

A Legacy Of Conservation

Protected in Perpetuity

Bruce and Roma Orvis are committed to preserving their 2,563-acre ranch where four generations have run cattle, and where early Californians camped seasonally. On March 31, 2006, the Orvis' entered into a conservation easement agreement with the California Rangeland Trust that ensures the land will forever remain the same.

The California Rangeland Trust worked with the Trust for Public Land in assembling funds from the State of California Department of Conservation, the U.S. Department of Agriculture and the Great Valley Center to purchase the conservation easement. The Ranch is now ready for the next four generations of Californians to continue its rich historic and cultural legacy.

Earliest Vet Breeds Herefords

Born in Wisconsin in 1858, Charles Bruce Orvis went to veterinary school in Chicago. He traveled west to start his career. After exploring Los Angeles and San Francisco, he ultimately established his veterinary practice in Stockton and was issued one of the first veterinary licenses in California in 1893. Orvis conducted research, pioneered innovative surgical techniques and was known as one of the state's leading livestock specialists and inspectors.

Orvis married Mary Ada Snow in 1891, the only daughter of William Snow. William had established the Snow Ranch in 1873,



Bill Orvis photo

Four generations of the Orvis family: Charles Bruce Orvis (back, right) and his son William Snow Orvis (back, left). Bruce (front, right) with his son Bill and James (front, left) with his son, Jim.

twenty three miles east of Stockton in Stanislaus and Calaveras Counties. Orvis sold his practice in 1896, bought the Snow homestead and began breeding purebred Hereford cattle. His son, William, carried on the operation.

William married Grace Harper in 1917, and made their home at the Ranch with their children, Bill, Jim, Bruce and Betty. Today, Bruce and his wife, Roma, continue Hereford breeding on the Ranch that Bruce's grandfather passed down to him. Jim and his wife, Maryanne, also breed Herefords nearby.

Orvis Scientists

Bill Orvis admires his family's ingenuity, not only with ranching but with daily pursuits. His grandfather stored supplies in what was termed the "radio house"... "It is where my grandfather built radios. He used to build them and then give them away to a neighbor and build another one. He and I also built a lot of radios together."

Bill also recounts how his grandfather installed electricity in the original ranch house before anyone in the area. "He put model-T automobile generators on top of poles with a propeller and a tail. The generators charged car batteries which were used to light the house at night with 12 Volt lights."

The Orvis' creativity extends into space. In 1967, as part of a high school club, the Orvis children started flying model rockets on the Ranch. Beginning in 2004, the Ranch has hosted the LUNAR Model Rocketry Club, the



Barn at Orvis Ranch with Orvis family brand.

LEGACY, CONTINUED ON PAGE 3

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Director's Message

NEW REVISIONS IN THE CONSERVATION TAX LAWS ARE A WIN-WIN FOR RANCHERS AND FARMERS

The Pension Protection Act of 2006 provides significant and unprecedented tax incentives for individual and corporate landowners who donate a conservation easement (conservation agreement) on their working landscapes after August 17, 2006. The California Rangeland Trust was instrumental along with other conservation groups in making revisions possible for ranchers and farmers. Ranchers should take some time to review this opportunity and assess if it would apply to their goals to protect the land that they love and retain it for their families.

Donated conservation easements began in 1976, allowing ranchers to deduct from their annual income taxes the fair market value of the donation provided the taxpayer had a large enough income. The biggest problem for many ranchers was that they did not have enough annual income to offset or fully utilize the deduction within the allowed 6 years of tax returns, thus leaving deductions on the table unused. The new tax incentives greatly enable the small to medium qualified rancher to more efficiently utilize the tax savings with their donation of a conservation easement. The rancher now has the ability to offset up to 100% of their adjusted gross income (AGI) against the donation value for up to 16 years of tax returns.

The timing of these new tax incentives on donated conservation easements could not come at a better time, since conservation easements currently have decreased funding availability, increased process time, more restrictions and require more partial donations. Significant hidden benefits can be obtained by accepting a donated conservation easement compensation with dollars generated from an annuity of reduced taxes paid for up to 16 years, instead of receiving dollars in the year the easement is made with a funded easement. A donor does not have to pay capital gains tax for the value received since there is no direct payment when the donated easement is completed.

The biggest benefit is that you could consummate the conservation easement in 3 months if a donated conservation easement is used, versus 3 to 5 years for a funded easement. Also, the requirements in a donated easement are less severe than in a funded easement. Only the California Rangeland Trust and you are deciding on the voluntary restrictions in the donated easement. With a funded easement you need to satisfy one or more third party funding agencies or government bureaucracies with their restrictions on your property rights.

Ranchers have to consider the timing, amount and effective tax rates for their income and financial position. The time value of funds received for a funded conservation easement, say 3 to 5 years from now vs. an annuity of tax savings for several years with a donated easement. These factors need to be compared to the other benefits of a donated easement in making a decision.

The current benefits of a donated easement make the idea of conserving the ranch intact for future generations a win win for ranching families. A rancher now has more viable choices in contemplating a conservation easement with a partial or total donation of the fair market value of the limited property rights he voluntarily decides to exchange for a conservation easement. The rancher now has a better chance to be compensated for these values when he makes a donation and receives these tax incentives and other hidden benefits that may have a greater value. The public gains the greatest value by conserving these working landscapes intact; they truly benefit from the donation by the rancher.

As always a conservation easement is not for everyone and only you can decide if this tool is right for your family situation. Discussions with your financial and legal advisors are a must. Keep in mind that the new tax incentives expire December 31, 2007. The California Rangeland Trust staff and directors are available to help you through the process of making a good choice. ✓

~ Steve McDonald, CRT Board Treasurer



Steve McDonald with daughters Heather & Jakki

A Legacy Of Conservation

LEGACY, CONTINUED FROM PAGE 1

largest National Association of Rocketry section in the United States.

As many as 80 cars come from as far away as Fresno and Sacramento to launch rockets and view the spectacle. It became a family event, as many would hike in the country and play by the creek while the rockets flew. "Many of these people had never been in wild country before and were constantly coming to me to point out buzzards, coyotes, rabbits, and squirrels," recalled Bill.

This is the history of the Orvis Ranch and family. But thousands of years ago, the prehistory of the area was quite different.

Early California Artists

The first Californians had a great diversity of native communities. Miwoks and Yokuts occupied present-day Stanislaus County, and some groups camped every spring and fall in the area as they traveled to their summer camp in the mountains. The Central Californian culture group practiced hunter-gatherer subsistence, and possessed a mastery of basket making. They were composed of loosely related groups of villages. Shamanism, magic, and various religious observances were important to them, thus affecting their activities. One such activity was carving petroglyphs.



Bill Orvis photo

Petroglyphs on Orvis Ranch

Thousands of years ago, Native Americans etched petroglyphs into rock surfaces in the Central Valley. Groove and pit designs were cut into the back wall of a small rock shelter on the Orvis Ranch.

It is believed that petroglyphs had a role in magic-religious aspects of prehistoric culture and may have served a purpose in the cultural context of game hunting, tribal boundary markers and fertility. Rock shelters and caves were often used as living spaces, storage areas, and burial places. Bedrock mortars on the Orvis Ranch indicate an abundant Native American population. The area where the present-day Orvis Ranch is located once served as a seasonal camping site for Native Americans.

Bruce Orvis recalls finding Native American artifacts.

"Tools and arrowheads were along the creek and further up the creek are the petroglyphs."

Bill was a young child when archaeological research took place, but remembers local universities examining the remains. "It was exciting to be in an area where the stuff of museums is right there."

The Orvis Ranch can claim a legacy of rich cultural heritage that can be traced to prehistoric times. Thanks to the conservation easement held with CRT, the history and their ranching heritage will be protected in perpetuity. \r



Bill Orvis photo

Bedrock Mortars on Orvis Ranch

~ Elizabeth Valdovinos

CRT Welcomes New Board Director

California Rangeland Trust welcomes new board member, **Dan O'Connell** of Colusa. Dan has been Colusa County Assessor since January 1, 1982, and brings a tremendous amount of enthusiasm and professionalism to the CRT Board.

Dan is very active in the ranching community as a long time member of the National Cattlemen's Beef Association, California Cattlemen's Association and serving as the current vice president of the Glenn-Colusa Cattlemen's Association. In addition, Dan has worked many years with farm youth groups including 4-H, FFA and the junior livestock committee among other things. Most notably, he was appointed by Governor Schwarzenegger to the Colusa County Fair Board and was instrumental in establishing the Williamson Act on the valley floor in Colusa County.

With his experience and commitment to the cattle industry Dan will be a tremendous asset to the CRT Board. As Dan looks to retire December 30, 2006, he is anxious to live out his life long dream of ranching full time. Dan and his wife, Barbara, live on their ranch in Colusa County where they raise Black Angus cattle, tree fruit and rice. \r

Recent e-mail sent to Bruce Orvis...

"Dear Owners,
I was driving through Calaveras County this weekend on my way to Bear Valley and I passed by your ranch. I just wanted to say thanks for providing cattle the old way ... on the land ... It was such a relief to see all your cows out there on the land and I thought, thank God there are still ranchers. So thanks. Thanks a lot.

Sincerely, Page"

Conservation News

NEW CONSERVATION TAX INCENTIVES

On August 17, 2006, President Bush signed the Pension Protection Act of 2006. One of the most significant provisions of the Act is the improved tax incentive for land conservation for farmers and ranchers. Qualified farmers and ranchers are now allowed to deduct the value of a donated conservation easement up to 100% of adjusted gross income for the year of the gift and to carry forward the unused deduction through year fifteen. This is a significant change from the prior tax law that limited the donation to 30% of adjusted gross income and the carry forward provision to only 5 years.

To qualify for the 100% deduction, the taxpayer must be a "qualified farmer or rancher," and the conservation easement must satisfy certain requirements:

- A qualified farmer or rancher is a taxpayer whose gross income from the business of farming (as defined under Internal Revenue Code Section 2032A(e)(5)) is greater than 50% of the taxpayer's gross income for the taxable year in which the conservation easement is donated.
- The conservation easement must cover property that is used, or is available for use, for agricultural or livestock production.
- The conservation easement must contain a restriction that the property will remain available for agricultural or livestock production.

The Pension Protection Act also provides a greater incentive to farming and ranching corporations. A farming and ranching corporation earning more than 50% of its gross income from the business of farming for the taxable year of the donation is now allowed to deduct up to 100% of taxable income with a 15-year carry-forward period for a qualified agricultural conservation easement. Under the prior law, the deduction for a corporation was limited to 10% of taxable income with a 5-year carry-forward period.

A landowner who is not a "qualified farmer or rancher" also receives a greater tax incentive under the Pension Protection Act. Under the new law, an individual taxpayer who donates a qualified conservation easement may deduct up to 50% of adjusted gross income for the year of the gift and to carry forward the unused deduction for 15 years. Again, prior law was not as generous as it limited the donation to only 30% of adjusted gross income with a 5-year carry-forward period.

The new incentives are only available for qualified conservation easements donated through December 31, 2007. These additional deductions will expire on January 1, 2008, unless extended by Congress.

To qualify as a charitable contribution, the conservation easement must still meet one of the defined "conservation purposes" of Section 170(h) of the Internal Revenue Code and the easement must remain in effect in perpetuity. These existing requirements did not change under the Pension Protection Act of 2006. For example, a landowner would not be entitled to an income tax deduction for merely agreeing to build fewer homes on the land than the zoning would allow.

Farmers and ranchers generally can meet the conservation purposes test if the easement preserves open space pursuant to a "clearly delineated governmental policy" that "will yield a significant public benefit." The California Legislature has declared in Section 815 of the California Civil Code that the preservation of land in its agricultural condition is among the most important environmental assets of California. Similarly, in Section 51220 of the California Government Code, the Legislature recognized that in a rapidly

urbanizing society, agricultural lands have definite public value as open space, and the preservation in agricultural production of such lands constitutes an important physical, social, esthetic and economic asset.

Other related changes under the Pension Protection Act are a redefinition of who is a "qualified appraiser," new substantial penalties against taxpayers and appraisers who are guilty of misstatements of value with respect to donations of conservation easements, and greater reporting requirements for the taxpayer's return following a donation of a conservation easement. This article should not be considered to be tax, legal or financial advice. It is intended to provide you general information about new incentives for land conservation. There are still unanswered questions about how the IRS will interpret these portions of the Pension Protection Act of 2006.

Rangeland Trust Instrumental in Getting Incentives Passed

The Rangeland Trust worked with the National Cattlemen's Beef Association, California Cattlemen's Association and the California Farm Bureau to obtain support from two key legislators, Congressmen Pombo and Thomas, for the conservation tax incentives of the Pension Protection Act of 2006. Rand Wentworth, President of the Land Trust Alliance, publicly acknowledged the successful efforts of the Rangeland Trust in his opening speech at the recent national conference of land trusts in Nashville. The legislation is a great victory for farmers and ranchers.

Any landowner who is considering a donation must get advice from an experienced professional. A tax professional should run the numbers to determine what the tax consequences would be in each individual case before a decision is made to pursue the donation of a conservation easement. In some cases, it may be advantageous to change the ownership of a ranch prior to making the donation. For example, the carry forward deduction ends upon the death of an individual landowner, so joint ownership may be a preferred method of holding title. There are also new rules governing donations by S corporations. Expert tax advice is essential to maximize the benefits.

For individuals and corporations who can take advantage of these tax incentives, the Pension Protection Act is a wonderful opportunity to pay fewer taxes, while ensuring the ranch will be there for generations to come. The Rangeland Trust looks forward to working with landowners to further our mission of preserving the open space, habitat and stewardship of working ranches in California.

WHAT IS MONITORING AND WHY DO WE DO IT?

The California Rangeland Trust currently holds conservation easements on over 176,000 acres of land throughout California. When the Rangeland Trust accepts a conservation easement, it commits itself to perpetual stewardship of the easement land. This means the Rangeland Trust has an ongoing obligation to regularly monitor its easements and enforce easement terms if they are violated.

The purpose of the monitoring is to confirm that the terms of the conservation easement agreement between the landowner and the Rangeland Trust are being fulfilled. For example, if the landowner agreed to construct agricultural structures only within a certain area of the ranch, we make certain no prohibited construction is taking place. Or, if the easement prohibits paving unpaved roads we confirm the roads are still unpaved.

Each monitoring visit provides an opportunity to maintain and develop a stronger relationship with the owner and build a spirit of education and cooperation. Perpetuity is a very long time. A monitoring visit reinforces the partnership between the owner and the Rangeland Trust to uphold the terms of the easement. While all our easement properties are still owned by the original landowners, at some point in the future, the ranch may be transferred to new owners. These personal visits give the landowner names and faces to accompany the legal terms of the deed, and also provide the landowner with ready access to someone who can answer questions about the easement. Ultimately, our goal is to prevent violations and foster a spirit of partnership.

During the monitoring, the Rangeland Trust monitors take pictures from established monitoring photo points to document the condition of the ranch. This provides a running record of the ranch's condition over time. In addition to photos, the monitors complete a written checklist of their

observations of the ranch. The photographs and written field notes serve as evidence of trends on the ranch, whether positive or negative. Evidence of a negative trend provides the Rangeland Trust with an opportunity to sit down with the landowner to discuss the matter and hopefully avoid a costly violation. If the matter is not amicably resolved after discussion, then the annual monitoring documentation will provide evidence of the violation if the matter must be resolved by litigation.

Recently, some land trusts have been criticized on a national level for not fulfilling their functions as responsible tax-exempt organizations. Monitoring helps establish the Rangeland Trust as a responsible nonprofit organization. The Rangeland Trust is proud of its strong stewardship policy of monitoring the easements it holds. \r

Giving Opportunity

In addition to the new incentives for land conservation, the Pension Protection Act temporarily allows distributions of up to \$100,000 from IRAs for charitable purposes if an individual is age 70-1/2 or older. There are no tax penalties for withdrawing the funds from an IRA, but individuals will not be able to claim a tax deduction for the charitable contribution since the distribution will not be included in taxable income. These gifts must be made by December 31, 2007. If you are interested in making a donation to CRT, call Erin Lacy at 916-444-2096. \r

Farewell to Foster and Franciskovich

The Board and staff of the California Rangeland Trust want to extend a special thank you and fond farewell to two exceptional women, Holly Foster and Emily Franciskovich.

Holly gave four dedicated years to the CRT Board and served us well with her experience in journalism, public relations and leadership skills. As Holly is Director of Public Relations for the California Beef Council and an active manager in her family's cattle operation her insight has been invaluable to CRT. Thank you, Holly, for all you have done for us.

Emily, former Conservation Associate, was an integral part of the CRT staff for nearly three years. Her commitment and dedication to preserving sustainable agriculture through her diverse experience and education served CRT exceptionally well. Emily, we greatly appreciate your time and effort for CRT and wish you well in your future endeavors. \r

Events Round Up

CALIFORNIA RANGELAND TRUST HOSTS ANNUAL FUND RAISING EVENT IN SANGER

On June 3, 2006, a group of 400 friends and supporters of California Rangeland Trust gathered for an evening at **John and Carole Harris' River Ranch** on the Kings River in Sanger. A record-setting live and silent auction brought in more than \$173,000.

Guests from throughout the state arrived at the ranch to experience an expansive view of the Kings River, horse pastures and the Harris home. The evening began with a social hour, hors d'oeuvres and a magnificent ice sculpture from caterer Harris Ranch Restaurant in Coalinga. The silent auction was organized by **Carole Silveira** of Firebaugh and **Abbie Nelson** of Wilton, with help from **Jennifer Rice** of Clements, **Karen Stone** of Woodland and **Jakki McDonald** of Sacramento. **Bobbi Faria** of Yosemite Hide Co. in Merced, added a "country store" setup by the river, offering unique western gift items.

Host **John Harris** welcomed the crowd, and **Darrell Wood**, chair of the California Rangeland Trust, introduced the board of directors, and thanked supporters and sponsors.

The evening's dinner was elegantly prepared and served by **Vince Papagini** and his **Harris Ranch Restaurant** team. **Bob Denney** of Hames Valley Vineyards in



CPP photo

Bradley, donated the wine served with dinner. Spirited bluegrass music was provided throughout the evening by California Rangeland Trust board member **Scott Stone** and the **Plainfield Pickers** of Woodland. "We'd like to extend our sincerest gratitude

to everyone who contributed to our annual event," said Wood. Much of the success is due to the work of the event committee, chaired by **Kendra Wilber** of Clements and assisted by **Nita Vail**, executive director of California Rangeland Trust and **Sherry Harkins** of Walnut Creek.

A lively auction with **Col. Bill Lefty** of Yuba City, at the microphone with help of announcer **Bob Fox** from Auburn, and ringmen **Jerry York**, with *Western Livestock Journal*; **Matt Macfarlane**, with *California Cattleman*; **John Dickinson**, with *Angus Journal*; and **Col. Jon Dolieslager**, with Tulare County Stockyard. Young cattlemen members, assisting with check-in and the auction, included **Heston Nunes** of Modesto, **Ryan Nelson** of Wilton, **Cassie Silveira** of Sanger, **Melanie Andrade** of Madera and **Clayton Koopmann** of Sunol.

The California Rangeland Trust board of directors would like to extend a special thank you to hosts **John and Carole Harris**, our major sponsors: **Fort Dodge Wildlands, Inc.**, **Von's/Safeway** and **Monsanto**, all other event sponsors, the event organizers and all of the individuals and businesses contributing to making this year's "Western Affair" the most successful yet. \r

"A DAY ON COWBOY ISLAND," SANTA ROSA ISLAND

The event on Santa Rosa Island, October 3, 2006 was a huge success! With nearly 200 friends and family in attendance and beautiful weather, we could not be more pleased with the outcome. Laughter and conversations filled the ranch headquarters yard that day and it was testament to the wonderful time had by all.

As guests arrived by sea and by air they were greeted with an expansive view of this wild island and the ranch headquarters nestled on its eastern coast. All the ranch facilities including the barns, loading chute, the bunkhouse, the old schoolhouse and the main house were open to the guests for touring and exploring. Boat travelers docked at the end of the pier where cattle were once loaded and unloaded for their stay on the island.

As lunch ensued, **Nita Vail**, **Tim Vail** and **Will Woolley**, all Vail family members, spoke to the audience about



Bill Dewey photo

the rich history of the island community that once supported the cattle operation on the island. One of the many special guests at the event was **EK Smith** (pictured at right with **Devere Dressler**, CRT Board Vice Chairman), the only man born on the island that is living today. Additionally, many cowboys and their families that once worked and lived on the island were there to celebrate the island's legacy.



Bill Dewey photo

On behalf of the California Rangeland Trust and the Vail and Vickers families we would like to extend our sincerest thanks to all our guests, volunteers and supporters. This celebration of the cowboy spirit and paying tribute to the heritage of the California rancher and historic ranches was one of a kind. \r

Thank you to our Supporters

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Jon Cartwright, Jen Caputo, Bruce Orvis,
Bill Orvis, Heather Newman, Bill Dewey

Upcoming Events

Annual Cowboy Breakfast at Cattlemen's Convention

Don't forget to join us Thursday, November 16, 2006 at the Sacramento Double Tree for our annual Cowboy Breakfast. This unique event begins at 7:00 AM prior to the California Cattlemen's Association committee meetings.

This year we have a special treat with **Mike Beck** of Spreckles as our featured entertainer. Mike is a cowboy poet, songwriter and storyteller who has performed all over the U.S. and Europe. He is also renowned for his horse clinics and brings real life "cowboying" experience to his music and entertainment.

Our keynote speakers, **Kent Silvester** and **Jim Leet** from **McDonough, Holland & Allen**, will discuss the new tax incentives now available to ranchers since the passage of the new Pension Protection Act on August 17, 2006. Come hear how you may benefit from this remarkable triumph in legislation for today's ranching family.

California Rangeland Trust's 2007 Signature Event

Mark your calendars for June 2, 2007 and plan to join us for our 2007 "Western Affair".

This year we will come together at the Rancho San Julian in Lompoc. This historic property will be the ideal location for the California Rangeland Trust's 2007 signature event. As guests meander around the ranch headquarters they will have the opportunity to tour the nearly two-century-old adobe house that still serves the fifth generation ranching family.

The Rancho San Julian is well suited to demonstrate CRT's mission as the venue of our signature event while showcasing to our friends and supporters the deep roots of the ranching tradition in California. This special fund raising event will include silent and live auctions, live music, hosted bar and a cowboy gourmet dinner. Don't miss what has become the event of the year!



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