



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>

1-70-00
JAN 20 2000

In Reply Refer To:
4120(NV-042)

Mr. Robert Petty
P.O. Box 124
Lund, Nevada 89317

Dear Mr. Petty:

Your permit expires on February 28, 2000. You submitted a grazing application, dated December 13, 1999, requesting a change in kind of livestock. This change would be for a conversion of 1132 AUMs from cattle use to sheep and goat use for the authorization of sheep and goat grazing on the Forest Moon Allotment. This action would authorize livestock use for 113 cattle for the period of use 06/01-03/31 for 1131 AUMs, 570 sheep for 566 AUMs, and 570 goats for 566 AUMs for a period of use 1/1-3/31 and 8/16-10/16. I have considered your request for livestock conversion associated with your term permit. On December 13, 1999, you signed and accepted the terms and conditions and request for a grazing permit associated with grazing use on the Forest Moon Allotment. At this time, I am proposing to issue you a term permit and approve the kind of livestock conversion. The issuance of the permit would be for a period of three years.

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 the 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 Forest Moon Allotment.

You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1. This offering and issuance of a permit complies with the regulations governing issuance of permits outlined in 43 CFR 4110.2-1, 4110.2-2 and 4110.2-3.

An Environmental Assessment (#NV-040-00-005) has been completed for the issuance of this proposed term permit and kind of livestock conversion. The proposed grazing use is within the array of options identified for the alternatives and proposed action as analyzed in the Schell Draft Grazing Environmental Impact Statement. The terms and conditions outlined are consistent with the Schell Management Framework Plan. The impacts of livestock grazing under these terms and conditions have been analyzed in the Schell Grazing Environmental Impact Statement. The terms and conditions are also consistent with the Mojave-Southern Great Basin Area Resource Advisory Council (RAC) standards for grazing administration.

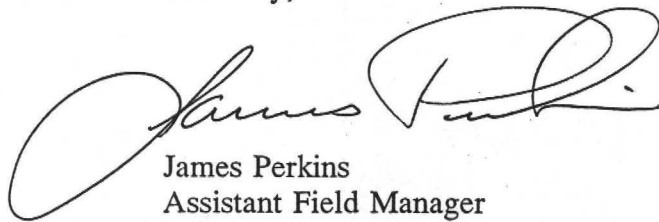
The Forest Moon Allotment is located within the Seaman and White River Wild Horse Herd Management Areas. A portion of the Riordan's Well Wilderness Study Area is within the Forest Moon Allotment.

If we propose to change the terms and conditions of this 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 and will include a 15-day period for protest and a 30-day period for appeal.

Prior to approval of the kind of livestock conversion and issuance of a new term permit, if the interested publics have any information, data, etc. that they would like to provide, they may do so prior to February 9, 2000. Any written comments should be sent to James 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 Jared Bybee, Rangeland Management Specialist for the Forest Moon Allotment, at (775) 289-1800.

Sincerely,



James Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions

cc:

Robert Petty-Permittee
John Gurley-Forest Home Ranch
Bruce Jensen-Permittee Hardy Springs and Sunnyside Allotments
Ms. Wendy Paris-Permittee White River Trail
Mr. Gracian Uhalde-Permittee White River Trail
Nevada State Clearing House
Ron Mills-NDOW Wayne E. Krch Wildlife Management Area
Steve Foree-NDOW
Mike Podborny-NDOW
John McLain-Resource Concepts
Don Holloway-UNR Coop. Extension
Reno Fish and Wildlife Service

Glen H. Terry

Laurel Etchegaray-NV Woolgrower's Assoc

Nevada Cattlemen's Assoc

Nye County Commissioners.

Cathy Barcomb-Commission for the Preservation of Wild Horses

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

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

ALLOTMENT	LIVESTOCK no. & kind	PERIOD of USE	Percent Public Land	PERMITTED USE
Forest Moon	113 cattle	06/01-03/31	100%	1131 AUM's
Forest Moon west pasture	570 sheep	08/16-10/15 & 01/01-03/31	100%	566 AUM's
Forest Moon west pasture	570 goats	08/16-10/15 & 01/01-03/31	100%	566 AUM's

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 Forest Moon Allotment.

1. All grazing use on the Forest Moon Allotment will be in accordance with the Final Multiple Use Decision dated November 25, 1995.
2. Livestock numbers identified in the term grazing permit are a function of seasons of use and the permitted use for the Forest Moon 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. Deviations from specified grazing use 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. When sheep, and goats are authorized during any one grazing year, authorized use shall not exceed 566 AUM's for sheep use and 566 AUM's for goat use. If the entire preference for sheep and goat use is not applied for, the remaining AUM's can be authorized for cattle use up to 2263 AUM's upon application.
4. To improve livestock distribution the placement of mineral block and or salt blocks will be a minimum distance of 1/2 mile from water.

5. 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 partimony (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.
6. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
7. 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.
8. 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 Resource 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.

Signed: Robert W. Potter

12-13-99
DATE