

# NEWS Release BUREAU OF LAND MANAGEMENT

For Release: January 26, 2016

Contact: Lisa Clark  
(541) 416-6864

## **BLM and Waibel Ranches Issue Statement: Status of Teaters Road**

*Prineville, Ore.* -- The Bureau of Land Management (BLM) Prineville District Office and Waibel Ranches, LLC., parties to the Waibel Ranches LLC v. BLM litigation have filed a joint public statement with the Federal District Court to inform interested parties about the status of the closure of Teaters Road. Teaters Road is located 30 miles east of Prineville, Oregon, off State Highway 380. The joint statement is attached.

Additional information about the Prineville District is available online at:

<http://www.blm.gov/or/districts/prineville/index.php>

**About the BLM:** The BLM manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's mission is to manage and conserve the public lands for the use and enjoyment of present and future generations under our mandate of multiple-use and sustained yield. In Fiscal Year 2014, the BLM generated \$5.2 billion in receipts from public lands.

###

**BLM**  
Prineville District Office



Joint Statement of Plaintiffs Waibel Ranches, LLC, and Waibel Properties, LLC, and Defendant Bureau of Land Management re: ongoing exploratory settlement discussions designed to resolve Waibel Ranches v. BLM, Case No. 2:15-cv-2071-SU (D. Or.)

The Bureau of Land Management and Plaintiffs Waibel Ranches, LLC, and Waibel Properties, LLC, jointly issue this public statement to apprise those officials, entities, and other individuals interested in the resolution of the issues involved in the above-referenced case of the latest developments related to resolution of the case.

The case is currently stayed in response to a joint request of the parties, which means that they are at least temporarily not proceeding with litigation in the case to allow them to focus on exploring the prospects for reaching a mutually agreeable settlement. These exploratory efforts are ongoing and, as is customary for settlement discussions, are being kept confidential, with the exception of their having shared the broad outlines of a possible compromise with county officials and certain congressional staff from the Oregon delegation who have expressed an interest in the matter. Because the parties know that such interest extends beyond elected officials, however, they have decided to issue this joint statement to try to avoid the possibility of misunderstandings or erroneous assumptions developing or being circulated, and to let anyone with an interest know at least in general terms the process the parties are following.

By way of background, last spring Teaters Road was closed to public access approximately 1.4 miles north of its junction with State Highway 380 due to a dispute over the scope of a right-of-way the agency holds by which it has historically allowed the public to use the road. Gates were erected to effectuate this closure, although use of the road by government agencies or in the event of emergencies has continued to be allowed.

In October 2015, Plaintiffs filed a complaint seeking a definitive judicial ruling on the scope of BLM's right-of-way in Crook County Circuit Court; shortly thereafter, the United States removed the case to the U.S. District Court for the District of Oregon, where the case is still pending. Although the parties have different positions about the extent of the agency's right-of-way on Teaters Road, and the resultant legal validity of the closed gates preventing public use of the road, they believe that their dispute should be resolved either by a mutually acceptable settlement agreement, which they are currently exploring, or by a judge in an appropriate court of law after both sides have had a full and fair opportunity to present their respective positions.

One of the proposals the parties are currently exploring in their discussions is the offer by Plaintiffs to construct a new road closer to the western perimeter of their property, in the light of which BLM would then evaluate whether it could and/or should relinquish or opt not to exercise its right-of-way on Teaters Road to the extent it allows for public use. In the event any such proposed determination became a viable option, BLM would first intend to analyze its potential

environmental effects in accordance with the National Environmental Policy Act (“NEPA”) and also ensure that it was in accordance with its substantive legal obligations as well. Such a process would also provide an opportunity for the public and interested parties to weigh in on such issues prior to any final determination being made in this regard. In addition, in their discussions with congressional staff, Plaintiffs have suggested legislation that might facilitate the process of providing for public access across their property by use of a new road and to facilitate a trade for smaller parcels of BLM land that are surrounded by private property.

The parties plan to continue to meet to discuss and explore settlement prospects and will do so as long as they believe there remains at least a reasonable prospect of such efforts proving successful. In this light, they may issue one or more further joint public statements if future developments warrant doing so, at least up until BLM were to commence a NEPA process on any potential proposed action related to this matter that would provide for public involvement.