

3-2301



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office

HC 33 Box 33500 (702 No. Industrial Way)

Ely, Nevada 89301-9408

<http://www.nv.blm.gov>

In Reply Refer To:
4130(NV-042)

MAR 23 2001

Jay Wright
2675 Mineral Drive
Ely, NV 89301

Dear Mr. Wright:

Since completion of the transfer from Gary Sprouse dated March 12, 2001 and issuance of the term permit, the permitted use associated with that transfer has changed. Based on this change, we propose to offer you a revised ten year grazing permit. The period of the term grazing permit will be for March 15, 2000 to March 14, 2010. The Acceptance of Terms and Conditions form was signed on March 18, 2001.

The new term grazing permit will authorize permitted use for 3,876 cattle AUMs on the summer allotments and 933 cattle AUMs on the winter allotments. Your previous term permit authorized 4,777 cattle AUMs for the summer allotments and 933 cattle AUMs for the winter allotments. The summer allotments are as follows: Copper Flat, Little White Rock, Chimney Rock, Giroux Wash, Lake Area, and Dark Peak. The winter allotments include Timber Mountain, Fox Mountain, and Wilson Creek (Deadman Use Area).

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 April 10, 2001.**

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 outlined in the enclosed acceptance form for Giroux Wash, Dark Peak, Lake Area, Little White Rock, and Chimney Rock are the same as those on the previous term permits authorizing grazing use in these allotments. They are also consistent with the

Egan Resource Area Record of Decision and the Egan Rangeland Program Summary. The impacts of livestock grazing under these terms and conditions have been analyzed in the Egan Resource Management Plan Environmental Impact Statement. In addition, the terms and conditions for the Copper Flat, Timber Mountain, Fox Mountain, Wilson Creek (Deadman Use Area) Allotments are accordance with the terms and conditions in the Final Multiple Use Decisions (FMUDs). The terms and conditions are also consistent with the Northeastern and Mojave-Southern Great Basin Area standards for grazing administration.

An Environmental Assessment (NV-040-00-054) has been 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 Egan Resource Management Plan Environmental Impact Statement and Schell Draft Grazing Environmental Impact Statement.

Allotments located within wild horse herd management areas are as follows:

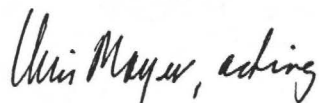
<u>Allotment</u>	<u>Wild Horse Herd Management Areas</u>
Fox Mountain(West)	Seaman
Timber Mountain	Seaman
Wilson Creek (Deadman Use Area)	Dry Lake
Fox Mountain (East)	Dry Lake

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.

Any written comments should be sent to James M. Perkins, Assistant Field Manager, Renewable Resources, Ely Field Office, Bureau of Land Management, HC 33 Box 33500 Ely, NV 89301.

If you have any questions, please contact Grant Hoggan, Rangeland Management Specialist on my staff, at (775) 289-1886.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

cc:

Ms. Catherine Barcomb, Commission for the Preservation Of Wild Horses
Nevada State Clearinghouse
Mr. Steve Foree, Nevada Division of Wildlife
Mr. John McLain, Resource Concepts, Inc.
U. S. Fish and Wildlife Service
Lincoln County Publics Lands Commission
Mr. Bill Wilson, White Pine County Publics Land Users
Mr. David Provost, White Pine County Commission
Mr. Lee Tillman
Mrs. June Sewing, National Mustang Association
Mr. Jerry Millett, Tribal Manager
Mr. Paul Clifford
Mrs. Betsy Macfarlan, Nevada Cattlemen's Association
Dr. Tom Sanders, White Pine Conservation District

**ACCEPTANCE OF TERMS & CONDITIONS
and
REQUEST FOR GRAZING PERMIT**

I, Jay Wright, agree to accept the Terms & Conditions listed below and request that I be offered a Grazing Permit to graze the allotments in which I have a grazing preference.

ALLOTMENT Number & Name	LIVESTOCK Number & Kind	GRAZING PERIOD		%PL	TYPE USE	AUM's
		Begin	End			
0427 Giroux Wash	318 Cattle	04/01	06/01	100	Active	648
	155 Cattle	04/01	06/11	100	Active	367
	116 Cattle	04/11	06/11	100	Active	236
	103 Cattle	06/02	10/29	100	Active	508
0827 Dark Peak	137 Cattle	06/12	08/13	99.36	Active	640
0910 Lake Area	88 Cattle	10/10	10/11	88.97	Active	6
0427 Copper Flat	124 Cattle	06/12	10/31	99.36	Active	580
0914 Chimney Rock	103 Cattle	06/02	10/31	94.87	Active	515
0913 Little White Rock	88 Cattle	06/02	10/09	92.00	Active	376
01004 Timber Mountain	40 Cattle	03/01	04/10	100	Active	54
	40 Cattle	11/01	02/28	100	Active	158
01201 Wilson Creek	106 Cattle	03/01	03/31	100	Active	108
	106 Cattle	01/01	02/28	100	Active	206
11001 Fox Mountain	76 Cattle	03/01	04/10	100	Active	102
	76 Cattle	11/01	02/28	100	Active	300



Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for the Giroux Wash, Dark Peak, Lake Area, Copper Flat, Chimney Rock, Little White Rock, Timber Mountain, Wilson Creek, and Fox Mountain Allotments.

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 above allotments.
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.
3. To improve livestock distribution the placement of mineral block and or salt blocks will be a minimum distance of ½ mile from water in flat country and out of the canyon bottoms and draws with placement on the ridge tops in mountainous country, as approved by the authorized officer.
4. 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 in 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. If payment is not received within 15 days of the due date, a late fee will be assessed of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. Failure to make payment within 30 days of the due date may result in trespass action.
7. Grazing will be in accordance with the Northeastern or Mojave Southern Great Basin Area Standards and Guidelines for grazing administration as developed by the Northeastern and Mojave-Southern Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will be in accordance with 43 CFR Sub-part 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.

Copper Flat Allotment:

In addition to the above terms and conditions as in accordance with 43 CFR 4130.3-2, the following terms and conditions will also be included in the grazing permit for the Copper Flat Allotment:

1. All grazing use on the Copper Flat will be in accordance with the Final Multiple Use Decision dated November 19, 1997.
2. The total authorized permitted use during a grazing year will not exceed 1, 264 AUM's.
3. The season of use for cattle grazing will be 06/01 to 11/01 for native range and the unfenced seeded area. Cattle grazing in the fenced seedings will be 06/01 to 06/15 and 9/15 to 11/01 for those years in which sheep also graze the fenced seedings in the spring. The cattle period of use in the fenced seedings will be 06/06 to 11/01 for those years in which no sheep graze the fenced seedings in the spring. One of five fenced seedings will be rested from cattle grazing from 06/01 to 06/15 each year. Cattle grazing will be distributed throughout the fenced seedings.
4. All gates to the fenced crested wheatgrass seedings will be closed when livestock are not authorized to be in the fenced seedings.
5. The following allowable use levels will not be exceeded for native key forage plant species in the Copper Flat Allotment:

<u>Key Species</u>	<u>Allowable use level</u>	
	<u>Spring</u>	<u>Yearlong</u>
Indian ricegrass	50%	55%
Needlegrasses	50%	55%
Bluebunch wheatgrass	50%	55%
Winterfat	50%	50%
Black sagebrush	50%	50%
Crested Wheatgrass	50%	60%
Bitterbrush		45%
Serviceberry		45%

6. Water hauling during spring and fall will occur at agreed upon locations on native range and the unfenced seeded area. Locations used in any year will vary, to facilitate livestock distribution.

Timber Mountain, Fox Mountain, Wilson Creek Allotments:

In addition to the above terms and conditions as in accordance with 43 CFR 4130.3-2, the following terms and conditions will also be included in the grazing permit for the Timber Mountain, Fox Mountain, Wilson Creek Allotments:

Grazing use on the Fox Mountain, Timber Mountain Allotments shall be in accordance with the Seaman HMA Final Multiple Use Decision Seated October 18, 1996. Grazing use on the Wilson Creek Allotment shall be in accordance with the Wilson Creek Final Multiple Use Decision dated November 5, 1992.

Signed: _____

Jay Wright
Jay Wright

3-18-01

Date