Summer Ag Institute
Registration Now Open

Registration is now open for the 2015 Summer Agriculture Institute for Educators. The two-day event will be held June 23rd and 24th at the Hilton Garden Inn in Morgantown.

Graduate and professional credits are available to those interested, but are not required to attend. All content for 2015 is new, so if you have attended before to earn credits, you can do so again!

The final agenda has not yet been set, but tentative plans call for a series of tours on the first day, followed by workshops on a variety of topics teachers can use in their classrooms.

Many county Farm Bureaus offer scholarships in the form of registration reimbursements. For contact information, see the “About” tab on the West Virginia Farm Bureau website at www.wvfarm.org. Click on “Leadership” and scroll down to “County Presidents.”

Breakfast and lunches are provided during the two-day event. The registration deadline for those requiring hotel rooms is June 1. Registration deadline without rooming is June 10. All registration is online at www.wvfarm.org. Those attended for graduate or professional credit must ALSO register with WVU. Full details are available on the West Virginia Farm Bureau website.

Natural Gas Education Conference Teaches Public About Industry

WVU Extension is offering another in a series of programs designed to educate the public about the oil and gas industry.

The seminar will be held May 20th from 8:30 am to 5 pm at the Bridgeport Conference Center. The event is free and open to the public but registration is required and space is limited.

Topics covered during the program will include: Natural Gas Outlook for WV; Lessons Learned from the Bakken; Above Ground Storage Tank Regulations; Mineral Management - Understanding Royalty Payments; Conservation Easements and Natural Gas Exploration; Underground Injection Control Program and more.

Register online at https://wvuesngconference2015.eventbrite.com. Additional forms and information can be obtained at www.anr.ext.wvu.edu/oil_gas or call Georgette Plaugher at 304-329-1391.

Articles for NewsBytes must be submitted by the 15th of the month prior to publication. Time-sensitive announcements must be submitted no less than 8 weeks prior to the date of the event. Electronic submissions, including photos, are preferred. Send to joanh@wvfarm.org.
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On the cover

Spring Trio
Thomas Moens/dollarphotoclub.com
Defending Our Values

Charles Wilfong, President, West Virginia Farm Bureau

What is happening across our country today is very disturbing. We are seeing the Christian beliefs that this country was founded upon under attack. It would seem that Christians are the only people who no longer have rights. And those who do stand up for traditional Christian principles are labeled as extremists or bigots.

We should all be paying close attention to the latest controversy, which pertains to the religious freedom laws passed in Indiana and Arkansas. The legislation is nothing new, as 19 other states, as well as the federal government, have similar legislation already in place.

All this legislation does is to protect anyone from being forced to be involved in activities for which they have a religious objection. I applaud these two states for also passing this legislation. Those who oppose it would seem to be the extremists, as they evidently believe that people should not be allowed to stand by their religious beliefs. No one should be forced to provide services for or participate in activities which violate their conscience.

In reality, many of the activists opposing these basic protections are primarily attempting to stir up controversy in advance of the 2016 elections.

Far too often, we sit back and hope for the best, but with something this important, we should be showing our support for those defending religious liberties. We hope our own legislature will take up similar measures.

The future of our country depends upon retaining the strong principles that have made us the great nation we are today. Let’s all do our part to defend these values.

The Ag Economy Needs Full Immigration Reform

Bob Stallman, President, American Farm Bureau Federation

Much of the country is thawing out from a long winter. Farmers are making plans for the coming season, and in some regions crops are already in bloom. A big question for many farmers is whether they’ll have enough workers to harvest those crops. Well, Congress has been busy making plans too. In the last few weeks, the buzz around immigration has picked up on Capitol Hill. Unfortunately, the plans Congress has in mind stop short of what agriculture needs, and would do farmers more harm than good.

The House Judiciary Committee recently pushed forward so-called e-Verify legislation that would require workers to present a more secure form of identification before they could be hired. Congress, in short, seems ready to require stricter enforcement of immigration laws without first repairing the broken immigration system that exists today.

We agree: worker documentation does need to be brought into the 21st century to secure our borders. But stopping there would cripple agricultural production the United States. Effective immigration reform must address our current workforce and create a new guest worker program to meet future needs. Agriculture supports millions of jobs both on and off the farm. No farmer should have to leave fruit to rot or plow up fields simply because he can’t find ready and willing workers.

see Stallman, page 23
March Madness at Nationwide Arena . . . and “Under the Dome” – March features an annual showcase for devoted fans of basketball, as well as those devoted to the legislative process. Having experienced both history-making events last month, I found striking similarities. The atmosphere during the NCAA Division I Men’s Basketball Rounds at Nationwide Arena in Columbus, Ohio was quite similar to that in Charleston, West Virginia as the 2015 Regular Legislative Session drew to a close – with each venue providing suspense and excitement, and yielding winners and losers in the process. Of course any team making the NCAA tourney is a winner, and true winners are distinguished by their character – both on and off the court. As any fan of the sport has heard from coaches over the years, “It’s not whether you win or lose, it’s how you play the game.” The same can be said about the political process.

“March Madness” was alive and well “under the Dome” as midnight approached on the last evening of the session. House Bill #2688, the much-debated pooling legislation (passing the House by a 60-40 margin, before being slightly amended by the Senate on a 24-10 vote and sent back to the House for concurrence), was hanging in limbo as stakeholders estimated the House vote (based on direct contact with individual lawmakers) to be around 57 to 43 at 10:00 p.m. Shortly thereafter, word circulated that key votes were “peeling off” and it became obvious HB #2688 had become nothing more than a “political basketball.” At approximately 10:30 p.m. the legislation died on a 49-49 vote. As I noted last month, the legislation was consistent with policy approved by members at our WVFB Annual Meeting in November. Farm Bureau’s Leadership/Board of Directors supported the legislation, feeling it created significant opportunities for members, while providing protection for their rights. What the future holds is anyone’s guess – stay tuned!

The 2015 Regular Session will certainly rank among the most productive in recent years in terms of gains for Farm Bureau members. Key bills (HB/House Bill and SB/Senate Bill) on our legislative watch list signed into law by Governor Tomblin include: SB #3 – Protecting WV’s Longstanding Trespasser Liability Laws; SB #13 – Reinstating the Open and Obvious Doctrine for Premises Liability; SB #237 – Captive Cervid Farming Act; SB #423 – Amending Aboveground Storage Tank Regulations; SB #361 – Prevailing Wage Reform; HB #2001 – Repeal of Portions of the Alternative and Renewable Energy Portfolio Act; and HB #2010 – Non-Partisan Election of WV Supreme Court Justices, Circuit Court Judges, Family Court Judges and Magistrates. HB #2568 (Pain-Capable Unborn Child Protection Act) also became law as a result of a veto override. Legislation was completed on SB #584 (Transferring Cedar Lakes Center to a Private, Non-Stock, Not-for-Profit Corporation) and awaits the Governor’s signature at this writing. Caution and concern surround two other bills completing legislation and awaiting Governor Tomblin’s signature: SB #30 – Permitting Shared Herd Ownership Agreements to Consume Raw Milk and HB #2515 – Elk Restoration in West Virginia.

The recent session could well be defined by extremely long work days and nights (which are the norm for the dedicated public servant), passionate debate and filibustering. As is the case with most sessions, it also featured hate mail and death threats, which are totally unacceptable! Whether one agrees or disagrees with the position of a public servant, he/she always has a responsibility to treat them with respect. For the most part the devoted public servant has a thankless job. Have you taken time lately to say “thanks” to your public servants?

“March Madness” brings out the best “on the hardwood” and “under the Dome.” During my first session in 2007, a seasoned veteran of the legislative process noted: “We have workhorses and show horses down here. I choose to be one of the workhorses!” Whether basketball or politics, I’ll take the workhorse every time. Until next time – KEEP SMILING FRIENDS, God bless you and your loved ones, and God bless America.
Larger, faster equipment used by farmers combined with increased traffic flow by the public and other factors have created increased risks for both farmers and motorists. Consider these statistics:

**Rural Road Crash Facts**
- The National Safety Council estimates that 15,000 collisions involving farm vehicles occur on U.S. roadways each year.
- Though 19 percent of Americans live in rural areas, 55 percent of highway deaths occur on roads considered rural.
- More than half of the 32,885 traffic fatalities in the U.S. occur on rural roads.
- The fatality rate per 100 million vehicle miles traveled is 2.5 times higher in rural areas than in urban areas.
- Crash victims are five to seven times more likely to die if arrival time to a hospital exceeds 30 minutes.
- The time between a crash and arrival at a hospital averages 36 minutes in urban areas and 53 minutes in rural areas.
- It takes more than twice as long for EMS personnel to arrive at a crash scene in a rural community as compared to an urban community—19 minutes versus seven minutes.

Not to be overlooked is the fact that farm machinery is getting larger—much larger—and often extends dangerously over the center line. Farmers are also acquiring more land, requiring additional road time to travel to distant fields.

Plus, to get the most from every acre, crops are planted closer to roadways, sometimes visually obstructing intersections. Add to that the disrepair of many rural roads and bridges and travel on America’s rural roadways has become more dangerous than ever.

Sharing the road with motorists unfamiliar with large, slow-moving farm equipment makes for a very dangerous situation. According to the National Safety Council, accidents involving a farm vehicle are five times more likely to produce a fatality than any other type of motor vehicle accident.

**Preventative Measures**
Here are a few commonsense tips to help you avoid farm-vehicle accidents:
1. Clearly mark your vehicle. Make sure your vehicle and equipment are well marked with reflective tape, lights or flags, particularly if your equipment is oversized or extends beyond one lane of traffic.
2. Use your lights. Keep headlights, reflectors and turn signals clear of any dirt or debris that may have accumulated during work, and always use turn signals when turning and changing lanes. Consider installing magnetic, battery-operated lights that can be purchased relatively cheaply.
3. Install proper signage. Properly install slow-moving vehicle (SMV) emblems so motorists...
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― Ron B.

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Forced Pooling Legislation: What About HB 2688?
Should the majority rule? Most Americans would say, “Yes!” Yet, the majority of mineral owners who want to develop their minerals can currently be prevented from doing so by a small minority. For those who would argue from the private property rights perspective, the question remains: what about the private property rights of the majority? We often complain about the minority getting its way and the majority being ignored all the time. So, which way do we want it?

An effort to allow a more balanced approach to this issue was attempted recently during the West Virginia legislative session. Sponsors and supporters of HB 2688 hoped to address a number of complaints held by both mineral and surface owners, while still allowing West Virginia to benefit from the oil and gas boom.

The facts are that a number of things are misunderstood about current law. First, “forced pooling” or “unitization” has been in effect for the Utica and all other deep formations since 1994. Existing West Virginia law allows forced pooling for deep wells such as Utica wells, with NO protection for mineral or surface owners (WV code 22-C-9-7). Current drilling activity is mostly in the Marcellus, but drilling in the Utica will be next. Why? Because Utica wells have 4 to 5 times more production than Marcellus wells. On average, a Marcellus well (defined as a shallow well by WV law) produces roughly 10 million cubic feet per day; a Utica well produces 40 to 50 million cubic feet per day (based on known wells in Ohio, western Pennsylvania and Tyler County, WV). Therefore, it is reasonable to conclude that a majority of the drilling in the near future will be in the Utica – which, again, is a deep well according to the definition set forth in West Virginia code.

So what did HB 2688 address? First, it applied to ALL horizontal wells – deep and shallow. It provided protection for surface owners (whether or not they have mineral rights) in that their surface could not be disturbed by the drilling process (no well pads, no roads, no equipment storage, etc.) Those who owned 80% of the acreage (note – not 80% of the owners, as there can be dozens of owners of very small parcels of land) had to agree to voluntarily pool BEFORE anyone could be forced to pool (no other state in the U.S. that allows pooling has a higher percentage). In previously proposed legislation in years past, the industry had initially wanted only 51% and later just 67%. HB 2688 required 80%. Also, the bill provided that NO deductions could be taken from the royalties of those who were forced in.

Under HB 2688, forced pooling could ONLY apply to the target formation (i.e., if a company wanted to drill in the Marcellus and your property was forced, they could not also drill other strata – that would have to be done under a separate agreement).

HB 2688 also required that when the West Virginia Oil & Gas Conservation Commission (the body responsible for looking out for the interests of “forced” owners) considers compensation for those being forced, they would have to take into account the compensation offered in leases made in the vicinity of the area being forced.

Unfortunately, there were major misunderstandings about how HB 2688 addressed compensation. No specific threshold of compensation was spelled out in HB 2688, so that all parties would be able to negotiate their best deal. If thresholds had been stated, it is likely that would be the best that would have been offered by either party. The 1/8 royalty mentioned in the bill is royalty
OWNERSHIP, not the royalty RATE, as many had been misled to believe. Therefore, mineral owners could get much more than the minimum 12.5% royalty on a tract with no deductions and no maximum limit, depending upon negotiations or what the West Virginia Oil & Gas Conservation Commission would decide.

HB 2688 would also have provided for changes to the West Virginia Oil & Gas Conservation Commission. The first change would be the addition of two members to the Oil & Gas Conservation Commission, as many felt the current make up was slanted toward the oil and gas industry. One of the new members would represent surface owners and be from the largest agriculture organization in the state; the other would represent mineral owners. Neither would be allowed to be affiliated with the oil and gas industry. Second, the bill allowed for an appeals process if parties are not in agreement with the Oil and Gas Conservation Commission decisions. Also, the state Geologist would be included as a member of the commission.

Many people were unhappy because they believed HB 2688 did nothing to address the problem of minerals that have been separated from the surface - but this was not true. The bill did provide for the eventual reuniting of the minerals of lost and unaccountable owners by the surface owner.

Many asked why transparency issues with the oil and gas industry were not addressed (i.e., record keeping, timeliness of royalty payments, tax issues). Addressing these in the same bill would have required the bill to be “triple referenced” – meaning it would have had to go through and be approved by several committees before it could be introduced on the floor. In most cases, this causes a bill to die because the process simply takes too long.

Another misconception pushed by opponents of the bill was the threat of losing property – which was completely untrue. No one was at risk of losing their land. They would continue to own the surface. NOTHING in this bill threatened their ownership.

The key thing – for people interested in personal property rights – is that this bill gained more for deep wells than was lost from shallow wells.

There are those who ask why Farm Bureau continues to be involved in this matter. The answer is simple. This is an extremely important issue that is not going to go away. Significant surface and mineral ownership issues exist for many of our members. Farm Bureau members voted on policy that is consistent with HB 2688 and therefore that dictates that we must stay involved and work for the best solution possible.

What can you do? First, find out the facts. Legislation will come up again – this issue is by no means going away. Don’t accept what someone told you – learn for yourself what the truth is. Talk with your representatives. Get involved – when your county Farm Bureau holds policy meetings, attend them and voice your opinion. One thing is certain – nothing will change for the better if you don’t.

If you would like to read the final version of the bill for yourself, see it on the West Virginia Legislature’s site at http://www.legis.state.wv.us/Bill_Text_HTML/2015_SESSIONS/RS/pdf_bills/HB2688%20SUB%20PRINTED.pdf or call Joan Harman at 800-398-4630 x. 306.
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WEST VIRGINIA FARM BUREAU NEWS
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Applications Available for Specialty Crop Block Grant Program

The West Virginia Department of Agriculture (WVDA) is now accepting project proposals for the 2015 Specialty Crop Block Grant Program (SCBGP).

“Our Department is proud to offer grant monies and resources to help expand the specialty crop industry in our state,” said Commissioner of Agriculture Walt Helmick. “This program allows our agriculture industries the opportunity to expand, develop new tools for their agribusiness enterprises and continue to move agriculture forward. I have asked the selection committee to maximize utilization of these program funds, and I look forward to seeing the innovative ideas that will emerge from these projects.”

The scope of projects is deliberately open-ended, but they must deal with specialty crops such as fruits, vegetables, horticultural products, tree nuts, maple syrup, Christmas trees and honey, among others. Products explicitly excluded are livestock, eggs and commodity-type crops such as corn and soybeans, to name a few. A more detailed list of specialty crops can be found at http://www.ams.usda.gov/AMSv1.0/scbgpdefinitions.

All projects must focus on industry-related research, education, improved production or marketing of specialty crops. The program is available to groups and organizations that are qualified to receive grant funding and cannot be used to fund individual farms or enterprises.

The SCBGP is funded by the U.S. Department of Agriculture and administered by WVDA. West Virginia expects to receive approximately $200,000 in 2015.

The Grant Request for Proposals, Application Cover Sheet, Project Proposal Template, and 2015 Grant Application Manual, are available on the WVDA website (www.wvagriculture.org) in both PDF and Word formats. Applications are due to WVDA by the close of business Friday, April 10, 2015.

Herbal Formula Eases Farmers’ Aches And Pains

“I read about Steuart’s Pain Formula in a farm magazine,” says Rickey D. Snow, Hood, California. “I hurt my shoulder January 18th 2013, and had constant pain until the middle of March. My doctors could do nothing, within 10 minutes of applying pain formula, the pain was completely gone.”

Jack Zimmerman from Elysian, Minnesota is a disabled Afghanistan war veteran. He stepped on an IED in 2011 & lost both of his legs. “After I spend a day in my wheel chair I end up with a lot of back, neck, & shoulder pain. Within a half hour of applying Steuart’s Pain Formula I am pain free. Now, I can tolerate a whole day in my wheel chair.”

Warren Ward of Pemberton, Minnesota says his knees ached so terrible at night that he couldn’t get to sleep without taking pain killers. “An orthopedic surgeon told me both my knees were shot, I had bone rubbing on bone, and I needed knee replacement surgery. Then someone told me about Steuart’s Pain Formula. I started using it and in 3 days I had no pain in my knees. I went right to sleep at night and I haven’t taken a pain killer since.”

The cream contains extracts of the herbs comfrey and arnica in a liposome base that penetrates the skin rapidly, says Gary Steuart, who founded the company in 1982. “People use the product to relieve joint and muscle pain associated with arthritis and injuries,” Steuart says.

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Few people think about bees beyond positive images of honey and beautiful flowers or unpleasant memories of stings and pesky disruptions at picnics. Yet, each day we reap the benefit of these little workers, as bees provide one mouthful of food out of every three bites we take.

For several years, there has been growing concern that honey bees are under increased stress. Losses of both managed and wild pollinators could have profound impacts on the cost and availability of food – especially fruits, vegetables, meats and dairy products.

About 90 U.S. agricultural crops require honey bee pollination. Species such as apples, avocados, cranberries, blueberries, cherries, squash, cucumbers, melons and sunflowers require honey bees to provide more than 90 percent of their pollination needs. California’s $4 billion almond industry completely depends on honey bees, requiring 60 percent of managed colonies used in
the U.S. All told, honey bee pollination adds more than $16 billion annually to the value of agricultural crops in the U.S. and up to $296 billion globally.

In the U.S., about three-fourths of bee pollination comes from managed honey bees, and the rest from wild bees and other pollinators. There are between 2.6 and 3.3 million managed bee colonies in the U.S. Commercial beekeepers normally have more than 300 hives each, which they transport around the country to provide pollination services to farmers. Unfortunately, commercial beekeepers have reported serious losses since 2006, with two causes attracting a lot of buzz: Colony Collapse Disorder and winter losses.

CCD is a syndrome with tell-tale signs but no clear cause: the adult bees have vanished, but a live queen, honey and immature bees remain. In 2006, beekeepers reported CCD losses of 30 to 90 percent. Similar mentions of bee disappearances also occurred in the 1880s, 1920s and 1960s. Other unusual colony losses have occurred locally in some parts of the U.S. for the past two centuries.

General losses occur to some degree every winter. Beekeepers can sustain normal losses of less than 18.9 percent. However, winter losses have averaged much higher—29.6 percent— for the past eight years. Total losses declined a bit to 23.2 percent in 2013-2014 (compared to a steep loss of 30.5 percent in 2012-2013 and 36 percent in 2007-2008). Of course, these numbers represent the average: Some states saw losses as high as 65 percent and others as low as 12 percent in 2013-2014.

Despite numerous claims of “smoking guns,” ranging from neonicotinoid pesticides to cell phones, researchers haven’t narrowed bee decline to any single cause. A 2012 Report on the National Stakeholders Conference on Honey Bee Health underscored that there are multiple factors associated with CCD, the Varroa mite being one of the most important.

Consider the European Union, which suspended neonicotinoid use in 2013. Farmers in Germany and England growing rapeseed (canola oil) experienced devastating crop losses without the protection of these pesticides, but with little positive impact on honey bees for the cost. By contrast, neonicotinoids are still used in Australia, but with no history of the Varroa mite there, honey bees don’t appear to suffer the losses seen in Europe and the U.S.

Other leading causes of decline include weather, insufficient hive management, other pests, viruses, the nosema fungi, and a lack of diversity or availability of other sources of pollen and nectar. Even managed bee colonies used to pollinate crops require additional nearby pollen and nectar sources. Urbanization, development and landscaping near farm land or bee colony sites have reduced flowering plants, brush and other plants essential to supporting bees and other pollinators.

A wide range of stakeholders – beekeepers, regulators, farmers, ranchers, academic researchers, and federal agencies – are engaged cooperatively in trying to find solutions. Federal agencies have been directed to build pollinator habitats into their landscaping, construction and environmental preservation plans, and highway rights-of-way. Pollinator habitat preservation also played a role in maintaining the conservation reserve program in the 2008 and 2014 farm bills. Farmers and other landowners can do their parts as well, through responsible pesticide use and by maintaining pollinator habitat.

State and local pollinator plans foster the cooperation, good management and ongoing research that are all critical to protecting honey bees, and essential to preventing the sharp sting that consumers could feel from lower food supplies and higher prices.

Robert Giblin writes, speaks and consults about agricultural and food industry issues, policies and trends.

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Help Us Fight EPA’s Water Power Grab

Attorney General Patrick Morrisey

Everywhere I travel across the State of West Virginia, I hear deep concerns from farmers and many other people about the Environmental Protection Agency’s proposed Waters of the United States rule.

Yes, it is just as bad as you have heard. Congress has given to EPA and its sister agency, the U.S. Army Corps of Engineers, power to protect interstate, navigable waters: think major bodies of waters like the Mississippi River or the Ohio River. These agencies now seek more authority over our water, even in situations where water is only present on rare occasion. The EPA and Corps assert that they have the power to control minor ditches, ponds, streams, and even large swaths of sometimes dry land, on the theory that these waters and lands — taken together — could, perhaps, impact interstate navigable waters.

As you know, most farms have ditches, ponds and streams. That means that, if this rule is finalized and enforced, farmers may soon find themselves faced with a federal government bureaucrat showing up on their doorstep and requiring them to obtain costly federal permits. Failure to obtain and comply with these federal permits could lead to massive federal fines and even criminal penalties.

Last October, I submitted a comment letter on behalf of nine other States and six Governors, explaining that the proposed rule is illegal. The letter noted that the rule violates several decisions from the U.S. Supreme Court on the scope of EPA’s and the Corps’ authority, infringes upon States’ rights, and harms farmers and individual homeowners.

All indications are that EPA and the Corps have ignored our warnings, as well as the conclusions of legal experts from across the political spectrum, and are planning to push forward with this rule. In fact, EPA has said that it plans to finalize and start enforcing the rule later this spring.

All hope is not lost. We can still stop this overreach, but only with your help. We are building a coalition in West Virginia and across the country to fight this rule on all fronts: in the press, in Congress, and in the courts. To help with our efforts, we need farmers whose farms are impacted by this illegal power grab to step up and make their voices heard.

Later this spring, we will be hosting a series of events throughout the State, where farmers and other interested parties—from individual homeowners to consumers to business owners—will discuss the impact of the rule on their farms, their businesses, and their lives. If you would like to take part in these discussions, please contact our Office at 304-558-2021, so that we can let you know when an event is coming to location near you. We will also be posting meeting times and dates on the Attorney General’s website.
We have discussed in this column what a will is and what a will is intended to do, but what if a person dies without a will? It has been estimated that more than 50 percent (50%) of people will die without a will in this country. The reasons for that vary from person to person, but the most common reason is that death is hard to think and talk about. Regardless of why a person may not have a will, it is important to understand what happens when there is no will in place.

The first factor to keep in mind is that a will only controls certain types of assets, which are subject to probate. There are several types of assets that generally are not probate, such as houses or farms, where the deed lists the owners as joint with rights of survivorship; bank accounts that are joint or payable on death; insurance policies payable to a named beneficiary; and retirement accounts payable to a named person. For those assets, often called “nonprobate assets,” the deed or account documents will dictate who receives the assets when a person dies.

For all other assets (probate assets), the state law of intestacy applies. When a person dies without a will, he is said to die “intestate.” This is an old Latin term that means a person has not made a valid
will. When that happens, state law generally steps in and creates a plan to distribute that person’s assets. In West Virginia, the law that applies is Chapter 42 of the West Virginia Code, which you can access on the Internet in its entirety on the West Virginia Legislature’s website: http://www.legis.state.wv.us/WVCODE/Code.cfm?chap=42&art=3#03.

In a nutshell, if a West Virginia resident dies without a will, that person’s property is distributed to certain members of his family. The real question is, which family members? Most people assume that if a person is married, then the surviving widow or widower inherits everything, but that is not always the case. If Adam is married to Eve and they either (1) have no children or (2) have children only with each other, then generally Eve would inherit Adam’s property. However, if Adam had children with a different woman, then Eve would only inherit half of Adam’s probate property. Now, what if Adam and Eve were married and had children together, but Eve also had a child from another man? When Adam dies, Eve would only get three/fifths of Adam’s probate property and his children would get the other two/fifths. Finding this complicated? Well, it can be, depending on the family situation.

What if the person who dies is not married? In that case, his descendants (children, then grandchildren and so on) would inherit. No descendants? Then his parents would inherit or, if none, then the descendants of his parents (siblings, then nephews and nieces and so on) would inherit. Finally, if none of these family members are alive, it goes to an outer branch of the family (grandparents and their descendants), but no further. West Virginia intestate law does not allow it to go out beyond the grandparents’ line (unlike some states that allow the intestate descent to go out to far flung relatives who are sometimes called “laughing heirs” because they are so far removed that they do not know the deceased person enough to mourn him).

The real concern here is whether a person really wants a certain family member to receive funds. Under the intestate law, a person without a will does not get to pick and choose the relatives he likes. The law treats each relative the same. Even if the deceased person loved his brother but hated his sister, they receive equal amounts under the intestate law. Putting this all together, it is clear that having a will can help make a person’s final wishes clear and can help a person make sure that their loved ones receive the assets that the person wants them to.

As always, this material is for informational purposes only and is not meant as legal advice. Please consult with your legal advisor regarding your personal situation.

Emily R. Lambright is a senior associate in the Charleston office of Bowles Rice LLP. Licensed as a certified public accountant (CPA), she has experience in wills, trusts, estates and business succession planning. For more information, please contact Ms. Lambright at (304) 347-1100.
Farming is a business of uncertainty, but here’s something you can count on.

Chevrolet presents this exclusive $500 private offer* toward the purchase or lease of an all-new Chevy Silverado — the 2014 North American Truck of the Year. From the family of the most dependable, longest-lasting* full-size pickup in America, rest assured your Silverado will keep you working without skipping a beat.

*Offer available through 4/1/17. Available on most 2014 and 2015 Chevy Silverado trucks. This offer is not available with some other offers. Offer valid toward the purchase or lease of most 2014 and 2015 model year vehicles including Dually and Classic. Excludes fleet and commercial vehicles. Not available with other dealer sponsored or corporate incentives. Restrictions and limitations apply. Minimum down payment and minimum annual mileage may apply. May not be combined with dealer sponsored or other corporate incentives. May be used as a 2014 via certificate. Additional restrictions apply. See dealer for details. Void where prohibited. © 2013 General Motors. GM, Chevrolet and Silverado are registered trademarks of General Motors LLC. Motorama is a trademark of GM Accessories LLC. North American Truck of the Year. Dependability based on longevity: J.D. Power and Associates 1987-2013 full-size pickup registrations.
Planning Ahead

Deborah Miller, JD, Sr. Director of Planned Giving, West Virginia University Foundation

As part of the estate planning process, some people choose to write out their thoughts about life in a “personal legacy letter” that is filed away with their will or revocable trust. A video could be an alternative for the same purpose.

It serves as a keepsake for their loved ones to read or view in the future and states their views and perspectives on life in a personal way that other estate planning documents cannot.

It is easier to do this once the other pressures of estate planning are out of the way. Its purpose is not to explain any of the financial aspects of the estate plan but is a way to reach out to others from the heart.

Whether the letter or video includes secrets of success, special remembrances, memorable accomplishments, biographical information, a discussion on values, or other thoughts, it is meant to convey what that individual views as their personal legacy.

Thoughts about how family relationships may change in the future can also be included. Some well-chosen words of remembrance can help the family during a difficult time.

As part of their legacy, many are proud to include reminiscences about their volunteer work and support of civic and nonprofit organizations. Describing the benefits of doing that can guide others in making choices throughout their lives.

The letter can be plain and simple, handwritten or typed, or printed onto colorful paper with photos included. The video can also include favorite photos and other mementos when appropriate. It’s up to the individual preparing it, but family members will definitely appreciate the effort and the intent behind it.

Such a personal legacy letter or video remembrance can be a satisfying way to communicate very important messages. It can speak volumes about its author’s life and joys and serve as a connection to times past.

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around you are aware of the difference in speed between your vehicle and theirs.

4. Watch your mirrors. Always use rearview and side mirrors so you know your position on the roadway, as well as that of other motorists. The mirrors will help make you aware of your vehicle’s distance from the shoulder.

5. Secure your load. Equipment that is being towed must be secured and properly balanced.

6. Take it slow. Drive slowly, especially when making turns or driving down steep inclines. Lower speeds will help you avoid a rollover.

7. Travel on less-busy roads. When possible, avoid highly traveled roads, especially during times when traffic is heaviest.

8. Keep passengers off the equipment. Do not let passengers, especially children, ride anywhere on the vehicle except for inside the cabin.

9. Know the state laws and regulations. Stay informed of the latest codes and requirements, as well as recommendations from the American Society of Agricultural and Biological Engineers for equipment like vehicle markers.

10. Practice good maintenance. Always keep your vehicles and equipment well maintained and your farm equipment insurance and farm car insurance current. Today, Nationwide is the No. 1 farm insurer in the U.S. and a leader in insurance and risk management solutions for commercial agribusinesses in the food, fiber and fuel chains.

Learn More
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**Stallman, continued**

An enforcement-only approach ignores the rest of our immigration problems and threatens to devastate the farm economy. Farmers and ranchers are careful to follow the federal government’s requirements for checking employment documents, and will continue to do so. But e-Verify by itself puts the onus on farmers and ranchers who are already hard pressed to find skilled workers.

The fallout would harm the entire economy. Farm Bureau estimates that food production would fall by $30 billion to $60 billion in the U.S. if the government implements a strict enforcement-only employment verification system.

As food demand grows, farmers will respond with increased production. The problem is our current immigration laws all but guarantee it won’t be on our soil, because most Americans are simply not willing to take these jobs. Consumers, meanwhile, should expect their grocery bills to increase 5 to 6 percent.

Washington has a long tradition of granting special carve-outs and exemptions to laws that fall unevenly on some sectors, but that won’t solve the problem we face. Farmers and ranchers aren’t looking for an exemption: We need a solution. That solution may not be a quick fix, but it can and must be done. We need a new, flexible visa program that allows foreign-born workers to enter the U.S. legally. Skilled laborers currently working in agriculture also need a way to earn an adjustment in status and stay working here, on American farms. Farm Bureau is committed to continuing our work with Congress to reform our immigration system. We must not only secure our borders: We must secure the future of agriculture. Key to getting that job done is ensuring a stable workforce.

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**Nominations Sought for 2015 “West Virginia Women In Agriculture”**

The West Virginia Department of Agriculture (WVDA) is seeking nominations for the 2015 West Virginia Women in Agriculture” program. Nominations are due by June 1, and those making the nominations are asked to provide as much detail about the nominee’s agricultural career as possible.

Induction is granted to those women who have made significant contributions to the establishment, development, advancement or improvement of West Virginia agriculture, forestry or specialty crops in the Mountain State. Biographies of the selected women will be featured on WVDA displays during the State Fair of West Virginia.

For more information call 304-558-2210, or email tfitzsimmons@wvda.us or see the WVDA website at www.wvagriculture.org.
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Whether she’s your mom or a “like-a-mother” mentor, chances are you’ve got a lot to thank her for this Mother’s Day. It’s a time for celebrating your biggest supporters, number one fans and best friends.

In life, we’re lucky to form relationships with women we can learn from and grow with. Beth Somers, Elizabeth Nelson and Emily Tatak from the Wilton Test Kitchen consider themselves lucky.

Beth Somers, Director of Creative Content Development, owes her start to her former boss Milette Raz. Raz is trained in the Wilton Method of Cake Decorating™ and taught Somers how to decorate. But Somers thinks of Raz as so much more — calling her a mentor, her second mother and her friend. Years after working together, the duo teamed up for Cupcake Wars on the Food Network, returning home as champions of season six with winning recipes like Tropical Getaway Cupcakes.

Elizabeth Nelson, Assistant Culinary Specialist, attributes her love of baking to her grandma Ann, learning the basics with her and picking up passed down recipes that she brought with her to college. She looks up to her mother, her grandmother and her great-grandmother, whom she’s told she also gets her competitive nature from. Nelson and her grandmother went through a lot of trial and error together to come up with what they believe is the perfect cinnamon roll recipe, very similar to this recipe for Cinnamon Rolls with Caramel Glaze.

For Emily Tatak, preserving family recipes and continuing the traditions around the holidays and in the kitchen led to her career at Wilton as an Assistant Culinary Specialist. She owes her inspiration to her mom, who taught her how to bake. Together they iced cakes, decorated sugar cookies and even made a gingerbread house from scratch. Keeping with tradition, celebrating the holidays without grandma Irene’s Kolachy recipe just wouldn’t be the same.

For more recipe ideas to honor your mother or special mentor, such as Tropical Getaway Cupcakes, visit s.wilton.com/MentorKnowsBest.
**Cinnamon Rolls with Caramel Glaze**

Servings: 1 dozen rolls

Rolls:
1 1/3 cups warm milk (105°F)
2 packages (1/4-ounce each) active dry yeast
1/4 cup granulated sugar, divided
1/2 cup (1 stick) butter, softened
2 egg yolks
1 teaspoon Wilton Pure Vanilla Extract
3/4 teaspoon salt
4 cups bread flour, plus more for dusting

Filling:
1/2 cup (1 stick) butter, softened
1/3 cup granulated sugar
2 tablespoons bread flour
2 tablespoons ground cinnamon

Glaze:
1/4 cup (1/2 stick) butter
1/2 cup lightly-packed light brown sugar
1/2 cup heavy whipping cream
1 teaspoon Wilton Pure Vanilla Extract
1/4 teaspoon salt
1 cup confectioners’ sugar (about 1/4 pound)

For rolls, stir together warm milk, yeast and 1 tablespoon sugar in large bowl. Let stand 5–10 minutes or until foamy. Add butter, remaining 3 tablespoons sugar, egg yolks, vanilla and salt. Mix with electric mixer using dough hook on medium speed until combined. Gradually add flour, 1 cup at a time, and mix on medium speed until smooth, elastic dough forms, about 5 minutes. Spray large bowl with vegetable pan spray. Form dough into ball, place into bowl and cover with plastic wrap. Let stand in warm place for 45 minutes or until doubled in size.

For filling, stir together butter, sugar, flour and cinnamon in medium bowl until well-combined. Prepare 13-by-9-inch pan with vegetable pan spray. Punch dough down and roll out to 1/8-inch thickness on generously floured surface. Cut cookies using 2-inch round cutter. Place on cookie sheet and make indentation in dough with thumb. Spoon 1/2 teaspoon pastry filling into each indentation. Bake 16–18 minutes or until edges are lightly browned. Cool cookies on pan on cooling grid 5 minutes. Remove from pan; cool completely on grid. Dust with confectioners’ sugar before serving.
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