goes back to Ute travelers who brought horses to these hills before any white man arrived. When Spanish explorers Escalante and Dominguez first visited the area in 1776 they encountered mounted Utes. The dawn of the 20th century saw local cowboys capturing, breaking and selling wild horses. An area so rich in wild horse and native American history in such a beautiful setting makes my spirit soar to visit it and catch the now isolated glimpse of the last remaining wild horses in West Douglas.

2. AMBA’s involvement with the West Douglas Herd Area began when we first learned, in about 1989, that West Douglas and North Piceance Herd Areas were slated for total removal. Naturita, in southwestern Colorado, had already been “zeroed out” at that time and the Douglas Mountain herd of over 600 horses had been wiped out, with the last few holdouts being shot.

3. The CWHBC met regularly with representatives of the Bureau of Land Management during the period between 1989 and 1992 and frequently discussed concern over the future of the WDHA and BLM’s plans to eliminate the wild horses from that area.

4. On July 24, 1992, I attended a meeting with BLM, permitees Robertson and Theos and oil and gas industry representatives, on the future of the WD wild horses. I, and others, presented comments for retaining the WD herd. Permitees were amenable and oil and gas testified they had seen little impact so far on wild horses by their operations. The following day we toured the WDHA with BLM.

5. On July 29th I filed a Motion to Stay the 1992 West Douglas wild horse gather (IBLA 93-134), which was later withdrawn after the BLM Area Manager, Curt Smith, agreed not to gather horses from West Douglas until a new Resource Management Plan was developed (the previous one having been done in 1981).

6. I was told by BLM that our wishes would be taken into serious consideration.
At that time, in the early ‘90s, we would see close to a hundred wild horses in Piceance/East Douglas in the open spaces near the air strip. It was a beautiful sight that all CWHBC members enjoyed and remembered. They would often run down or near the road and bands would come together to form a larger herd.

During the coming years, I visited the range (WDHA) several times, noting that most damage attributed to wild horses seemed to be caused by cattle, which greatly outnumbered the wild horses and have distinctly different grazing habits.

AMBA responded to the draft RMP in 1995 and to the proposed RMP in 1996. West Douglas and North Piceance Herd Areas were still slated for total removal.

In 1996, I filed a Motion to Stay and an Appeal of the West Douglas gather to prevent irreparable damage to the genetic viability of that herd by a gather aimed toward the eventual elimination of it.

Our organization has tried to discuss the fate of these areas with the Colorado State Director, the Area Manager and Wild Horse Specialist, and to present our concerns to the National BLM office and to the National Wild Horse and Burro Advisory Board.

In late summer of 1997, Don Moore, Lane Wardell and I rode the northern section of the WDHA and Twin Buttes Allotment, entering from south of Rangely. We found only one small band of approximately 8 wild horses in the area of Texas Creek and county road 109.

On September 3, 1998, the Bureau of Land Management (BLM) finished rounding up about 77 of what they claim are approximately 137 wild horses remaining in Colorado’s West Douglas Herd Area. This roundup was in furtherance of BLM’s plan to completely eliminate, or “zero out” the wild horse population of the West Douglas Herd Area. BLM scheduled the horses for immediate adoption on September 5, 1998.

On September 4, 1998, the American Mustang and Burro Association (AMBA) filed a lawsuit in federal district court in Washington, DC, challenging BLM’s action. AMBA asked the federal court to stop BLM from turning the 77 horses over to adopters until the court had reviewed the merits of the case. AMBA argued that (1) BLM’s determination that a mere 137 wild horses had caused poor soil and grass conditions on the entire 150,000 acres of the West Douglas Herd Area was arbitrary, and (2) BLM’s claim that the 77 horses it removed were “excess” was arbitrary and capricious because it was based on incomplete and erroneous data. That Court upheld the round-up.

I visited the West Douglas Herd Area in the early summer of 2000, where I was troubled to find only a couple of wild horses on a far ridge. After spending the night
at the foot of Oil Spring Mountain, I traveled along the slopes to the lower levels in close proximity to Missouri Creek, where I encountered a group of riders on horseback who said they rode the area often. I continued along the track until Missouri Creek crossed the road, preventing me from going further with my car. Quite a number of cattle were grazing there, standing in the creek and some were defecating in it. This is common for cattle, but almost unheard of for wild horses, which will drink and then leave, behavior I have witnessed many times while observing wild horses on the range.

16. The decision to manage wild horses on only 190,130 (pg. 3-14, White River RMP-Proposed, June 1996) of the original 462,812 acres originally identified as their 1971 habitat violates the Law.

17. In November of 2004 I visited the WDHA and observed only one band of 3 wild horses, including a foal. There were several head of cattle in the area. I counted 75 in various areas of the HA, primarily in the Texas Creek Pasture. There were mounds of cattle feces under some of the pinions, not unlike what you would find in a feedlot, indicating excessive livestock use in that area.

18. In April of 2005, when traveling from Craig, CO, to Grand Junction along Highway 139, I was unable to locate the little band, or any other wild horses from any of the side roads off 139. I was very disappointed.

19. As I am now retired from Colorado State University, I will be spending much more time on the wild horse ranges, including West Douglas. My granddaughter and I are planning a trip there later this month or early in July 2008 and are praying we will see wild horses. If not, we will document and photograph what we do see.
I declare under penalty of perjury that the foregoing is true and correct

Executed on June 17, 2008

Barbara M. Flores