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Tom Bugni [00:00:10] And, you know, I watch, a lot of TV stuff about that. Montana.... Shows that are on TV, sometimes. I really like to watch it, in Missoula or Bozeman. I went to school at the University of Montana, that's a Cowboy College, over in Bozeman, we call it. But. They've done a great job in wildlife management and different things to do with hunting and fishing. And we've got some good friends in Bozeman, that have been involved in the stream access, involved in the state lands access. My friend and I, Tony Schoenen and Al Luebeck, have been participating. We've been doing this for, I don't know, 30 years, I guess it is. And we have found that, with a lot of people coming from out of state, with the money, and they're buying up a lot of our lands, buying a lot of our places, and stopping access, putting gates up, and so we've been fighting that type of thing for 25 years. Tony's been head of the PLAA, access for state lands. I've been involved with Tony, and we've opened up a lot. We kept a lot of our roads, to access to the public lands, which really has always bothered me. Tried to get a bill in the legislature, years ago. To have access to all public lands, no matter what, if it goes through private property. And I've been a, President and Director of Skyline sportsmen for 47 years now, and we, we've fought for all these type of things that are involved with the state lands. I feel that if there's a course of land above a private property, we should have access to that public land. And not that we want to hunt or fish or anything, recreate on the private land, that's his property. But the access should be able, there should be an access that allows us to get to the public land, because a lot of these ranchers are, are, leasing out, and they've got an outfitter in there. I'm an outfitter, I'm a fishing outfitter, and bird outfitter, but. I feel that, you know, that does not belong to them, that belongs to us. All of us. And we should have the access for, forever. But, couldn't ever get anybody to put a bill in like that. The ranching, the agriculture people are very strong in Montana. And we know we couldn't get a bill like that, through. But anyway, we've been fighting, and, and Skyline, who Tony and I belong to, and Al. We've raised a lot of money through the years, every year with a banquet, and money. We spend. We, we hired an attorney for different places of Montana to get access for recreation. And we don't want to take anything away from the rancher. Well, that led to, back in 1984, a fellow by the name of Jerry Manly, Jerry's passed away now, he was a good friend. We, we were having trouble, with some of our streams. As far as landholders coming in, and put the fences across. And wouldn't let us float, or fish or anything. And so Jerry and I talked to an attorney in Butte, a good friend of ours, Irvin Roth. Irvin, we wanted him to see if he could help us. Well, Irvin was on the Big Horn at that time, with the Native Americans, fighting with the federal government for access over there. So he didn't have the time to do it, so he recommended this fellow by the name of Jim Goetz, out of Bozeman. He said, "He's the best water attorney you could find. And he was. He's a great, great guy. So Jerry and I met with him in, over in Three Forks, at the, the Cow Inn, or whatever it was. We met one day, called Jim and told him what we were wanting to do. We wanted to open up all our streams, so we could use them still, you know. So Jim met with us and, wonderful guy, he took our case on. And at that time, you know, I think the attorneys were charging 80 dollars an hour. He did it for half price. I mean he did, and we raised a lot of money for him through the years. So in '84, so we, we, he signed, he petitioned the court, to take on the rivers in Montana. The streams of Montana. And so we went to court. Jim was our attorney. And I'm mad, and it's remarkable, the way this guy can do. I mean, I've been in court with worker's comp for years with The Andacoda company, and with attorneys, and I never seen a guy so prepared, so knowledgeable. When we got him, I was so happy, and so was Jerry. And so we hired Jim, and we started the ball rolling. Before, we file, and we had to file a suit. Where we could, where Jim knew, we could have a good case. So we took on two rivers. We took on the Beaver Head, which was, which the property is owned by Loew Hildreth. And then we took

on the... Can't think of it now, up and, up by Shonow, up by, up by Wolf Creek. And anyway, there was a rancher up there, was a millionaire, and he was starting to block off people from floating. He put in fences across, and stuff like that. I mean, he was a, he was a nasty old guy. He's gone now. So anyway, we filed the court, and we went to the lower court, the district court, and had a hearing, and filed on the water rights. That's a water rights. But, we, Jim felt that people, and the public, are should be able to use our streams and rivers, for a, for access. Well, the ranchers felt different. They felt that they, they're, they're not. They're feeling was that they owned the water. And it was theirs. They used it for irrigation, they used it for different, you know, the crops, and the cattle, and everything else. That was fine. But they don't own the water. Jim felt real strong about that. That it should be public, public use. And, you know, it, the ranchers, were not happy about it. And they're still not. And we're still, we're still fighting the stream access law, because we got it in. Well, anyway, I was telling you about the Stream Access Law. So we filed in district court, Jim did, and we went to court. And the court ruled in our favor, that, yeah, the water in Montana is public. It's for everybody. And so that didn't sit well with the agriculture people. So then we had, they appealed it to the, well it ended up appealing to the Supreme Court. We did a lot of hearings. Tony and Al and I went over to Helena, a number of times. Tried to get this, you know, everything cleared up with Jim. Jim Goetz got it filed. And we went to the Supreme Court. And the Supreme Court ruled, that the water in Montana belongs to everybody. And, boy, what a, what a, what a great thing that was. I mean it was so. It was in '87 when we, we got that through. And so they, we fought over it. About the stream access, about you know, what type of water, and stuff you could use. It was cute, because. I was born and raised in Butte, and I've, since my dad, we hunted and fished all our lives. And I used to, the thing I'd really like was, fishing these small streams, up in the Big Hole, up by Dylan. I'd go on up and fish for Brook trout. I mean, we used to go up in a tent, and stay there for four or five days, and fish for Brook trout. So, my, my feeling, I wanted to see, what about the little streams? Because Jim was filing on the Beaver Head. And Michael Kern was the one on the river, up by Augusta, and, anyway. Jim felt that, you know we, the best chance we had, was to open the rivers, that are very blocked off, by land owners, and, and go on the showing that they were used. Well, we had guys testify, a number of people testify, that, you know they used the trap. They used them for log floating. Different recreation. So which proved that there was in the history, back in Montana, going back to 18, I think sixty-one, 1887, something like that, where the, we became, different. Different, you could used everything. But then Montana became a statehood, at that time. And so it showed that there was a lot of history, from a lot of different people, who used these streams for different reasons, not just fishing. So anyway, Jim filed it that way, and I said to Jim, one day, I said, "Gee, you know Jim, you file it on these big rivers, The Beaver Head..." "Oh what other river? All the rivers, I guess, Big Hole and everything. I said, "What about the little creeks? I said Jim I, I, that's my, that's my love. It was the little streams." So what, what Jim did is, he said, "Oh boy, Tom," he said, "I don't know, you know, that's a different issue." And I said, "Well, it's, it's part of the. It's part of the, our heritage, it's part of what we like. You know, I don't want to just go down on the Missouri. The Big Hole. I'd like to go up the creeks and fish for brook trout." Well, he agreed with me so, in the petition, in the court hearings, filed for all streams of Montana. All streams. All water. And so the Supreme Court, and I went over, and Jerry and I went over, to the Supreme Court hearing. It was, you know there was seven Supreme Court justices. And at that time, Jim Goetz is so smart. We had a wait, he waited a couple of years for the change of the Supreme Court Judges. Because he felt there was too many on there, that were agricultures orientated, that we wouldn't get a fair judgment. So we waited until it changed. And then Jim said, "OK. We're ready to go. We feel that we can, we can win." And I would end up, we'll know with the Supreme Court hearing, Jerry and I sat there. It was something else. It was just like, going to a theater where, these judges

were all up on stage, and Jim testified to them. They threw questions at him, about everything. And, you know, it was remarkable, the way he did it. And so they ruled. There was four to three, I think it was, they ruled in our favor. Yes, Montana Water is open to everybody. Well, not only that, when it came out that when the hearing came out, when the judgment came out. Came out on the paper, and everything. And it said, "All streams, all streams of Montana, are public." Well, boy, I, you know, I was so happy, because, I was able to go up and... Someplace on the Big Hole, fish a creek. As long as I got access, public access to get in that stream. And the rule is that, you could, you could fish, float, whatever, as long as you stay above the high watermark. Well, there was a big question, what's a high watermark? Well, it's where, the, when you got a stream and the vegetation starts here, and the water starts here. So you don't go, you're not allowed to go above the high water mark. You're not allowed to go on public, or the private, landowner's property. Which is fine. Unless you have permission from them.

Tom Bugni [00:15:07] So that opened up everything for floating, and everything else, we had some problems that were already put in, on the Gallatin, on the Big Hole, where some of the ranchers had put fences across. Electric fences. Ruby. And so we had to fight that. We had to get those ranchers, Fish and Game came in, and they straightened everything out, they made 'em take these fences down. You know, we had electric fences. And a guy by the name of Loel Hildreth, on the Beaver Head, what he did, during that, we were doing the, we were doing the case. He put in, he had a bridge that goes across the river, private bridge, and he put spikes through. So you couldn't float underneath it. And that was dangerous. I mean, they were a danger to the public. So that all came out, that they had, they had to remove all that stuff. And that, when, when the ruling came out, I mean, we were so joyful happy. Tony and I. Jerry. and Al. That, you know, we won the case, we won Montana's right for us to, to float, fish, wade. Whatever. To recreate on our streams. And, you know, it. It, we had to raise the money for Jim Goetz. Every year Jerry and I would come up, we'd have, "Oh gee, we owe him two thousand dollars," or whatever. We had outfitters, Bonnie Hachigian from Dylan. Different ones. And, had a good friend, a real good friend, he's still my good friend, Don Bearchie, from Bozeman. Don was a legislator at that time, he's with Fish and Game. He was a biologist, come up to the ranks. But he's the one that met with Jerry and I, during this whole thing, and set up a, directors, around the whole state. And the directors were; Don and I went, Jerry didn't go, I went around with Don. We met in Billings, we met in Bozeman, we met in Kalispell, Great Falls, and, to show our case, what we're trying to do. And so we got a lot of directors that helped us. And not only helped us. They helped us financially. They went out in their clubs. We had out-of-state people that give a lot of money to us. And you know we'd get letters. I remembered having a guy, Harvey Eckord, from Butte. He did a print for us, a trout print. Brown, Brook Trout. Cutthroat. Made those prints up, and then. Jerry and I did a letter, in with the prints. And we would send it to people, wherever, whoever wanted to support our stream access. And then they'd send maybe twenty five dollars back, fifty dollars. We had got a lot of money that way. Raised a lot of money, and that was how we paid Jim Goetz. So anyway, going back, after we won the Supreme Court ruling. Everybody, I mean we have so much support from people in Fish and Game, even ranchers, seen our side of it. And they agreed that we should have the access. There still are ranchers, and I know a lot of them, I've hunted and fished on their property, still have it in there, in there feelings, that they own the water. But they don't own the water. And when you, you know, we fought for that, so we got, we got everything open in Montana. And, and it is just a remarkable thing, because Jim looked at other states. I think like in Utah, you can float a river, but you have to get permission from each landowner, to even float. You can't get out of the boat, you can't go on, on, on the, you can't put yourself in the water. You know, it's public, but. Those states have fought for things. Jim did this case, he looked at California law. And that's

where he come up with a stream access law. There's a law, there's a state that's got a great law. And that's what Jim followed. Because in the United States, every state's got different laws. We've got the best, we've got the best law in the United States, I feel. And we're still fighting. I know Tony's been fighting the Ruby, we've got a guy by the name of.... Kennedy. Come up, he's a multimillionaire, he's like Turner, and and some of these other guys. And that guy, still to this day, we've gone to. Over on the Ruby River, by Sheridan and Twin Bridges, he bought a lot of property. Well he felt that, you know you can't, you can't, even after we had the, the Supreme Court ruling, and everything else. Kennedy come in, and felt that, "Hey, I own this property, and I own the river, and I own water, and blah blah." So we, we've gone to court with him, against him. And, God love Tony. He's done a remarkable job. We had people coming down on it, on the Ruby. One day we had a big meeting, and all the guys brought their boats, and everything. And we went in the river and challenged this guy. Well, you know, the, the, oh the county attorney in Virginia City, wouldn't rule on whether we could use it or not. There's a bridge, or a road, that goes across by Twin Bridges. Tony was raised down that area. And he, there was a public, it's a public road. It's used by the, by the county for, they grade it. Yeah, there's, it's access for all their metrics. Well this guy here, Kennedy, thought that, you know. We shouldn't have access to the Ruby River. And so he put electric fences right above the bridge, so nobody could go in. Well, Goetz took that on, and it's a part of our, after our stream access law. And proved that you, know: Hey Kennedy you, you don't own the stream, and we have access. We fought the bridge road, because there's so much, there's like 50 feet on each side of a road, which is public. And so that public meant that it went right to the river. So we got that, we got that open, he had to put a gate there, so we can put a boat in, or a guy wants to go in there and fish. And so we've, this guy has been fighting this for 20 years. He's got so much money, you know. But we've gone to hearings, we've gone to the University of Montana, in Bozeman. The one year, and had, oh, we had 200 people. And a lot of students. To hear what was going on. We has the Supreme Court Justices there. And they heard, they heard Kennedy's side of it. And the Supreme Court Justices, you know, you ask questions. He had like 12 attorneys, and, you know, that's, that's money talking. But anyway, the justices ruled, "Hey, you know, that roadway, that's public. That roadway access to the Ruby River is public. And that meant that, we wanted to ask, part of it, meant that any place in Montana, where they got a public road, county road, going across the stream. That it's, you got public right of way. And so that opened up, that means that, you know, anybody that wants to try to block it off again, is, is. The law is there, it's protecting us. And so that is, is great. But he's still, this guy still got so much money, he's still fighting this, trying. They're trying to get into our Stream Access Law and change it. I know it's going to be a ongoing thing. But. You know, my feeling we went to, not only the Supreme Court, we went to the. Jim went to the Federal Court. Federal Supreme Court. And had a hearing. And they ruled in our favor. So, you know, to me. I'm so happy. I'm still happy about what's happened. We had a great attorney, we had great guys helping us. And we've got, and we've got a lot of comments from a lot of, lot of fishermen, and out of staters, and everything. What we did, they appreciate what we did. So after the Stream Access Law, we got that. Jack Acheson senior, and Tony, wanted to go after the public land, the school trust land. 5.2 million acres of school trust land, that was blocked off in Montana. Was blocked off in Montana. I thought, Oh my gosh, you know, we went through all this stuff for four years. And I said, "Yeah. I'll help you." So Tony, they filed a suit against the School Trust Land Board. And Jim Goetz did it. And we opened up, now this is another great thing, after the stream access, we opened up 5.2 million acres of public land state land school trust land, to the public, and then there were, in other words; there was a lot of land owners, they were leasing out for hunters, outfitters, and stuff, that, they were using the state lands to access, and then they go up on the public lands, and do their hunting. Well we couldn't go there. So, there again, Jim Goetz

filed a suit against them. And we won. And we did, we opened up, all these public... School trust land. And a guy like Ted Turner, you know, I always, we fought Ted Turner on different things. But I'll tell you. Ted Turner come in, and he agreed with us. What he did, he's got, over by Bozeman, he's got property on a great stream up there, a ranch. And he had a lot of, what would happen was, a lot of our school trust, when Montana becomes statehood, every third, every I think every 13th section, in Montana, was. Put away for, called school trust. The money from the leasees, mostly ranchers, goes into the use, fund, for schoolteachers. For their retirement. A guy like Ted Turner, well here he's got a section in the middle, and all the rest of it has all, his land is private. Well. Jerry Mannley, at that time, said, well you know, Jerry was outspoken. He said, "Well, you SOB," whatever. He said, "We'll get a helicopter. And we'll go in and hunt that property. We got access by going in a helicopter." Well, that was, was funny. That was kind of, you know. Oh yeah. Oh look we'll, we'll threaten you with that. So Turner. I love him. He turned around, and the section that he had, in the middle of his private property. He traded out, to our fish, Fish, Wildlife, and Parks. Gave us public access along like, the Madison River section. Traded off, and then he took a, a section of that, and put it into his private. So he could use it. That was fine. But we got access, in a lot of places in Montana, that we'd never had access before. So that case, we won that. Jack Acheson and Tony are the two that really did it. And then we still had Jim Goetz. That, that's another thing that's, you know, has opened up a lot of public land, like. I like, I love to hunt elk. And elk, deer, whatever. And it opened up a lot of places. We're still fighting a lot of land owners about, you probably see it in the paper. Well, Joe Blow over here in Deer Lodge. Got a piece of property up there, on the public land. Or on the private land. Then he's got access to the public. Well we had to fight these people. Took out a guy over by Deer Lodge, that was blocking off a road that Tony, and a couple of guys from Andacoma used for years, to go up and hunt elk. We got that, we won that case. We won that, we won those things. We had it. We had to go individually, and we still do it. Still raising money to individually fight these different land owners. And not saying Montana land owners, we've got a lot of great ranchers, but it's the money from out of state that really, really drives us to protect everything. And these guys come in they're, most of them are millionaires. They got the money. We can't fight. you got a guy that, I don't know if you saw in the paper, that, from Bozeman. Belafonte, he just came in. I think he's, and Zinke. Those guys come in and they are millionaires. And Zinke just got, I think he was appointed by the president and, he's head of our, what do you call it? Department of the....

James Thull [00:30:08] I think he's Secretary of the Interior.

Tom Bugni [00:30:08] Secretary of the Interior, there you go. OK, read in the paper the other day about, I call him Donald Duck, and I shouldn't do that. But I call him, our new president, Donald Duck. Because I think he's like Donald Duck when he. Look, they were trying to get his tax, and tax statements, 'bout how many years ago? And he wouldn't, he wouldn't, Trump wouldn't go let it go out. They finally got it open. He made in one month there, a hundred and fifty million dollar. In his business. I mean he owns Trump, Trump Towers, he's a multibillionaire. Well he appointed, now he appointed, these guys, that are republicans, that want to come in, and Zinke and Belafonte, they want to come in and, their idea, and it ended up being, it's going to be a fight. they want to take our Forest Service, our BLM, our state lands, and put it up for public sale. In other words, they want it. They think they can get more money, and they probably can, more money into the federal government's fund to (unintelligible). What's going to happen, if they did that. If they do that, if it happens, we're going to lose all of our Forest Service, our forest land, our public land. We'll lose it all. And guys like me, you know, and my kids, and grandkids, you know, they won't have any place to hunt and fish. We'd lose all that. You know, for what?

Because these guys want to, want to own, they want to, you know, sell our public lands. Well, we don't want to, we don't want our public lands sold. We want to keep it, and it's. Yeah, the Forest Service had problems with funding and everything else, the government. But still. If, you know, it's kept everything open. And so that's where we're at right now, we're you know, we're going to end up fighting a lot of that. We don't have the money to do that, but we'll, we'll still fight 'em. We still got Jim Goetz on our side. So that's, that's where I stand. I love to hunt and fish, I float, I got an outfitting business, my son does all my guiding, now, on the river. Tony's son is an outfitter too, Tony turned his business over to his son, and my, the two boys, they do that, they do all our guiding and everything else. But it's so nice to go down, and know you could go on the Big Hole, you can go on the Beaver Head. Go on Ruby. You can fish it, you can float it, and that they can't stop you. And so that's where we're at right now. God love us. We got, we got a great law in Montana, because of Jim Goetz. And he, he's, I'll tell you, he's a wonderful, wonderful guy. Done a remarkable job for us. I can't say anything more about an attorney that I've ever met, that I've ever been in court with, that I could. I gotta say that, hey, you know, he's he's our man. He's our, he's our person who won us everything in the state of Montana. And I think sportsmen, and a lot of sportsmen do appreciate Jim Goetz, and what happened in the Stream Access Law. And it was a great thing. I was just part of it. You know, I'm not taking no glory for it, because, I was part of it at that time, worked for the Anaconda Company. when Jerry asked me if I could get involved with him, which I did. And God bless, it was the greatest thing that happened in Montana, as far as recreation. So that's where we're at now. We've got a good law. We've got good backing. We've got, and even a lot of the ranchers. And I know a lot of the ranchers. My dad was born and raised on a ranch. But ranchers that I've talked to, let me hunt and fish, they're on our side. They say, you know, "I could see your side." You know, we don't own, a lot of them agreed, we don't own that water. It's a recreation. So that's where we're at, and, god bless us, we've got, for everybody. We've got a good law. And people come in, they don't realize at first, if you get a fish, and if you go to buy your fishing license, and then there is a big part of it that says, Stream Access Law, tells you about Stream Access Law. High, the high water mark to low watermark, where you can fish. And people finally realizing, "Boy, that's a good law in Montana." And that's why, our, that's why we're getting a lot of tourism. They come to Montana because they know it's a free open law, that they can go and fish, and. We, I had a cute story there, when we were doing the stream access, and a couple fishermen were up on a Madison, fishing above Ennis. And these guys come along there, they were, you know, against stream access. Well the poor guys were fishing, and they start throwing rocks in where they were fishing, you know? And there was another thing. Tony and Jerry and Al and I got our log in, over at the legislature. That, you can't right now, and you, well, we were have, what was happening was, another thing was, the buffalo out of Yellowstone. In fact I shot the first Buffalo, we had the first hunt, Tony was with me. But then we got those anti-hunters, buffalo people from New York and everything else. Come out and they start chasing the Buffalo back into the park, Yellowstone Park, they didn't want us to shoot the buffalo. Well, they were harassing us. And I got some friends, one that hunted buffalo, and these anti-hunter's were chasing the buffalo back in the park, so that our sportsmen couldn't shoot them. Well, we got a law over there, again, Jim Goetz. We got access, or a protection of, uh, if somebody bothers you, fishing or hunting, you've got a right to call the county attorney, and call the sheriff and have them come out and say, "Hey. You can't do that." So we got a protection for our our own selves, so nobody can come out and bother you when you recreate. They can't do that. A lot of people don't know that, yet. But it, it's coming that more people know, you just, you know our, some of our county attorneys, they just won't fight on our side. But there is a law there, that protects the public from anybody, it's a harassment law, is what it is. And we got that in, and, boy, that's made a difference. Them guys, they can't chase the buffalo back into Yellowstone. They

can't go bother you, when you're fishing, when you're duck hunting, anything like that. So. We've got some good laws. We got the Stream Access Law. We've got the access law for the public land, we've got the harrassment law. And, and that makes Montana, what it is, a great state. And so, you know, that's where I'm at right now.

Tom Bugni [00:38:29] Well, started fishing, my dad had a tavern here, and my dad was a great, loved to hunt and fish. And so I was a little kid, you know, 10 years old, used to go up in the Big Hole, all like places like the Salaway Creek, and camp for a whole week, with the tents. I mean, you know, that's something that goes back in my memory, and my friends, cousins, everything. Uncles. We'd go up there, and had one uncle, he cooked for us, you know, as kids, and we'd, we'd get up in the morning, and we'd go up and we fish these little creeks, for brook trout. Just love, just loved it. Just. I mean, I go up there and fish a little creek, used to see those bullheadd, and a little royal coachman with some maggots on it, fish them little creeks, and, boy, you'd catch brook trout after brook trout. And it filled my basket, back down. My dad had a tavern. He gave a lot of fish away, but it was just something that, you know, it's, it's in my. That's why I started fishing. And when I was growing up, did not so much like the rivers, like Tony did. He's an excellent fisherman on a, great fisherman on the Big Hole. But I loved to fish the creeks. And, my dad, we really didn't like to fish the rivers. You know, we did, nobody had boats at that time. Nobody floated at that time. So we went to a lot of the lakes, and fished. And we would not fly fishing. We were never fly fishing. We were always bait fishing. And we used Nightcrawler, Powerade, corn, whatever. And you know, as I grew up, and got into the guiding, and when I was first doing my guiding, I'd go over to Spokane. The Big Horn Show, Puyallup in Washington, down to Sacramento, down to Utah. And I had a booth, and set up, and I'd talk to hundreds of people. At those shows. And then I'd book trips for fishing. And then I did birds later on, we did pheasants. I did that for 20 years. But most of the people that came from Washington at that time, were bait fishermen, and lure fishermen, and they come over, and most of our clients, probably 90% when I first started my guiding business, were lure fishermen. And I used rapallas, panther Martin's, mepps. And we'd float the river, and we'd find, you know we were going float the river. And as we went on, at when they put out that movie, A River Runs Through, it really changed Montana. Because people started coming, and wanting to fly fish. And you know, I am running my business, say, "Oh my God, I don't know much about fly fishing." I learned a lot from Tony. And learned a lot from other, other outfitters. And, my son, who guides for me now, runs my business, our business, not my business. I'm still part of it, 'cause I'm an outfitter. 90% now, our, our clients are fly fishermen. They want to come to Mon. We got a lot of women that come with their husbands. And we show them how to fly fish, how nymph, or dry fly. And that, and that's where it's changed. Not changed Montana, you know, you can still use baits, you can still luress and everything. We still have a few people that do that. The majority of them don't, because we lost all of our, my older clients, a lot of them started dying. And the ones that are coming are fly fishing. That's they come to Montana.

Tom Bugni [00:42:36] Tell you another story about the Madison River. The Madison River, who I love to fish and float, and it is a great fishery, above Ennis, from Quake Lake down. And what was happening, was the Fish and Game does a study, or like, do a shocking study every a year. they do a section. And all of a sudden, this was 20 years ago. The rainbow trout were disappearing in different sectors. Every year was less and less. They found out, God bless our Fish and Game in Bozeman, Montana. Set up a research department, "What's going on? Why, why are we losing all our Rainbows?" Well what happened was, was they found out from Germany, over in Germany doing their studies in Germany, and they found out that there's a parasite that's called whirling disease

parasites, a little tiny parasite. And what happens was, they found out that, as rainbows, our rainbows in the Madison spawn a little later, than most of the other streams, because they're colder. And what happens is, this little parasite gets on these little young rainbows, and drills a little, a hole in the top of his back, and it paralyzes the rainbows. The little rainbows. So they start going around in circles. That's why they called it whirling disease. And so they found out that if the water temperature is colder, the parasite will get on the fish, they'll get on the brown trout, the cutthroat, the brook trout, the rainbow. If they get on at, when the temperature is, the water is colder, fish are spawning, the parasite can't do any damage. So they did that research, and they found out, you know, each section was going down, and all of a sudden they got this, they put a little, I know when I'd float by, they'd have these little, oh, traps. When they were checking, to see what was going on. Well they found out that, hey, this is, this whirling disease is caused from the parasite. Parasite came from Europe, years ago, in frozen fish, back to New York. And it was, you know, that, that's how it got in our river. So what happened there, The Madison, I remember that I had the sport shop here in Butte, I started my own sport job. Madison where we were floating and fishing, and all of a sudden, in Ennis, all the sport shops, they were, they had nobody coming. People were not going to come out, because they knew, there's, Madison was one the blue trout streams of Montana, the Big Hole, the Madison, the Yellowstone. And they knew that the fishing was going down. So the people were going to other states, going other places. Because we couldn't, we'd float it, we would float, and after we found out. We use a lot of like rapallas and that. Tell you a story about the other side of it, the brown trout. Now the brown trout spawn in the fall. So the Brown trout, at the, that time of the year. The water temperature's colder. The parasite is on the brown trout, but they can't do anything. They can't paralyze it. Because of the cold water and the fish survive better, with the Rainbows, couldn't. And so what they did at The Hebgen Lake Dam, the Fish and Game, along with the Montana, the Northwest Energy, anyway, the power company at that time, agreed with the, with us, with the Fish and Game. "Hey, lets let water out, from the dam, which is cold water in the bottom of the reservoir. Let's let it out when them fish are spawning." They raised the water, and the water come down cold. And remarkably, remarkably, I mean, these guys that did the research. Stopped the paralyzing of the Rainbows. The Rainbows now have come back up. It's remarkable how good a fishery it is. The rainbows have come back. They're 2-3 pounds some of them, great fishing, the guys that come from the state can fly fish, and they can catch them on the flies now. And, and so that's, the thing is with the brown trout, they spawn in the fall, and so the parasite gets on them and it can't do any damage. Because of the cold water. And so that's. The fall, the brook, the brown trout are protected that way. Luckily. That's the things that we found out, they found, Fish and Game found out, and did a remarkable job. We had whirling disease happen on the Madison. Started happening on the Missouri. Missouri went way down, and same thing. Found out that what was going on. Now the Missouri, probably up by Craig, Montana, and that area. And it is just a fantastic fishery. It's come back. My son guides up there, takes people, and there all, ah. The fish are just big fish, you know, two, three, four pounds sometime. But you go out there and it's really a lot of boats up there, now. It's like a zoo. I mean. But everybody catches fish. And, and everybody's happy. In that area there, the Missouri and that area, by Great Falls, Craig, and that. Wolf Creek. And it's, there are just a lot of guys that come every year now. You know, stay in lodges, and they bring a lot of money in, because they rent boats, they rent a guide and everything else. And it's, it's just made another of our stream of great fishing. So, you know, that's where we're at. Had the parasite problem we had last year on the Yellowstone, over by Gardener, that killed thousands of whitefish, but they found out what happened. So, you know, it's sometimes our streams drop down and get too warm. And, and then when it goes down, the fish get really shuffled, and diseases and everything. And we've done a lot of things. I should say the Big Hole, loves got

together with the ranchers, to keep water in the river. Later on in July, August, you keep water in the river, to save the grayling, for one thing, in the Big Hole. My, my idea right, still right now, I'm going to write an article to the paper, and they did it with Dr. [unintelligible] Last year. You know. There's not enough cold water. There's not enough cold water. Hi Tony. There's Tony Schoenen, just come over to see me, my buddy Tony. And so, what we, what I think, right now, another thing we got to look at, is to feed some upstream, I call them upstream dams, little dams in the Upper Big Hole, the upper Yellowstone, whatever. Where they got place, and I know it's going to cost a lot of money, I don't know if it will ever happen. But if we could get it built in some upstream dams, on these streams, to hold the water. And then let the water come, in August, when the rivers drop down, landowners, I mean that got to use the water for agriculture, they got to use the water for their irrigation, and we understand that. A lot of the landowners agreed with our, our organization. That they would cut back on the water use, because they got water, water rights. And that's another issue. Water rights in Montana, we could go back forever. So, you know, that's something else that I think that, we can improve, our streams, save them. Save our fisheries. Later on in the year, with some upstream small dams, whatever they have to, beavers are coming back, they build, they build the beaver dams, and that helps. So that's something that, you know, we, the public's got to know, we've got to do something. On these streams. To save that water. So it's colder, and it saves the fish. They saved the grayling up in the Big Hole. Fantastic thing, what they've done. Landowners have cooperated. You wouldn't believe how good they've been. And so we've gotta, you know, we've got to keep that going. Because you get these people that come in with all these billionaires, building cabins, and everything out, and they want to keep it to themselves. Well, you know, if you don't have the, everybody helping each other. Our fishery would lose out. I, I don't see it in my lifetime, and I hope that my kids don't see it in their lifetime, and my grandkids. That we keep our fishery, our recreation, like it is now. And it's guys like Tony Schoenen, and Al Luebeck, and a lot of other ones, that have helped to save what we've got now. But there's a lot of things, you know, we've had the stream access, (unintelligible) different things. But you can't give up. You've got to keep. You've got to keep fighting, you got to, you know, let, making people aware, of what's going on. Well we let them aware, of the stream access. We had remarkable help, we had money coming from out of state, people that you wouldn't believe, that helped us. And that's why we got it. We gotta keep it. We've got it. We don't, we don't own anything, we don't own it. We got use of all water and everything, we want to keep it that way. So that's where I'm at in my life. I just pray and hope that, guys like Tony, we're getting up there. Tony's 85, and I'm 78. We're, all our, all our guys that did the stream access, a lot of them are gone. Bill Holdorf was one, god bless him, he was a great guy. And he passed away. Tony and I took him fishing and hunting and everything all the time. You know, guys like that, we're losing, and we've gotta, these young people coming in. We've got to get them, you know, we keep after them. To help out, and a lot of 'em are starting to do that. But a lot of these kids are, they come in, they got a lot of money. They don't care. These young people, you've gotta, you got to hit them on the head or something. I don't know what it is about Butte, Montana, but Butte, Montana. The guys here have fought. I guess because that's our heritage. We fought, and fished, and hunted all our lives. But we know what we got out there, we know we want to protect it. We've got to get these younger people to help us, and even the rich people, to help us out. You know, you, you come in from out of state, you're a millionaire, you could buy a, build a beautiful cabin on the river, or whatever. And I'm not jealous for that. I think they've earned their money, they got a right to do that. But help us out, you know, cooperate with us. Don't, don't try to come in Montana, and change everything. This is what really worries me. You see so many changes out there where I fished and hunted all these years, Madison, Big Hole, they're building all these cabins, or homes. There's a guy that built a cabin, beautiful lodge, or cabin, above the river, up above

(unintelligible). And it got flooded again, this week. This is the third time that he's got flooded out. He built the god darned cabin right by the river. It's in the flood plain. And that's another issue, you've got to go, and our you know our politics, to make sure these people don't build in the flood plain. I don't care if they build up on the side of the hill, or in timber, or whatever. But you do that in a flood plain, you're going to get flooded out some year. And this happened to this guy, was at the paper the other day, his place is flooded again. And, you know, that shouldn't happen. Because, that's the law. But I don't know why, in these counties, they let them go ahead and build in the flood plain. And they're just ruining themselves, they're ruining the streams, whatever.

Tom Bugni [00:56:36] When Ted Turner come in, twenty five years ago, they started to, what was happening was, a lot of these ranchers, what happened, that's probably the problem, that started it. Lot of these ranchers, who owned property, who let you go through, and everything else. Saw that there was money, they could make money, by letting the outfitters come in. And not just outfitters, maybe you, you, me. Pay a trespass fee. OK they started doing that. They see the money there, and so that's what's happened, is. The landowners blocked off their property, because they had an outfitter come in, and maybe they can make 8, 10,000 from them. And that's when, that's when problems started. Then they blocked off the public land, to the private land, because hire an outfitter, I'm in there, I can go hunt those elk, that are on public land, because I got the access. We don't have the access, that's what we had to fight. We had to fight for the access, to get into the public land. That's when it, that's when it started changing. 20 years ago. And it's getting worse. I mean, you got more like, you know, more guys like Ted Turner, and Kennedy, and Dave Letterman. Buying properties, and blocking off everything. It's still happening. We still got to fight it. We still got to say, you know, we've got to take attorneys like Jim Goetz, and go after, this guy put a gate up here. Okay, up in Roundup, whatever. They put a gate across, because they own private property, so we can't go through. This has been a county road forever, in 1861 when we become a statehood. That was, there was. We showed useage of the county plowing the roads. You know. That's public money. Logging, Forest Service to get access to fight fires, trapping, stuff like that. So we've got to go prove all that. I mean, it's there, but they're fighting us on it. And so it's, it's a, it's a big issue, of how, you know, how can you keep fighting all this stuff, this money. We don't have the money. I mean we've got to raise the money. That's what we do. Tony and I, we raised the money. But, you know, you can't get these people to do that now. And these multimillionaires, they come in, and they do what they want. And it's not right, it's, it's not right in my heart. It's because, I think that the, people like you, that are younger, you should have that right to access to go to public land. So that's where change is. It's a money issue, it's a greed, I feel it's a greed issue. And you know, it's happened with our elk. What's happened is just, this change. These places I hunted elk since I was a kid, down Big Hole by Dylan, and that. The elk have now been pushed out. And they're going on the private land, with the where there's, you know, these water, the sprinklers, you call them that. Anyway. And they're staying there, year round. And so these ranchers are harboring, you know, 2, 3,000 head of elk. We can't hunt them. We can't hunt, because they're not on public land. And the reason they're not on public land, is because they've been pushed into the private land. Private land, they've got a lot of alfalfa, and everything. Elks not stupid. The old cows know where to go, and they're keeping them there. And they're staying there. And so, that's another issue we're trying to fight. Is why these land owners can keep these, harbor these elk. All through, I can show you places. You've got 2,000 elk there, I mean this guy's got a thousand elk there. And, you know, then they, they're doing, what they're doing. They're, they're charging trespassing fee. Or outfitters come in and hunt, they can go in there and kill bulls, they can kill whatever they want. We can't hunt 'em. They're not on our public land. And so that's pushed, pushed a lot of elk in

those places. I've got a good friend, well, he was our biologist for the Fletcher area, and he's up in Dillon now. But we've talked about it, because he's great, he's a great, great biologist. Anyway. He does the, he's into the elk now. And we talked last year, two years ago. Talked about one of our, our meetings of Skyline Sportsmen and, you know, he said, "Tom," he said, "There's so many," you know, there, there's another issue, is, and Tony, Tony was fighting it. When they come out about this, about archery hunting. Well. Archery hunting at first, was fine. Now, you've got so many people, so many young people, into archery. OK. They can hunt elk. You know, the 8th of September. The rifle season doesn't start until October. So what they're, what they're doing, is, he told me, he said, "There's getting to be so many people there with four wheelers and everything. During the rut season, in September, when the elk are rutting. They're go down in those places. With four wheelers and everything, and hunting them. They're chasing them elk out of the places we hunt, during the rifle season. Them elk are going down on, on private land. And that's where they're at. And so, you know, there's an issue of, should we be able to rifle hunt, and Archery hunt. And I think it's time, you have to choose your weapon. It's come to that point, where there's just too many people out there. Fish and Game even said there's just too many people. And that's why the hunting, going down, for us. To go on public land. Places where I hunted since I've been a kid. There's no elk there anymore. They're down on the ranchers private land. And so, if we get a, and I, and I don't think, I don't know. Tony I talked about it. Whether you can ever get the legislature to pass a law. So many people, so many people got their kids in archery. There's a lot of money involved, I understand that. But, I feel that, if you have archery season, in September, when you go. Until, like, the end of September, first of October. And this is another issue that we feel strongly about. The archery season runs all the way up to a week before, the Sunday before, you can rifle hunt. OK. That doesn't give those elk, they close it on Sunday, archery. Saturday, it opens up for rifles. In October. What happens is, now they put a youth thing in, where the kids can go out, the youth kids, twelve and under, or fifteen and under. Can go out and shoot a deer, an elk, before Friday, it's Thursday, Friday, before the rifle season. So when the hell do those elk ever have chance to, they haven't had a chance to just rest up. When we go out, cripes, everything is spooked out, gone, because they've been pressured too much. And so, if they split, if they said, "You either choose your weapon, you either archery hunt or rifle hunt." Then, and I think that Fish and Game's got to put, and it's coming. They got to put a law in, that they got to give those elk, deer, a little rest time. Between the rifle, and. Cause when we go out, there like, you know, cripes. It's hard to get an elk, because they're for wild, even on the public land. So they gotta do something, that's coming. It's really coming. And I was, I had a sport shop, that I opened my self, it's Bugs and Bullets now. It was Toms Sportshop. And, I felt at that time, when I had the shop open, and Tony I disagreed on that, because he wanted to choose your weapon at that time. He could see a little bit further than I could, I didn't think archery was effecting the hunting that much. But it really, really is. And so, I don't even archery hunt, my son I, we like to bird hunt, in the fall. But archery hunting is, you know, I think it's a great time. Great, great recreation for people who go out, hear an elk bugle, I mean, even if you don't get one. I mean, that I, I, I agree with that 100% but, why should you come in, and the rifle hunters, and the Forest Service is worst ones. The week before, okay, archery you could go anyplace, anytime, with anything. All the whole season. Come rifle season the week before, they start closing off all these roads. Signs up. No you can't, you can't drive up here. Well, Christ, you know, I'm 78 years old. And Tony, and we can't, we can't walk out from a road, where we hunted before, three miles up to where the forest is, to hunt elk. We can't do that, we can't walk up there, we're too old. And that's something that a lot of people had better start waking up. And if they ever do that, I tell you, it'll, it'll. We got a lot of elk in Montana, it's in great, great shape, but we're losing that right to hunt.

Tom Bugni [01:07:33] Oh, yeah. Yeah. There was, they started putting fences across the Big Hole, to Gallatin. And you couldn't, you float down, you had electric fence ahead you. What are you going to do? I had a couple of clients who were from New York, that were electricians. They got out of the boat, and they took the thing apart, and we just threw the fence, that was it. That's what was happening. You were, you were worried about going down the stream, because they had it blocked off. Yeah. That was happening. That's why we, that's why we started stream access. Because they were doing that type of thing. Stopping us from going. And even though there was no law about, you know, high watermark, low watermark, whatever. It stopped us from going down. It scared a lot of people. I got, scared me a couple times. That I was gonna get somebody hurt, in my boat, because there was a fence there. There was a wire across there. They did some nasty things, the landowners, they did. They did it on purpose, because they thought they owned the water. Until we had it proved that they don't own the water. It's all, all the public, and that's what happened.

Tom Bugni [01:08:55] It seems like, you know, your business, you're over in Bozeman, this created businesses like yours, because of Montana's fishery. I mean it's, it's opened up a lot of things. You know, Bozeman is, I always call it a cow town because I went to the university. We always called it a cow town. Now it's really changed. Lot of my friends kids are going, their engineers and everything else. And they've got a great fishery department down there. You know, it's great. It's, it's something that we really needed. And we're getting more, and more all time. These young kids are getting into, you know, I started in Missoula, when I went to college. I did one year at the university. I wanted to go into forestry, but I didn't know, so then I went to Carroll College, the next year, then I went back to the U. And I got into wildlife management. I was, I got my degree in accounting. Business. But I had a minor actually in wildlife. And it just, that's part of my, my love for Montana. Because, you know, we have those schools where you could go, and get the education. To know what's going on out there. Read a lot of articles in the paper, about this; kid's going to be a game warden, he's going to be a biologist. That's great. That's great. You know. They finally pay some money. You know, when I was in that, that's when I was, was in the forestry department. And wildlife. They weren't paying money. That's why I got my degree in business, and ended up doing, whatever. But anyway. It just didn't pay and that's why I switched out. I always wanted to be going into forestry. My granddaughter, my youngest, my oldest granddaughter, in Alaska, my daughter lives in Juneau. She just started school at Gonzaga, and she, she just loves Gonzaga. They're playing tonight at 7:30, for the national championships. My wife will be here, we'll all watch it. Well, my son will be here, we will watch. We, and I'm a, I was always a Duke, loved Duke, because Chayefsky, I love that guy as a coach. And now I, boy, I've got to go I go. (unintelligible) You know, it's great to see these young kids coming into the, you know, like a friend of mine, Don Biaiachi. There's another one I really didn't tell you about, when we got the stream access. He's the one, Don was just a, was a biologist at the Fish and Game. And the governor, the director of Fish, Wildlife, and Parks at that time, was against the Fish and Game guys going out doing any publicity, or anything. Well Don's the one that set up the directorship, of all around Montana. When we were doing the stream access. He set it up, we have director, in Bozeman, we got a director in Great Falls, two directors in Falls, director in Kalispell. Butte. And everything was set up, we had about nine, 10 directors. And we call them directors. But Don and I went around, in our evenings, and talked to these guys, in these clubs. Tell them what we're doing, and that's when we were targeting stream access. Say, hey, this is where we are at. This is what we're doing. We got to raise money. Boy, I'll tell you, they got a lot of money for us. Yeah. And that was great, it was really great..