



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Mount Lewis Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
Phone: 775-635-4000 - Fax: 775-635-4034
<http://www.nv.blm.gov/battlemountain>
or bmfoweb@nv.blm.gov



In Reply Refer To:
4130 (NV062)

OCT 07 2008

PUBLIC CONSULTATION TRANSFER OF GRAZING PREFERENCE FROM CORTEZ RANCHING COMPANY TO C RANCHES

Dear Interested Public:

C Ranches submitted an application to transfer grazing preference along with an application for a term grazing permit for the Cortez Use Area in Carico Lake Allotment. C Ranches has leased the base property associated with the Cortez Use Area from Cortez Ranching Company for a period of three (3) years.

The Cortez Use Area lies 30 miles south of the Town of Battle Mountain (see enclosed maps). The grazing preference for the Cortez Use Area would be transferred to C Ranches with no changes to the existing preference and Terms & Conditions that were established in the 2005 Carico Lake Final Multiple Use Decision dated September 30, 2005 (a copy of the final decision can be requested at the above address).

Through this transfer, the following grazing preference along with terms and conditions would be specified on the grazing permit to be issued to C Ranches:

Terms & Conditions:

Allotment	Use Area	Date	Kind	Number	AUM's
Carico Lake	Cortez Joint Venture	02/01-03/31	Cattle	898	1742

1. Grazing use will be in accordance with the Cortez Joint Venture Use Area Portion of the Carico Lake Allotment Final Multiple Use Decision dated September 30, 2005.

2. All enclosures on public land including areas that have been fenced off for the purpose of mining or mine reclamation throughout the Cortez Joint Venture portion of the Carico Lake Allotment will be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized by the Authorized Officer.
3. The permittee will be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that will ensure appropriate use throughout the Cortez Joint Venture Use Area.
4. Utilization of "Key Upland Forage Species" will not exceed 40% by the end of the grazing year.
5. Utilization of Key Riparian-Wetland Species shall be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of Key Riparian-Wetland Species shall be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of Riparian Woody or Browse Species shall be limited to 30% of the available stems by the end of the growing season (for example aspen, elderberry and serviceberry).
7. Riparian bank shearing and trampling shall be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of Key Shrub Species shall be no greater than 25% during the critical growth period, and no more than 40% following the end of the growing season.
9. If annual monitoring standards are attained in any use area, the permittee will be required to remove livestock from that area. The permittee will have 5 days upon notification to remove livestock.
10. If further disturbance from mining occurs within the Cortez Joint Venture Use Area active permitted use may be adjusted following site specific analysis.
11. The permittee will be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the permittee use area may be temporarily modified from the grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and standards for rangeland health. Any use in excess of the total permitted use for the permittee within the Carico Lake Allotment will constitute Temporary Non-Renewable Use.
13. 1,272 AUM's of active preference permitted use was reduced in the 2005 Final Multiple Use Decision. 403 AUM's of Active Permitted use was reduced due to the fencing project identified in the 2000 South Pipeline EIS.

Administrative Terms & Conditions:

1. In accordance with 43 CFR 4130.3-2(c): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
2. In accordance with 43 CFR 4130.8-1(f): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but no to exceed \$250.00. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec. 4140.1 (b) (1) and shall result in action by the authorized officer under 43 CFR Secs. 4150.1 and 4160.1-2.
3. In accordance with 43 CFR 4130.3-2(d): Actual use information for each pasture will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.
4. In accordance with 43 CFR 4120.3-1(a): All range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management.
5. In accordance with 43 CFR 4130.3-2(h): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.
6. In accordance with 43 CFR 4130.3-3: The authorized officer may modify terms and conditions of the permit or lease when the active use or related management plan are not meeting the Land Use Plan, Allotment Management Plan or other activity plan, or provisions of subpart 4180 RAC Standards and Guidelines.
7. Pursuant to 43 CFR 10.4(g): The holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified by the authorized officer.
8. In accordance with 43 CFR 4130.3-1(b): All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease.

Before a transfer can be completed and a new term grazing permit issued, the MLFO is required to consult, cooperate, and coordinate with interested public and comply with the National Environmental Policy Act (NEPA). A Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA) would be completed upon the issuance a proposed and final grazing

decision. The DNA would be tiered to the 2005 Carico Lake Allotment Environmental Assessment (EA) NV062-EA05-061. The Carico Lake Evaluation and Rangeland Health Assessment EA analyzed impacts of the grazing management decision which was proposed and finalized in 2005. Following the comment period, a proposed decision that would authorize a three-year grazing permit would be issued prior to livestock turnout. If C Ranches renews the base property lease after the 3-year period, the MLFO would renew the permit for the term of the subsequent lease (not to exceed a 10 year period from the date of the lease associated with this consultation letter) without further consultation with the interested public as long as terms and conditions of the permit were not modified.

In accordance with 43 CFR 4130.2(b), the interested public is being asked to provide written comments within 15 days of the date of this letter. Following the comment period, the authorized officer will consider any comments that are received prior to the issuance of a proposed grazing decision for the transfer and authorization of a new term permit to C Ranches.

If you have any questions, please contact Cliff Merriman, Rangeland Management Specialist (RMS), at (775) 635-4059 or Michele McDaniel, Supervisory RMS, at (775) 635-4083.

Sincerely,



FOR
Douglas W. Furtado
Field Manager
Mount Lewis Field Office

Enclosure

cc: Interested Public

cc: Interested Public for Carico Lake Allotment

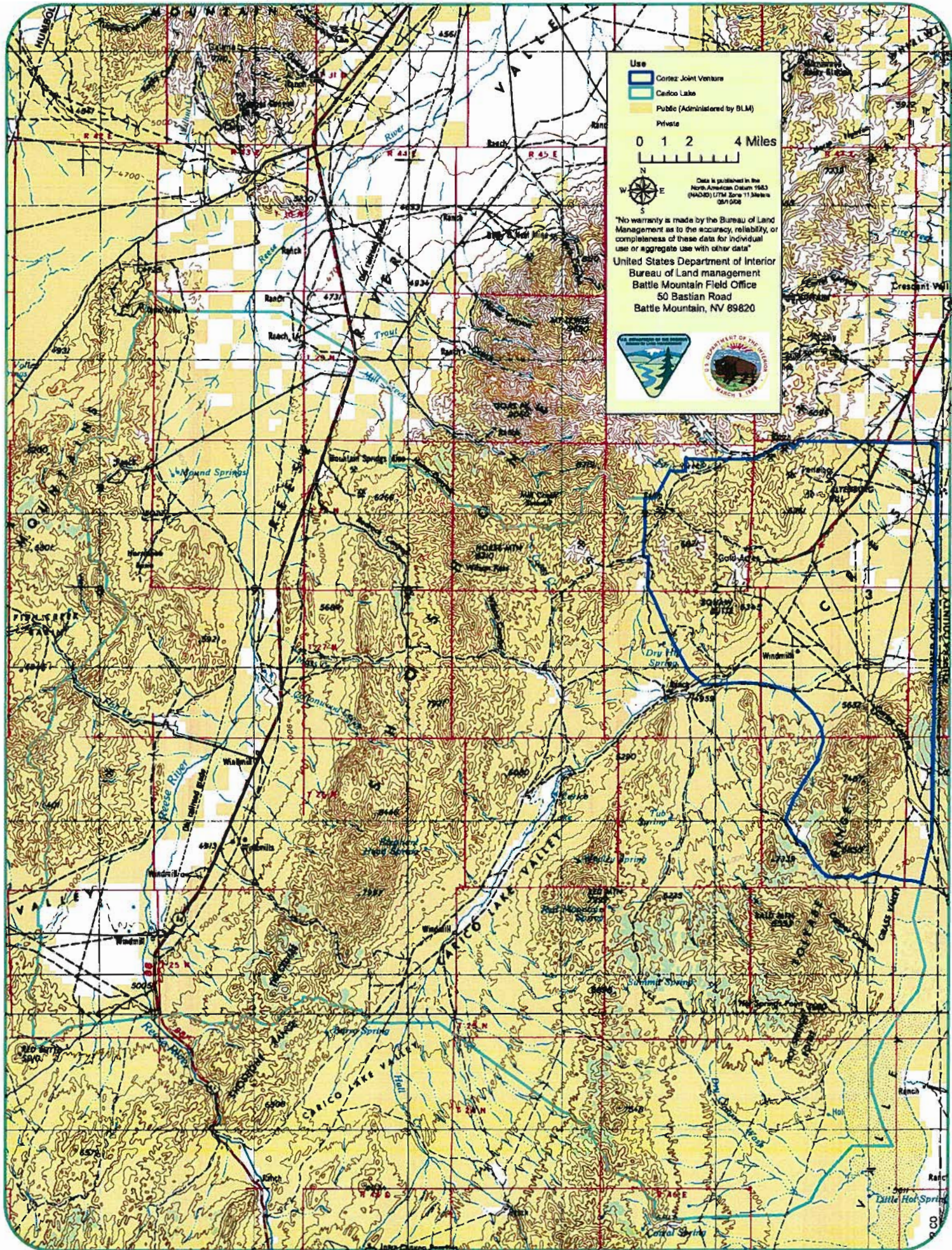
American Horse Protection Association
Animal Welfare Institute, c/o D.J. Schubert
Doby George, c/o Bernard Carter
C Ranches, Inc.
Cindy MacDonald
Cortez Gold Mines, c/o George Fennemore
Vicki J. Cohen
Center for Biological Diversity, c/o Rob Mrowka
Center for Biological Diversity, c/o Paul J. Spitler
Conservation Research Center, c/o Brenda Younkin
Ellison Ranching Co. c/o Bill Hall
Ellison Ranching Co. c/o Reed Clark
Eureka County Dept. of Natural Resource, c/o Jim Baumann
Eureka County Dept. of Natural Resources, c/o Ken Conley
Eureka County Dept. of Natural Resource, c/o Leo Damele
Eureka County Dept. of Natural Resources, c/o John Overton
Eureka County Dept. of Natural Resources, c/o Judy Overton
Eureka County Dept. of Natural Resource, c/o Carl Slagowski
Eureka County Dept. of Natural Resources, c/o Jerry Todd
Filippini Ranching Company, c/o Henry Filippini Jr.
Julian Tomera Ranches, Inc. c/o Pete Tomera
Lander County Commissioners
Lander County PLUAC, c/o Ray Williams
Mandy McNitt
Mike Marvel Ranching
National Mustang Association
Nevada Cattlemen's Association, c/o Meghan Wereley
Nevada Commission for Preservation of Wild Horses, c/o Cathy Barcomb
NDOW, c/o Jeremy Lutz
NDOW, c/o Mike Podborny
NDOW, c/o Dave Pulliam
NDOW, c/o Steve Foree
Nevada Dept. of Agriculture, c/o State Brand Inspector
Nevada State Clearinghouse, c/o Krista Coulter
Sustainable Grazing Coalition, c/o Richard A. Orr
Silver Creek Ranch, Inc. c/o Paul Inchauspe
U.S. Fish and Wildlife Service
Western Watersheds Project, c/o Katie Fite

Wild Horse Spirit, Ltd., c/o Bobbi Royale

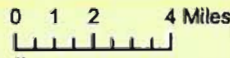
Wild Horses Organized Assistance, c/o Dawn Lappin

Yomba Shoshone Tribe Environmental Dept., c/o Teresa M. Beck

ENCLOSURE



Use
Cortez Joint Venture
Carico Lake
Public (Administered by BLM)
Private



Data is published in the
North American Datum 1983
(NAD83) UTM Zone 11 North
08/908

"No warranty is made by the Bureau of Land
Management as to the accuracy, reliability, or
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50 Bastian Road
Battle Mountain, NV 89820



