

## **Department of Agriculture Cooperative Agreement**

This agreement is made between Return to Freedom, Inc., a non-profit organization located in Lompoc, CA, that is a sponsor of the American Wild Horse Preservation Campaign, hereinafter referred to as Cooperator; and the Nevada Department of Agriculture (NDA), hereinafter referred to as NDA.

Whereas, the NDA has management responsibilities under NRS Chapter 569 over the Virginia Range stray/feral horses, and, pursuant to the provisions contained in NRS 569.031, the NDA is authorized to enter into cooperative agreements for the control, placement or disposition of stray/feral horses;

Whereas, NDA management role includes picking up, for public safety reasons, Virginia Range stray/feral horses that have been forced into urban and heavily trafficked areas;

Whereas, Cooperator represents that it has the wherewithal to receive Virginia Range stray/feral horses and will use reasonable efforts to provide for their placement in a humane manner that nevertheless prevents their release to the Virginia Range; and

Whereas, NRS 569.031 requires that cooperating agreements "must provide for:

1. The responsibility for the payment of the expenses incurred in taking up, holding, advertising and making the disposition of the stray or feral livestock, and any damages for trespass allowed pursuant to NRS 569.440;
2. The disposition of any money received from the sale of the livestock;
3. The protection of the rights of a lawful owner of an stray or feral livestock pursuant to NRS 569.040 to 569.130, inclusive; and
4. The designation of the specific geographic area of this state to which the cooperative agreement applies.

Now, therefore, it is agreed:

1. Cooperator will be provided with the opportunity to purchase stray/feral horse(s) from NDA prior to being offered for sale at a livestock auction. Cooperator will pay \$100 per horse on an as-is basis and will make payment prior to taking delivery. After payment by NDA of the expenses incurred in taking up, holding, advertising and making the disposition of the stray or feral livestock, and any damages for trespass allowed pursuant to NRS 569.440 NDA shall retain the balance of the funds in an interest bearing account, for claim, if at all, within one year of NDA's receipt, by the prior owner of the stray or feral livestock as determined by the Department at that time.