BUREAU OF LAND MANAGEMENT
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701
Attn: Holly Kline, Kimberly Dow, Paul Fusselier
hkline@blm.gov
pfusselier@blm.gov
kddow@blm.gov

UNITED STATES MARSHAL SERVICE
District of Nevada
333 Las Vegas Blvd., Suite 2058
Las Vegas, NV 89101
Attn: Gary G. Schofield

May 2, 2025

Re: Demand for Removal of wild horses pursuant to 43 CFR § 4720.2-1

Dear Ms. Kline, Mr. Schofield and other authorized officers:

The undersigned is the president of the Airpark Estates Homeowners Association ("Association"), located in Dayon, Nevada. The Association is a residential homeowners association that owns, maintains and manages a small airstrip that is used by both residents in the community and members of the aviation public at large (called the Dayton Valley Airpark). For the past several months, a herd of wild horses has been accessing and occupying the Association property—most notably, around and on the airstrip itself and the appurtenant taxiways. There are about 13 horses in the herd. The herd accesses the airstrip and related taxiways from the adjacent large BLM property through open and inadequate fencing and other unobstructed access points. Enclosed herewith is a site map of the Association and its Dayton Valley Airpark.

The herd of wild horses pose a present and on-going substantial danger to those that use the airstrip and those that reside in the community. The horses are regularly found on the airstrip and on the taxiways, along with the adjacent open field areas adjacent to the airstrip. They are present both during the day and at night. As you might imagine, the presence of the wild horses on the airstrip and taxiways presents a substantial danger to anyone using the airstrip for landing, taking off or taxiing purposes. Moreover, the wild horses present an attractive nuisance, as children from the community and

surrounding communities are regularly attracted to the horses and will pursue them at the locations where the horses are. That often means children are coming onto the taxiways and other areas where airplane traffic is intended to travel in an effort to see the horses up close.

Without equivocation, the Association is demanding that the Bureau of Land Management ("Bureau") exercise its authority to remove the herd of horses from the Association property and relocate them to an area where they will not return to the Association area. Under the authority of the Wild Free-Roaming Horse and Burro Act, 43 CFR § 4720.2-1 commands as follows:

> Upon written request from the private landowner to any representative of the Bureau of Land Management, **the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable**. **The private landowner may also submit the written request to a Federal marshal**, who shall notify the authorized officer. The request shall indicate the numbers of wild horses or burros, the date(s) the animals were on the land, legal description of the private land, and any special conditions that should be considered in the gathering plan.
>
> (Emphasis added).

The herd has been consistently present since about early October of 2024. The Association, through its legal and homeowner representatives, have communicated with the BLM Sierra Front Field Office about this problem. The undersigned, Ms. Kline and other Association representatives met with Ms. Kline on site on December 4, 2024, to discuss the problem and solutions. As a result of that meeting, there were signs placed up at nearby fence locations that instructed users of the fence to close the fence after use thereof. Also, cattle guard was installed as a deterrence mechanism. Both have proven notably ineffective at alleviating the presence of the herd. The cattle guard is at a location that makes no impact on the travel of the herd and, as it turns out, there has been little to no compliance with the directives on the posted gate signs. The ineffectiveness of these measures have confirmed for the representatives of the Association that gate fixes, signs and other similar migration obstructions are not long term viable solutions.

Moreover, at the December 4, 2024, meeting, it was made clear to the Association that any efforts to relocate the herd were to be made only by the Bureau, as it is the only agency or body that has the lawful authority to carry out such efforts. As such, the Association, as the owner of the Dayton Valley Airpark, is demanding that the Bureau

exercise its duty under 43 CFR § 4720.2-1 and take immediate steps to remove the wild horse herd from the Association property which includes, but is not limited to, the Dayton Valley Airpark, as soon as practicably possible.

Also pursuant to 43 CFR § 4720.2-1, the Association is hereby asking that Mr. Schofield exercise his duty as the United States Marshal for the District of Nevada to notify the Bureau of its duty under 43 CFR § 4720.2-1 to remove the wild horse herd as soon as practicably possible.

Aircraft land at all times during the day and the airstrip could be used for emergency landings at night if need be. The dangers presented by the herd occupying the airstrip and taxiways are real. If an aircraft collides with a horse or horses on the airstrip, the occupants of that aircraft could likely be seriously injured or killed, along with the horses. The Association again impresses upon the Bureau to take immediate action to remove the wild horse herd from the Association property.

Other Pertinent Information:

Number of wild horses: 13

Dates on private land: October of 2024 thru present

Legal description of private land:

Dayton Valley Airport, Lyon County APN 16-363-21
Being a portion of Section 19, Township 16 North, Range 22 East M.D.B. & M described as follows:

Parcel 4A-1 as shown on that certain Amended Map of a Boundary Line Adjustment for JOHN LAWRENCE (NEVADA) INC., filed in the office of the Lyon County Recorder November 26, 1990 as file #137734, and amended by Certificate of Amendment recorded January 25, 1991 as file #139224.

Special Conditions: Access to our airport requires coordination with the HOA representatives for personnel safety and operational clearance from the runway. Please contact either:

Jon Linke	HOA President	575.644.2549
Ed Banks	HOA Director	209.631.9009
Dean Patmor	Airport Manager	818.519.7133

Airpark Estates Homeowners Association

399 Armstrong Ct
Dayton, NV 89403

Thank you for your help,

Jon Linke, President
Airpark Estates Homeowners Association
399 Armstrong Ct.
Dayton, Nevada 89403
575.644.2549



Horses crossing active runway

Airpark Estates Homeowners Association

399 Armstrong Ct
Dayton, NV 89403



Horses leave behind gravel, Foreign Object Debris, which can damage aircraft propellers and airframes, creating a Safety of Flight issue.