

L 2/7/02

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/Ely>

In Reply Refer To:

4130 (NV-040)

FEB 07 2002

Mr. & Mrs. Kay Lear
HC 33 Box 33865
Ely, NV 89301

Dear Mr. & Mrs. Lear:

Your grazing application to transfer grazing privileges from Louise Lear was received on December 19, 2001. The purpose of this transfer is to change ownership of the base property from Louise Lear to Kay and Mary Kay Lear. Base property for the permitted use on the **Becky Springs Allotment** will not change. As indicated in your current deed, the McDermid Ranch is the base property and is located near Currie, Nevada. The Acceptance of Terms and Conditions form was signed on January 31, 2002. Based on your application, we propose to offer you a ten-year term grazing permit corresponding to your base property. The period of the term grazing permit will be for February 1, 2002 to January 31, 2012. This term grazing permit will authorize permitted use for 930 cattle AUMs on the Becky Springs allotment for the period November 15 to February 28.

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 February 28, 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.

An Agreement for Changes in Livestock Grazing Management and Establishment of Wild Horse Appropriate Management Level for the Becky Springs Allotment was signed by you on October 19, 2001. In this agreement, changes to livestock management practices were made to include establishment of proper utilization levels, water hauling and movement and distribution of livestock to avoid conflicts with sage grouse areas. The terms and conditions in this agreement were carried forth into the Final Multiple Use Decision for the Becky Springs Allotment and the Tippet Pass Allotment Portions of the Antelope Wild Horse Herd Management Area dated November 2001, and will be carried forth into your new term grazing permit. In addition, the terms and conditions outlined in the enclosed acceptance form for the Becky Springs Allotment are those that have historically appeared on previous term permits authorizing grazing use in this 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

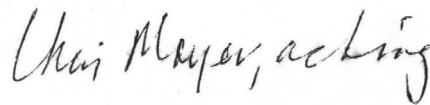
An Environmental Assessment is currently being completed for issuance of this proposed term permit. The proposed grazing use is within the array of options identified for the alternatives and proposed action as analyzed in the Schell Grazing Environmental Impact Statement and the Schell Management Framework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

The Becky Springs Allotment is within the Antelope Horse Management Area.

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 Cody Coombs, your assigned Range Management Specialist for the Becky Springs Allotment, at (775) 289-1854.

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

ACCEPTANCE OF TERMS & CONDITIONS and REQUEST FOR GRAZING PERMIT

I, Kay Lear, agree to accept the Terms & Conditions listed below and request that I (we) be offered a Grazing Permit to graze the allotment in which I have a grazing preference.

ALLOTMENT		LIVESTOCK		GRAZING PERIOD		% PL	Type Use	AUMs	
Number	Name	Number & Kind		Begin	End			Susp	Actv
10101	Becky Springs	267	Cattle	11/15	02/28	100	Active	0	930

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 Becky Springs Allotment:

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 North Eastern Great Basin Area Standards and Guidelines for grazing administration as developed by the North Eastern 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.

Additional 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 Becky Springs Allotment:

1. Grazing use will be authorized on an annual basis in order to determine if objectives are being met. This will also help to establish a long-term stable grazing operation. The BLM and permittee agree to yearly field inspections to determine if additional management actions are required to meet objectives and Standards and Guidelines. Stocking levels and periods of use will be based upon carrying capacity, forage availability and condition, current growing conditions, planned rest periods, and any changes as a result of the previous year's monitoring and achievement of the standards.

2. Allowable use levels within the allotment will be as follows: Utilization on grasses and forbs will not exceed 55%, utilization of shrubs will not exceed 45% of current year growth. Utilization levels in riparian areas will not exceed 50%.

3. Locate salt and/or mineral supplements for cattle at locations no closer than one mile from water sources.

Signed: Kay Lear
Kay Lear

Date: 01/31/2002
KL