BUNDY RANCH

Northeast Clark County Nevada
Cliven D Bundy, Ryan C Bundy, Duke Clance Cox
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EMERGENCY

NOTICE AND CEASE AND DESIST ORDER
November 15, 2026

TO:

Patrick Mertens, President. Aero S.E.A.T. Inc.
12502 County Road 27
Sterling, CO 80751

Darrel Mertens, Founder. Aero S.E.A.T. Inc.
12502 County Road 27
Sterling, CO 80751

All Aircraft Pilots, Names unknown
All aircraft support equipment operators, names unknown

Clark County Sheriff, Kevin McMahill
Clark County District Attorney, Steve Wolfson
Nevada State Governor, Joe Lombardo
Nevada Department of Agriculture- Director
Nevada Department of Wildlife- Director
Nevada Legislatures

NOTICE OF THREATENED INJURY
CEASE AND DESIST—GOLD BUTTE AERIAL HERBICIDE SPRAYING
Bureau of Land Management Contract No. 140L3926F0081

We, Cliven Bundy, Ryan Bundy, and Clance Cox, hereby give Notice to Aero S.E.A.T. INC, that they are about to engage in activity that will cause tort and real harm to other individuals that amount to criminal harm. We therefor demand that you cease preparations for the application of herbicides across the announced Gold Butte treatment areas threatening the Bundy family's cattle, water and forage rights and

interests, including but not limited to the edible vegetative forage growing on the Gold Butte range.

This letter places you on Lawful Notice of the harm you plan on causing. We shall oppose this operation through every means available.

For the past fourteen years or so, drought has depleted the range and left cattle and other animals struggling to survive. This fall however, God has blessed this country with rain enabling grass and other vegetation to finally grow. Cattle and wildlife that had endured years of scarce feed finally began recovering.

Now you propose to fly over thousands of acres to apply herbicidal chemicals designed to suppress and kill vegetation growing in response to that moisture.

We regard this activity as an attack upon our grazing and water rights and as a destructive unnatural interruption to a recovering landscape. God provided moisture and the land responded with life. Your spraying project disrespects this gift of life and renewed growth as something to eliminate and kill.

PROPERTY RIGHTS

The Bundy family ancestry has run cattle in the Gold Butte area for more than 150 years. (since 1877) Water and forage rights have been created and conveyed through beneficial use, prior appropriation and the conveyance of family's deeds. The Bundy family asserts ownership of those historic grazing and water rights and all the edible forage upon the range and reserves every means of protecting their rights and interests.

The proposed herbicidal application directly harms the land and forage the cattle use and targets vegetation they eat, including red brome.

We do not consent to contamination of affected water sources, unlawful impairment of established property rights, interests, or injury to the cattle and forage.

Qualifying vested water rights are protected under 43 U.S.C. § 661, the water-rights provisions of 43 U.S.C. § 315b, and Nevada Revised Statutes § 533.085. The Gold Butte proclamation itself preserves valid existing rights, expressly including valid existing water and forage rights.

Our position remains that federal operations of this kind within Nevada shall require lawful State approval. However, neither State nor federal approval can serve as a blank check to violate private rights.

The Constitution of the United States America has no provision allowing federal ownship or control of land within an admitted State of the Union except for the express

purposes and by the express procedure outlined in Article 1, Section 8, Clause 17. We concede no federal ownership, jurisdiction, or authority upon the land comprising the Gold Butte Area. We retain all rights and interests in Gold Butte area.

REMEMBER THE DESERT TORTOISES

Winter is a season of germination and plant growth in this country. Winter moisture helps produce the green vegetation desert tortoises need when they become active. Those plants provide nutrition and moisture after periods of scarcity.
Calling winter the tortoise's "inactive season" avoids the essential question: what will the tortoises eat when they emerge?

An animal can be underground while its future food supply is being affected above it. Native flowering plants are particularly important tortoise food. Research conducted at Gold Butte documents that imazapic can suppress those plants along with the targeted grasses.

A 2025 peer-reviewed study by Ranae Sullivan and Beth Newingham found initial reductions in red brome that diminished over time, temporary reductions in native flowering plants, and greater drought-related mortality of white bursage in treated plots. Those findings undermine any blanket assurance that this treatment simply removes unwanted grass while protecting everything else.

In addition to the tortoise are hundreds of wild burros that inhabit Gold Butte and depend heavily on cheatgrass and red brome for feed. How can the BLM claims responsibility for protecting these animals, then hire aircraft to spray and kill the primary vegetation they survive on? The hypocrisy runs deep.

THE CHEMICAL EFFECTS CAN OUTLAST THE SPRAYING SEASON

Imazapic can remain in soil for many months. Washington State Department of Transportation's technical fact sheet reports Imazapic remaining in the soils up to 410 days, with residue persisting beyond that period.

EPA-approved labeling for Plateau, one imazapic formulation, warns against inhaling spray mist and application contacting people directly or through drift. It prohibits direct application to water and warns of groundwater contamination and runoff reaching surface water.

These are documented exposure concerns that will likely affect ranch workers, visitors, livestock, and water users, including residence of Las Vegas and the surrounding areas that rely on Lake Mead for their water supply. Lake Mead is a direct collector of run off from the Gold Butte area.

A CONTRACT IS NOT A DEFENSE

Aero S.E.A.T. Inc. is now directly informed that this operation overlaps forage owned by the Bundy family and shall affect asserted private rights, environmental and public health interests. We shall defend our property by whatever means is necessary.

DEMAND

We demand the immediate suspension of herbicide application to the Gold Butte or surrounding areas.

COMMITMENT TO ENFORCEMENT

We are committed to stopping the spraying through every means available.
“Whatever it takes.”

This range has finally received moisture. Vegetation is growing. The cattle and wildlife are recovering. God has blessed us greatly with needed moisture and forage. You have been Noticed and warned that your operation threatens the forage supporting range recovery and raises documented concerns about native plants, tortoise food, persistent soil residues, public health and water exposure.

You are hereby Ordered to Cease Desist this spraying operation immediately!

Cliven D. Bundy
Signature: _____
Date: _____

Ryan C Bundy
Signature: _____
Date: _____

Duke Clance Cox
Signature: _____
Date: _____

Attachment 1: Notice of activities

CC: USDA Lawfare Submission Portal
All Media