

The Gerber Family Legacy on Public Lands

(sources not referenced in text)

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Setting

The Gerber Block is located on Bureau of Land Management (BLM) lands in southern Oregon, and managed by the Klamath Falls Resource Area out of the Lakeview District. The 'Gerber Block' encompasses 8 different legal descriptions comprised of townships and ranges.

The west side of what is known today as the 'Gerber Block' was described in 1868 and 1871, by early cadastral surveyors as an environment that produced grasses with prairie lands surrounded by timber. The notes also describe areas that contain numerous springs, and locations '... well adapted to grazing,' with areas appropriate for agriculture. Environmentally, they note much of the prairie locales seem to be marshy and wet in the spring.

The south-central part of the Gerber Block is noted in the 1872 and 1875 cadastral notes as being comprised of high table lands with juniper and grasses, and comment on the lands as being valuable grazing pasture.

The eastern side of the Gerber Block was observed in 1872 and 1875 as having some lands appropriate for agricultural development, and again, took note of the high table mesas of this area that would be beneficial for pasture, along with mixed timber and grasses.

Cadastral notes for the north-central portion of the Gerber Block dating from 1952 document roads through the area and describe the dominant feature being the Gerber Reservoir that was constructed for flood control and irrigation needs in the region. The area is still noted to be rocky prairie with pockets of heavy timber.

Gerber Family

Louis Gerber was born in 1854 in Buffalo, New York. His parents were immigrants from Baden-Baden, Germany who had moved to the U.S. in 1837. He moved with his parents via the Isthmus of Panama to Sacramento, California. Louis was raised in a family of meat butchers and had three brothers and one sister. Louis and his brother, John, established a wholesale meat business called "Gerber Brothers" in Sacramento. Louis was a meat buyer for their company and traveled through Northern California and Southern Oregon. In 1886 and 1888 Louis and his brother acquired a total of 840 acres in southern Oregon under the Swamp Act. In 1895, Louis filed for a homestead comprised of 167.77 acres in Horsefly Valley along Miller Creek adjacent to their swamp act lands in southern Oregon. This area is known today as the "Gerber Block."

It was here Louis slowly began building a ranch, driving cattle from southern Oregon to northern California for shipment by rail to the "Gerber Brothers" slaughterhouse in Sacramento, California. In 1899 Louis married a school teacher from southern Oregon, Ida J. Campbell. They had two sons, one died when he was two years old, the other was Henry Gerber. The homestead in the Gerber Block was maintained by ranch hands, while Louis and Ida lived full time at their home in the town of Klamath Falls, about 45 miles away from the ranch.

There were six other settlers in this township between 1806-1906 (four other homesteaders and two cash entries). In the first half of the 1900s, Louis Gerber and four other ranches in the area were the largest ranching operations in the vicinity of the Gerber Block. Slaughter houses from all over came to the Klamath Basin to buy cattle.

By 1915, the Gerber family had purchased 20 abandoned or failed homesteads in the Gerber Block and consolidated these lands under the Gerber Ranch.

The Gerber family continued its main source of income from its family business of raising cattle in the Gerber Block. Other income came from selling butter, selling wild horses to the military during World War I, selling meat and vegetables to the Gerber Dam workers in the 1920s, and timber harvest on their lands. The Great Depression hit in 1929 and, along with the rest of the United States, the Gerber's felt the economic crunch.

Louis and Ida's son, Henry, completed a few years of college before returning home to work at the U.S. Bank in Klamath Falls. He decided to travel the world for a year, and while aboard, the Great Depression hit the U.S. economy. Upon his return home, Henry married his high school sweetheart, Mariam. Together they had 3 daughters: Sylvia (Gerber) Bruce, Margaret (Gerber) Cheyne, and Marilyn (Gerber) Livingston. Louis Gerber passed away in 1930 and Henry's mother tended the family ranching business. In 1933 Henry took over the operations of the family ranch. Henry passed away on January 1, 1974. Today the ranch is held by Henry's 3 daughters.

Dam Construction

The Gerber Block is comprised of an arid environment with juniper, sagebrush, bunchgrass, volcanic scab rock flats, mixed with seasonal streams, and basins comprised of marshes and lakes.

In 1878, irrigation projects were initiated with numerous canals bringing water to farmlands. When the Reclamation Act was passed in 1902 the federal government became a player in the Klamath Basin's irrigation efforts with its Hydrographic Surveys in 1903 and 1904.

Under the 1902 Reclamation Act, California and Oregon ceded wetlands in the Klamath Basin to the Federal Government to "reclaim" them for agricultural homesteading. The 'Klamath Project' was authorized in 1905 primarily to provide irrigation water and is managed by the Klamath Basin Area Office of the Bureau of Reclamation (BOR) in Klamath Falls, Oregon.

Central to the irrigation project was controlling water from the Lost River. This meant controlling levels and flows out of Clear Lake in California, and increasing seasonal flows in the Lost River in Oregon, thus distributing irrigation water to tens of thousands of acres within the Klamath Basin. The Bureau of Reclamation identified the need to construct the Gerber Dam and Reservoir to help facilitate flood control. This dam would be constructed at Miller Creek and Horse Valley within the Gerber Block. Over time, many of the 359,000 acres of wetlands were drained and offered as homesteads from 1917 to 1946 to U.S. citizens, and WWI and WWII veterans in three lottery drawings.

In 1921, the original Gerber homestead caught fire. The family relocated to an acquired property along Barns Creek, approximately 3 miles north of the homestead. This property was the former homestead of William T. 'Horsefly' Wilson. It was at 'Horsefly's' former home that the Gerber family began occupying the Gerber Block more regularly.

In 1923, the Gerber's 840 acres acquired under the Swamp Act and the 167.77 acres of homestead lands (1,007.77 acres total), were sold to the U.S. government for the development of the BOR 'Klamath Project.' Today, these lands are inundated by the 'Gerber Reservoir' developed as part of that project.

Construction of the Gerber Dam began in spring of 1923. Later that summer, the Langell Valley Irrigation District approved a ballot initiative to bond \$700,000 toward construction of the dam and entered into a cooperative agreement with the government for the dam. Work on the dam began in March of 1924, and was completed June 1, 1925. It had a capacity of 94,000 acre feet and released water, via canal, for 12 miles and served 7,134 acres. The irrigation project led to immediate homesteading and purchase of lands for farming, resulting in an estimated yield of \$300/ per acre. Additionally, the project resulted in a 'good road' into Horsefly Valley and the laying of the first telephone line into the Gerber Block.

The Gerber Ranch operated in the area now recognized as the Gerber Reservoir from 1886 to 1923 as pasture for their cattle. From 1925 to 1942 the Gerber Ranch pastured cattle on deeded lands in North Horsefly Valley, Bly, and Langell Valley in partnership with another pioneer family to this area, as well as on federal lands. The Gerber Reservoir was identified as a practice bombing range during World War II and these federal lands became withdrawn from grazing. It was during this time the Gerber Ranch purchased property in Red Bluff, California for winter pasture, leaving the Gerber Block and Bly Ranch owned lands for summer pasture only.

Ranching

In 1933, the ranchers in this area realized that the rangeland was seriously declining and competition between livestock would only make the situation worse. At the same time, the Forest Service had pending legislation to expand their control across public domain. In opposition to potentially tighter grazing controls, the local livestock men formed the 'Southern Oregon Grazing Association' on June 14, 1933. Henry Gerber was an original member of this association, as well as the group's secretary. Many businessmen in the livestock and timber industry contacted Henry Gerber with enthusiasm to join the association. Shortly thereafter, the Southern Oregon Grazing Association submitted a bill to congress seeking the creation of a federal grazing district.

Henry Gerber wrote a letter to W.S. Boyer, chief of the Field Division for the Department of Interior, explaining the Southern Oregon Grazing Association's agenda. His letter explained that the Association was comprised largely of cattlemen. Mr. Gerber explained that current government managed lands were open to sheep grazing and that these sheep operations did not pay taxes, owned or rented little land, and made it difficult for landowners in the area to be able to graze their cattle on public domain. The Southern Oregon Grazing Association was seeking grazing priorities for taxpayers and land owners, and opposed the transient sheep herders having control of grazing on public lands. Gerber did not want to see sheep operators thrown completely out of the area and believed that those who owned land in the area should be able to run on public lands, but in a different location from the cattle.

Henry Gerber worked diligently in establishing a network to oppose the National Forest expansion, instead to create a grazing district on public lands. As part of this network, an employee of the Division of Investigations at the Department of Interior named J.H. Favorite sent advice to the Southern Oregon Grazing Association which included copies of grazing regulations on public lands in another state, where 40,000 acres bounded by Forest Reserves were intensively grazed and the cattlemen of this area were satisfied with how the federal government administered the public lands. Favorite took a special interest in Gerber's cause and organized a visit to the Klamath Basin in order to discuss the proposed grazing district. These efforts were to hinder the agenda of former Oregon Governor, Walter Pierce, member of the House of Representatives during the 1930s. Pierce strongly supported transferring of public lands to the Forest Service because of the timber resources.

The Southern Oregon Grazing Association became more and more politically involved, with Henry Gerber at the forefront. The Association petitioned to President Franklin D. Roosevelt for withdrawal of public lands between their ranches and Forest Service so they could be included in a federal grazing district. Gerber argued against Representative Pierce's bill to transfer the lands to the Department of Agriculture, instead creating a federal grazing district with 10,000 acres of public lands for grazing. All the while, Henry Gerber made sure his agenda was clear that these lands would not be over grazed, like the sheep had done, but would properly monitor and manage these lands for cattle.

In December of 1933, Mr. Geber sent a letter to the Secretary of Interior, Harold L. Ickes, with a petition enclosed seeking a grazing district; he also sent this petition to Senator Charles McNary, Senator Fredrick Stewart, and Representative Charles Martin and Representative James W. Mott. The petition proposed a grazing district of T39S, R13E and R14E; T39S, R15E Sections 18, 19, 30, 31; T40S, R14.5E, and R15E; and T41S, R14E, R14.5E and R15E, W.M. The Association even proposed to only graze these areas between March 1st and November 15th of each year. They also argued the grazing district would *"...not only protect and conserve the forage growth on the lands in question, but at the same time will be of inestimable benefit to the stockmen using the lands along the line of the [district] and stabilize the livestock industry"*. As a result of this appeal, a petition was introduced to Congress to directly assist the Southern Oregon ranchers, becoming House Resolution (HR) 7595. This legislation called for preservation of the land and its resources and to stabilize the livestock industry. Only true settlers and residents could qualify for grazing rights. It additionally provided the Secretary of Interior with the rights

to make improvements on public lands, such as fences and reservoirs; and where private individuals did these actions, they would be reimbursed by the government.

In January of 1934, Congressman Pierce wrote to Henry Gerber to inform him of the introduction of the Taylor Grazing Bill. Pierce remained concerned over his bill to transfer lands in the area to the Forest Service and appealed to Gerber on a compromise. Mr. Gerber responded that he and his associates opposed the transfer of any public lands in the Gerber Block to the Forest Service and wanted them to remain in public domain.

Henry Gerber had a long-standing bias against the US Forest Service. Stating his father ran cattle in the area from the 1880s to his death and he and his mother continued to run cattle in the area after his death, Henry shared this memory in 1934:

At this time the United States Forest Service required fees to graze, so we ran our cattle elsewhere. As more settlers came to the area, grazing areas became reduced and the family asked the Forest Service if they could graze on forest lands. According to Henry, the Forest Service told the Gerber family they could have gotten a permit 10 years ago but did not, so it was "too bad" and they have continued with this thought for the past 20 yrs. (paraphrased)

When Henry read the proposed Taylor Grazing Act he felt this was the most reasonable solution for the cattlemen of Langell Valley and the Gerber Block.

In April 1934, Congress authorized the proposed boundary changes for the Fremont National Forest. However, the President was allowed to alter the boundaries up to 6 miles from the existing boundaries to include public domain lands. In October of 1935, President Roosevelt made a proclamation approving the increased boundaries for the Fremont National Forest, but that it would exclude all public domain lands in the Gerber Block. It is thought that this exemption was because of the political activism by Henry Gerber to keep these lands from being transferred to the Forest Service.

The Taylor Grazing Act was passed by Congress on June 28, 1934. Ultimately this new law withdrew 142,000,000 acres in 11 western states from 1934 to 1936 from homesteading or land transfers. This act created the U.S. Grazing Service (now the Bureau of Land Management) in order to manage public domain and develop grazing districts.

Upon the passage of this act, Henry Gerber wrote to his friend, J.H. Favorite, with the Department of Interior asking for help to establish a grazing unit as quickly as possible in the Gerber Block. Gerber quickly drew endorsements from the Southern Oregon Grazing Association for implementing the Taylor Grazing Act locally. Their campaigning was rewarded with a visit from officials with the Department of Interior. Gerber wrote in a 1934 letter, *"I think the Interior Department appreciates the help we have given in passing the Taylor Bill, as we are one of the first three to get recognition from the Interior Department."*

Two days after the Taylor Grazing Act was passed, the US Geological Survey made recommendations to the Secretary of the Interior that the Gerber Block was only useful for grazing and forage crops and that a grazing district should be established as requested by the Southern Oregon Grazing Association. Twenty five days after this recommendation, the Acting Director in Charge of Grazing held a hearing for the proposed grazing district in Klamath Falls, Oregon. On July 17th, eighteen days after the Taylor Grazing Act was passed, the Oregon District was authorized. The other two early districts were the Colorado District, approved on July 20th, and the Mohave Grazing District in California, approved on July 25th. It is strongly believed that the diligent work of Henry Gerber afforded the Oregon Grazing District to be the first district formed under the Taylor Grazing Act.

While the Oregon Grazing District was official, there were still many local hearings that occurred afterwards to explain the new regulations. The hearings held in the fall of 1934 explained the district was proposed to reach from Langell Valley on the west to the Fremont Forest on the east, covering 165,000 acres. A result of these hearings saw the Taylor Grazing Act gain momentum in Oregon; proposals of grazing districts in eastern Oregon were brought forward, and their own public hearings occurred.

In April 1935, Secretary of Interior Ickes created Grazing Districts 1, 3, and 4 in Oregon. The Gerber Block was bestowed the title of Grazing District Number 1; making it the first grazing district in Oregon and the Nation.

The Gerber Grazing District resulted in several programs during the 1930s. The most prominent being the establishment of the Civilian Conservation Corps (CCC), Division of Grazing, DG23, in Bonanza, Oregon. The CCC carried out range improvements in the way of fence construction, roads to access all parts of the Gerber Block, construction of a telephone line, watershed improvements including development of springs, drilling wells, small dam construction, noxious plant and rodent eradication, and plowing of snow on roads in the Gerber Block-- all activities which aided the early homesteaders in 'true' settlement of these lands.

Summary

The three granddaughters of Louis Gerber, daughters to Henry, still retain the Gerber Ranch lands in the Gerber Block area and live on these family lands. From the 1980s onward, the Gerber family has been a key player in fuels management with both the BLM and Forest Service. They have provided standby crews and loaned equipment in these efforts. They even provided initial fire attack on wild fires until federal officials could arrive. The Gerber Family has also implemented their own land improvement projects via fencing, thinning, wildlife habitat improvement projects, and worked with Oregon wildlife biologists on monitoring and reintroducing elk on their family lands.

Today, Sylvia Gerber Bruce lives in the family house on Barns Creek and still raises cattle on her lands, in addition to renting pasture lands to other cattlemen; Sylvia is also a BLM range permittee. She lives here in the summer, and winters in Arizona. Marilyn Gerber Livingston and her husband, Ned, live year-round on family lands purchased from failed homesteads about half a mile away from Sylvia and they

lease their pasture land. Margaret Gerber Cheyne lives near the town of Lorella, Oregon, although she still owns her portion of the Gerber Ranch lands in the Gerber Block and rents her pasture lands as well.

The Gerbers understand their family's legacy and continue to help federal agencies appreciate the history of this landscape. In the summer of 2010, my BLM office, the local Forest Service office, and Natural Resource Conservation Service offices held a joint Passport In Time Project. Our goal was to try and relocate an old wagon road that went from Bonanza, Oregon to Lakeview, Oregon. By working together, we were able to access Forest Service land, BLM land, and private land (Gerber land) for our survey. Along with our PIT Project volunteers, the "Gerber Girls" were instrumental in our efforts. Two of the sisters were with us every day and happy to have crews working on their lands to attempt and relocate the old road. They recalled stories of the roads in the area, shared family maps, knew where old bridge remnants were on their lands, and shared stories they had heard as children about the wagon road and 'the old times'. Two new Gerber generations, Louis Gerber's great granddaughter and his great-great granddaughter, even joined us on the project for a day.

In summary, Louis Gerber began settling southern Oregon in an area that became known by his family name, The Gerber Block, which is now managed by the BLM. Louis's early livestock activities led to the family operation being one of the largest ranches in southern Oregon. Louis's son, Henry, became a proponent for reassessing how range management was occurring in southern Oregon. Henry became politically active in these efforts and was instrumental in having the Gerber Block privileged to be named as the first grazing district in the U.S. It is because of Henry's tenacity these lands remained under public domain and went to the U.S Grazing Service for management; later becoming the Bureau of Land Management. Specifically, if it was not for Henry Gerber, the Bureau of Land Management would have very little presence in eastern Klamath County; the BLM lands known as the 'Gerber Block' are comprised of 187,000 acres. Maintaining these lands as public domain has allowed for multiple use management of these lands. Uses of these lands today include grazing, forestry management, energy development, fuels management, natural and cultural resource management, and recreation opportunities in the way of fishing, boating, hunting, hiking, horseback riding, and camping. The Gerber family laid a foundation to allow these lands to be set aside for public use and enjoyment, managed in a responsible way by the Bureau of Land Management.

The east side of my office is called the "Gerber Block," the main road through this area, "Gerber Road" is named after this incredible family. A sign placed by the local historical society refers to the original Gerber homestead location at a BLM boat ramp. And you will often pass one of the Gerbers or a ranch hand in a truck as they are going from one pasture to another checking on cattle, or on horseback as they move their livestock, or simply out enjoying the landscape their family has come to care for and love from generation to generation.

Today as you travel the Gerber Block, you hear and feel the echoes of the earlier settlers; springs are named after early homesteaders, you encounter historic dumps from the era, faint roads can be seen by the trained eye, and much of the improvements to this area were done by the CCC camp from Bonanza.

But by far, it is the Gerber family you are reminded of the most. Louis Gerber's 1895 homestead led to a family legacy on this landscape that is still very much felt and seen every day.

"The Homestead Act, as you know, intended to populate the vacant countryside, and the intent was alright, but, in the Midwest it worked just fine, you know, 160 acres. But, in this kind of turf here, 160 acres, it's a rough go. And it was a dream on the part of the participants that they could even make a go, so the guy with the deepest pocket, you know, and a little cash flow, has a vision to buy out the dream of these poor guys, and buy up the homesteads and get a big enough package to make it work, and that's basically the story of the Gerber Ranch."

-Ned Livingston (husband of Marilyn Gerber Livingston and family historian)

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