



MILLER FLAT L 8/24/2000
United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Station
HC 33 Box 33500
Ely, Nevada 89301-9408
<http://www.nv.blm.gov>

In Reply Refer To:
4110
Permittee Case File
(NV-045.09)

Certified Return Receipt No. 7099 3400 0004 7938 9880

AUG. 24 2000

Eddie and Connie Bundy
1985 E. 2300 S.
St. George, UT 84790

Dear Mr. and Mrs. Bundy:

The Ely Field Office has conducted a drought assessment on the Sheep Flat Allotment. Monitoring on Sheep Flat has been ongoing since the beginning of the grazing season. The allotment has been severely impacted by drought and grasshopper infestation resulting in severely limited forage quantity and quality and reduced water availability. As a result, it is necessary to remove all livestock from the allotment. In addition, the Ely BLM will conduct a gather of the wild horses in the area to further alleviate the grazing pressure to drought stressed plants.

Enclosed, please find the Notice of Closure Agreement. Please review it, sign, date and return it to Shirley Christman-Johnson within 5 days of receipt. I will sign and return your copy to you. The closure is by agreement. The alternative to a signed agreement is a full force and effect decision. This is an alternative method of achieving the same objectives. If you dispute the need to close the allotment, please contact either Alan Shepherd or Shirley Christman-Johnson at (775) 726-8100. Without a signed agreement, a full force and effect decision will be issued.

I have also enclosed an Actual Use Statement. Please submit your signed statement to Shirley as well. Any removals of livestock will result in the refund of the associated grazing fees. In addition, if you were forced to sell any livestock due to the drought, you can notify Joel Twitchell, Farm Services Agency (see attached card) for possible assistance. Thank you for your continued cooperation.

Sincerely,

James M. Perkins
Assistant Field Manager
Renewable Resources

Enclosures:
Notice of Closure Agreement
Actual Use Form



United States Department of the Interior

MULE FLAT HMA 8/24/2000

BUREAU OF LAND MANAGEMENT
Ely District Office
HC 33 Box 33500
Ely, NV 89301-9408

In Reply Refer To:
4110
Newby, Wade, Bundy
Grazing Case Files
Sheep Flat File
(NV-045.09)

Notice of Closure Agreement

AUG. 24 2000

Severe drought conditions exist within the **Sheep Flat Allotment**. The allotment was recently visited to evaluate drought conditions. Field observations indicate that available forage and water availability are extremely limited and that severe drought conditions exist. In addition, the area has been heavily impacted by grasshopper infestation, resulting in the closure of two pastures. Precipitation for the normal growing season of April, May, and June is 50% of normal. The below normal precipitation has resulted in decreased soil moisture, decreased plant vigor and growth while some locations have little or no current year's growth. As a result, heavy utilization of the key perennial species has occurred over portions of the allotment. Water availability is limited. This closure affects all portions of the allotment except the south slope of East Pass and Sam's Camp. (See attached map for more detailed description of the closure area. Grazing can continue south of East Pass until use limits are met, or until September 30, 2000. However, if livestock are not controlled in the area, removals may be in order. Livestock in Pastures 2 and 5 (middle pastures) will be removed upon reaching the established utilization limits.

Therefore, for the protection of the vegetation and watershed due to severe drought conditions, the **Sheep Flat Allotment** is hereby temporarily closed to livestock grazing. This Notice of Closure is effective immediately.

The closure will be in effect until the following criteria have been met:

1. Vegetative growth occurs and can sufficiently support livestock grazing; *and*
2. The key forage species all show good vigor; *and*
3. Soils are sufficiently protected from potential erosion; *and*
4. Key perennial forage species reach seed maturity (seed set).

Upon determination that the perennial vegetation has been re-established, authorized grazing use will resume. We will ask for the permittees' participation when evaluating forage conditions associated with lifting this closure. A map of the closure area is attached. This closure is issued as an agreement pursuant to Title 43 Code of Federal Regulations, Section 4110.3-3 (b).

This Notice is to inform you that any unauthorized livestock grazing upon public lands within the **Sheep Flat Allotment** (Legal description T. 5, 6, 7 S., R. 68, 69, 70 E.) under Bureau of Land Management's control will be in violation of 43 CFR 4140.1 (b) (1) and may be impounded. The unauthorized livestock may be impounded at any time after five (5) days from delivery of this notice or after five (5) days from the publishing and posting of this notice. This notice is issued in accordance with 43 CFR 4150.4; any impoundment of unauthorized livestock in connection with this notice will be done in accordance with 43 CFR 4150.4-2.

Ken Newby, Permittee

Date

James L. Wade, Permittee

Date

Eddie and Connie Bundy, Permittee

Date

Assistant Field Manager
Renewable Resources

Date



United States Department of the Interior

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In Reply Refer To:
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Permittee Case File
(NV-045.09)

Certified Return Receipt No. 7099-0004-7938-9736 9767

AUG. 24 2000

Ken Newby, Newby Cattle Co.
517 Belmont Drive
St. George, UT 84790

Dear Mr. Newby:

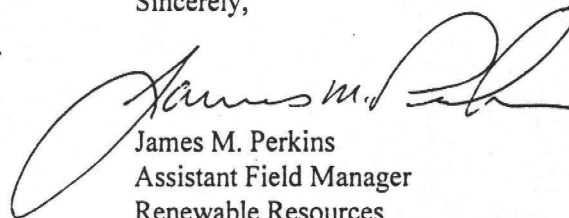
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Thank you for your continued cooperation.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

Enclosures:
Notice of Closure Agreement
Actual Use Form



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely District Office
HC 33 Box 33500
Ely, NV 89301-9408

In Reply Refer To:

4110
Newby, Wade, Bundy
Grazing Case Files
Sheep Flat File
(NV-045.09)

Notice of Closure Agreement

AUG. 24 2000

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Ken Newby, Permittee

Date

James L. Wade, Permittee

Date

Eddie and Connie Bundy, Permittee

Date

Assistant Field Manager
Renewable Resources

Date



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Permittee Case File
(NV-045.09)

Certified Return Receipt No. 7099 3400 0004 7938 9736

AUG. 24 2000

Lavar Wade
1183 E. 1580 W.
St. George, UT 84790

Dear Mr. Wade:

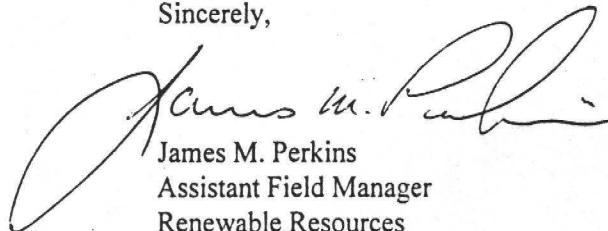
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Sincerely,



James M. Perkins
Assistant Field Manager
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Newby, Wade, Bundy

Grazing Case Files

Sheep Flat File

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