

United States Department of the Interior

2 5-09-02

BUREAU OF LAND MANAGEMENT
Ely Field Office
HC 33 Box 33500 (702 No. Industrial Way)
Ely, Nevada 89301-9408
<http://www.nv.blm.gov/Ely>

In Reply Refer To:

4130 (NV-040)

MAY 09 2002

WILSON CREEK
HMA

Lake Valley Cattle LLC
C/O Randy Stowell
HC 10 Box 10858
Ely, NV 89301

Dear Mr. Stowell:

Your grazing application to transfer grazing privileges from Holt Farms to Lake Valley Cattle LLC for a period of ten years was received on February 15, 2002. This is a transfer from Holt Farms Owner of the base property to Lake Valley Cattle LLC. The base property and attached permitted use was previously leased to Delmar Valley Cattle. Your application includes permitted use on the Geyser Ranch and Wilson Creek Allotments. The Geyser Ranch is the base property and is located near Ely, Nevada. The Acceptance of Terms and Conditions form was signed on February 15, 2002. Based on your application, we propose to offer you a ten-year term grazing permit corresponding to your base property lease. The period of the term grazing permit will be for March 01, 2002 to February 28, 2012. This term grazing permit will authorize permitted use for 12,308 cattle AUM's on the Geyser Ranch Allotment for the period March 01 to February 28. It will also authorize 6706 cattle AUM's on Muleshoe/Maloy, Fairview, Pony Seeding and Atlanta pastures within the Wilson Creek Allotment. Grazing use on these pastures will be:

- Fairview - 4/16 to 10/31, 890 AUM's
- Muleshoe/Maloy - 11/1 to 4/15, 3,739 AUM's
- Pony Seeding - 4/1 to 6/30, 1,290 AUM's
- Atlanta - 4/16 to 10/31, 787 AUM's

The new grazing regulations require the authorized officer to consult, cooperate, and coordinate (CCC) with affected permittees, the State agencies responsible for managing resources within the area, and the interested public prior to the issuance of grazing permits (43 CFR 4130.2(b)). Therefore, a copy of this letter and a copy of the acceptance form will be sent to individuals, groups or organizations that have expressed an interest in the management of livestock grazing on the above listed allotments. **The interested publics are being asked to provide comments by May 25, 2002.**

You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1, and this offering and issuance of a permit complies with the regulations governing issuance of permits outlined in 43 CFR 4110.2-1 and 4110.2-2.

The terms and conditions will not change from the previous term permit, and are included in the attached temporary term permit. The new term permit will include a detailed grazing rotation

schedule as attached. These terms and conditions are in accordance with the terms and conditions identified in the Final Multiple Use Decision for the Geyser Ranch Allotment dated July 11, 1990 and the Final Multiple Use Decision of 11/92 and the agreement of 6/7/94 on the Wilson Creek Allotment. They are also consistent with the Schell Resource Area Record of Decision. The impacts of livestock grazing under these terms and conditions have been analyzed in the Schell Grazing Environmental Impact Statement.

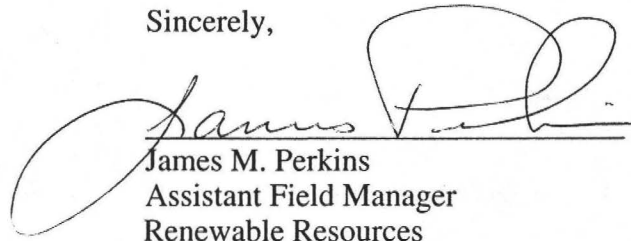
An Environmental Assessment is currently being completed for issuance of this proposed term permit. The proposed grazing use is within the array of options identified for the alternatives and proposed action as analyzed in the Schell Grazing Environmental Impact Statement and the Schell Management Framework Plan (MFP).

The Geyser Ranch Allotment is located within the Dry Lake and Wilson Creek Wild Horse Management Areas. It is located within the Mt. Grafton Wilderness Study Area (WSA) and the Fortification Range WSA.

If we propose to change the terms and conditions of your grazing permit, following the comment period, we will keep you and other interested parties informed. If we determine that it is necessary to offer you this permit via proposed decision, it will be sent to the interested public(s) and will include a 15-day period for protest and a 30-day period for appeal.

If you have any questions please contact Troy Grooms, you're assigned Rangeland Management Specialist for the Geyser Ranch Allotment, at (775) 289-1853.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

Enclosures (1):

1. Acceptance of Terms and Conditions and Request for Grazing Permit.

cc:

Mr. Bill Wilson, White Pine County Public Land Users Advisory Committee
Mr. David Provost, White Pine County Commission
Mr. Steve Foree, Nevada Division of Wildlife, Elko
Mr. Lee Tilman
Mr. Jerry Millett, Tribal Manager, Duckwater Shoshone Tribe
Mr. Paul Clifford
Nevada Cattlemen's Association
Mr. John McLain, Resource Concepts, Inc.
Dr. Tom Sanders, DVM, White Pine Conservation District
Nevada State Clearinghouse, Wild Horse Commission
Ms. Catherine Barcomb, Commission for the Preservation of Wild Horses
Ms. Katie Fite, Committee for Idaho's High Desert
Mr. Jon Marvel, Western Watersheds Project
Friends of Nevada of Wilderness
Lincoln County Public Lands Commission.

ACCEPTANCE OF TERMS AND CONDITIONS
and REQUEST FOR GRAZING PERMIT



I, Randy Stowell, on Behalf of Lake Valley Cattle LLC. agree to accept the Terms & Conditions listed below and request that you offered a Grazing Permit to graze the Wilson Creek and Geysers Ranch allotments in which I have a grazing preference.

Randy Stowell
Randy Stowell, Permittee

4-18-02
Date

Allotment Name/No.	Livestock No.	Livestock Kind	Grazing Begin	Grazing End	% Public Land	AUMs Active Permitted Use
Geysers Ranch 01101	1025	Cattle	03/01	02/28	100	12,308
Wilson Creek 01201	558	Cattle	03/01	02/28	100	6,706

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit:

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations would not prevent attainment of the Multiple-Use Objectives for the allotment.
2. Deviations from specified grazing use dates will be allowed when consistent with Multiple-Use Objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. Pursuant to 43 CFR 10.4 (G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon 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 to proceed by the authorized officer.
5. The authorized officer is requiring that an actual use report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
6. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
7. Grazing use will be in accordance with the Mojave-Southern Great Basin Area Standards and

Guidelines for grazing administration as developed by the Mojave-Southern Great Basin Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Sub-part 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.

Additional Terms and Conditions:

All grazing use in the Wilson Creek Allotment shall be in accordance with the Final Multiple Use Decision of 11/92 and the agreement of 6/7/94. The four pastures in use will be:

- Fairview - 4/16 to 10/31, 890 AUM's
- Muleshoe/Maloy - 11/1 to 4/15, 3,739 AUM's
- Pony Seeding - 4/1 to 6/30, 1,290 AUM's
- Atlanta - 4/16 to 10/31, 787 AUM's

All salting for livestock will be a minimum of 1/4 mile from water.

All grazing use on the Geyser Allotment shall be in accordance with the Final Multiple Use Decision dated 6/11/90, the addendum to the AMP dated 2/91, and the AMP dated 5/81.

The Bull pastures will be grazed from 11/1 to 3/31 @ 215 AUM's

Grazing use on the Geyser Ranch Allotment will be in accordance with the attached 12 pasture rest rotation system. (See attached Rest Rotation Grazing System)

OPERATOR COPY

3/1/02
AUTH NUMBER: 2700016
DATE PRINTED: 2/28/2002

Form 4130-2a
(February 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

STATE NV
OFFICE 040
AUTH NUMBER 2700016
PREFERENCE CODE 03
DATE PRINTED 02/28/2002
DATE ISSUED
TERM 03/01/2002 TO 02/28/2003

GRAZING PERMIT

LAKE VALLEY CATTLE LLC
C/O STOWELL, RANDY
HC 33 BOX 33990
ELY NV 89301

BUREAU OF LAND MANAGEMENT
ELY FO
HC33 BOX 33500
ELY NV 89301-9408

THIS GRAZING PERMIT IS OFFERED TO YOU UNDER 43 CFR PART 4100 BASED ON YOUR RECOGNIZED QUALIFICATIONS. YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS, UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT AND COVERED BY THIS PERMIT, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 775-289-1800 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

GRAZING SCHEDULE:

ALLOTMENT	PASTURE	LIVESTOCK NUMBER	KIND	GRAZING BEGIN	PERIOD END	%PL	TYPE USE	AUMS
01101 GEYSER RANCH		1025	CATTLE	03/01	02/28	100	ACTIVE	12300
01201 WILSON CREEK	FAIRVIEW	136	CATTLE	04/16	10/31	100	ACTIVE	890
	MULESHOE	680	CATTLE	11/01	04/15	100	ACTIVE	3711
	PONY SEEDING	430	CATTLE	04/01	06/30	100	ACTIVE	1286
	ATLANTA	120	CATTLE	04/16	10/31	100	ACTIVE	785

OTHER TERMS AND CONDITIONS:

THIS TEMPORARY GRAZING PERMIT IS AUTHORIZED IN ACCORDANCE WITH PORTIONS OF SECTION 114, PL 107-67: A GRAZING PERMIT OR LEASE THAT EXPIRES (OR IS TRANSFERRED) DURING FISCALYEAR 2002 SHALL BE RENEWED UNDER SECTION 402 OF THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976, AS AMENDED (43 U.S.C. 1752). THE TERMS AND CONDITIONS CONTAINED IN THE EXPIRING PERMIT OR LEASE SHALL CONTINUE IN EFFECT UNDER THE NEW PERMIT OR LEASE UNTIL SUCH TIME AS THE SECRETARY OF THE INTERIOR COMPLETES PROCESSING OF SUCH PERMIT OR LEASE IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. AT WHICH TIME SUCH PERMIT OR LEASE MAY BE CANCELED, SUSPENDED OR MODIFIED, IN WHOLE OR IN PART, TO MEET THE REQUIREMENTS OF SUCH APPLICABLE LAWS AND REGULATIONS.

THOSE AUMS SHOWN IN SUSPENSION INCLUDE 1,601 AUMS OF NONUSE ON THE WILSON CREEK ALLOTMENT FOR RESOURCE CONSERVATION/PROTECTION PURPOSES.

ALL SALTING FOR LIVESTOCK WILL BE A MINIMUM OF 1/2 MILE FROM WATER.

THE BULL PASTURES IN THE GEYSER RANCH ALLOTMENT WILL BE GRAZED FROM 11/1 TO 3/31 FOR 215 AUMS. THE 12-PASTURE REST ROTATION SYSTEM WILL BE FOLLOWED ACCORDING TO THE ATTACHED SCHEDULE.

ALLOT NO CONDITIONS

NV 01101 GEYSER RANCH #01101:
GRAZING USE IN WHITE PINE COUNTY, NEVADA WILL BE IN ACCORDANCE WITH THE NORTHEASTERN GREAT BASIN AREA STANDARDS AND GUIDELINES.
GRAZING USE IN LINCOLN &/OR NYE COUNTY, NEVADA WILL BE IN ACCORDANCE WITH THE MOJAVE-SOUTHERN GREAT BASIN AREA STANDARDS AND GUIDELINES.
GRAZING USE WILL ALSO BE IN ACCORDANCE WITH THE FINAL MULTIPLE USE DECISION DATED JUNE 11, 1990 AND THE ADDENDUM TO THE AMP DATED FEBRUARY 28, 1991.

NV 01201 WILSON CREEK #01201:
GRAZING USE WILL BE IN ACCORDANCE WITH THE MOJAVE-SOUTHERN GREAT

OPERATOR COPY

AUTH NUMBER: 2700016
DATE PRINTED: 2/28/2002

BASIN AREA STANDARDS AND GUIDELINES, AND WITH THE FINAL MULTIPLE USE DECISION DATED NOVEMBER 5, 1992, AND THE AGREEMENT OF JUNE 7, 1994.

THE AFOREMENTIONED GREAT BASIN AREA STANDARDS AND GUIDELINES FOR GRAZING ADMINISTRATION WERE DEVELOPED BY THE RESPECTIVE RESOURCE ADVISORY COUNCIL AND WERE APPROVED BY THE SECRETARY OF THE INTERIOR ON FEBRUARY 12, 1997.

GRAZING USE WILL ALSO BE IN ACCORDANCE WITH 43 CFR SUBPART 4180 - FUNDAMENTALS OF RANGELAND HEALTH AND STANDARDS AND GUIDELINES FOR GRAZING ADMINISTRATION.

LIVESTOCK NUMBERS IDENTIFIED IN THE TERM GRAZING PERMIT ARE A FUNCTION OF SEASONS OF USE AND PERMITTED USE FOR EACH ALLOTMENT. DEVIATIONS FROM THOSE LIVESTOCK NUMBERS AND SEASONS OF USE MAY BE AUTHORIZED ON AN ANNUAL BASIS WHERE SUCH DEVIATIONS WOULD NOT PREVENT ATTAINMENT OF THE MULTIPLE-USE OBJECTIVES FOR THE ALLOTMENT.

DEVIATIONS FROM SPECIFIED GRAZING USE DATES WILL BE ALLOWED WHEN CONSISTENT WITH MULTIPLE-USE OBJECTIVES. SUCH DEVIATIONS WILL REQUIRE AN APPLICATION AND WRITTEN AUTHORIZATION FROM THE AUTHORIZED OFFICER PRIOR TO GRAZING USE.

THE AUTHORIZED OFFICER IS REQUIRING THAT AN ACTUAL USE REPORT (FORM 4130-5) BE SUBMITTED WITHIN 15 DAYS AFTER COMPLETING YOUR ANNUAL GRAZING USE.

PURSUANT TO 43 CFR 10.4 (G) THE HOLDER OF THIS AUTHORIZATION MUST NOTIFY THE AUTHORIZED OFFICER BY TELEPHONE, WITH WRITTEN CONFIRMATION, IMMEDIATELY UPON 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 TO PROCEED BY THE AUTHORIZED OFFICER.

ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDED AUMS</u>	<u>PERMITTED USE</u>
01101 GEYSER RANCH	12308	2703	15,011
01201 WILSON CREEK	6706	1601	8,307

Standard
Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7), enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

THIS PERMIT: 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS PROVIDED BY LAND PLANS AND APPLICABLE LAW; (B) REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:

SIGNATURE OF PERMITTEE:

Kandy Slone

DATE:

3-5-02

APPROVED

BLM AUTHORIZED OFFICER:

Jarvis

DATE:

3-5-02

Ely District

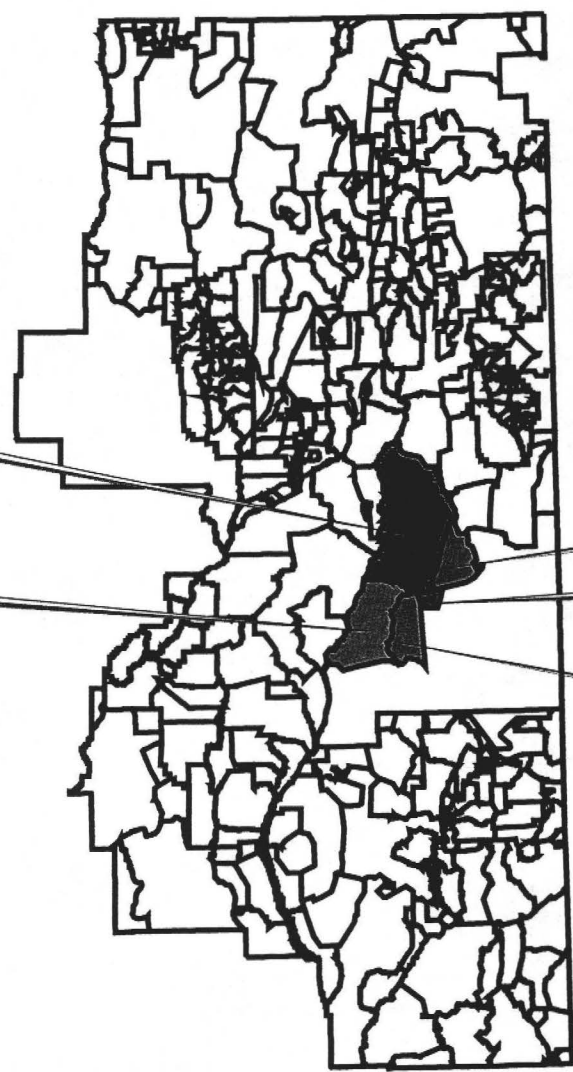
GEYSER RANCH

Atlanta

Muleshoe/Maloy

Pony Seeding

Fairview



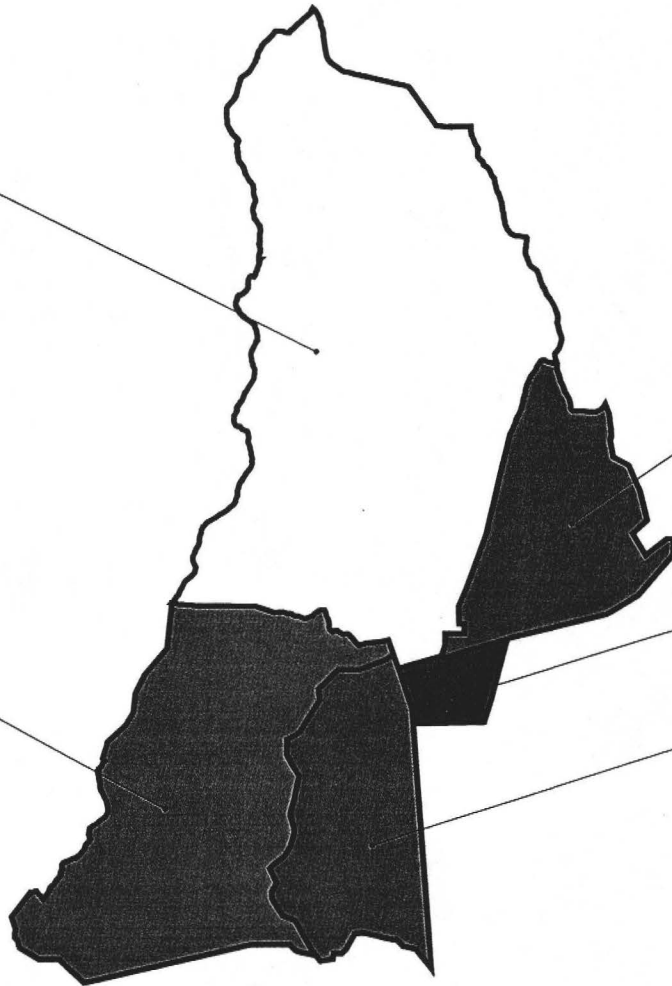
GEYSER RANCH

Atlanta

Muleshoe/Maloy

Pony Seeding

Fairview



2001		AUM's					
E. Bull Pasture	85	Kind Of Livestock	AUM's	Date In	Number	Date Out	Taken Out
		Cattle	82	2/2/01	43	3/31/01	43
		Cattle	116	9/7/01	55	11/9/01	55
Management Unit 1	AUM's	Cattle					
Pasture 1	1,381		262	4/29/01	614	6/16/01	611
			741	5/12/01	30	6/20/01	33
			1008				
Pasture 2	1,130	Cattle		6/23/01	439	7/5/01	30
				6/30/01	206	8/17/01	615
			1,097				
Pasture 3	1,585	Cattle	1,229	8/17/01	613	10/16/01	613
Pasture 4	1,394		RESTED				
Management Unit 2	AUM's						
Pasture 5	850			4/22/01	307	6/21/01	465
				5/12/01	15		
				5/15/01	143		
			815				
Pasture 6	924			6/21/01	465	7/5/01	19
						8/9/01	446
			728				
Pasture 7	1229			8/9/01	446	10/13/01	446
			953				
Pasture 8	660		RESTED				
Management Unit 3	AUM's			4/29/01	170	6/30/01	325
Pasture 9	770			5/10/01	223	7/5/01	17
				5/12/01	19	7/12/01	62
						7/22/01	3
						7/26/01	5
			785				
Pasture 10	758			6/30/01	307	8/18/01	449
				7/5/01	32		
				7/25/01	110		

632

Pasture 11	788		8/18/01	383	10/12/01	383
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693

Pasture 12	625	RESTED				
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Atlanta			1/1/01	249	3/14/01	249
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598

Pony Seeding			3/14/01	246	5/10/01	246
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461

FairView			5/19/01	299	8/11/01	200
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					8/18/01	99
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852