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Ely Field Office
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Ely, Nevada 89301-9408
<http://www.nv.blm.gov>

In Reply Refer To:
4120 (NV 04200)

MAR 23 2000

El Tejon Cattle Company
C/O Melchor Gragirena
34741 Seventh Standard Road
Bakersfield, California 93308

*Wilson Creek
HMA*

Dear Mr. Melchor Gragirena,

Your grazing permit/lease No. 274442, previously issued for the period from 10/01/99 to 09/30/09, will be replaced by a new term grazing permit for a one year period from 03/01/00 to 02/28/01. The term grazing permit is being reissued because standards were recently identified as not being met. Changes in grazing management are being implemented to meet those standards. The Bureau of Land Management is currently taking actions required to process the renewal of your permit/lease. I propose to offer you a new term permit for the Wilson Creek, Majors and South Spring Valley Allotments (Selective Management Categories I, M and M respectively) and the Shoshone Unit Trail.

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 Wilson Creek, Majors and South Spring Valley Allotments and the Shoshone Unit Trail.

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 are those which were developed through an agreement for implementation of changes in livestock grazing use on the Majors and South Spring Valley Allotments accepted March 16, 2000. This term permit will be issued until February 28, 2001 to coincide with the signed grazing agreement. The terms and conditions outlined are also consistent with the Schell Resource Area Management Framework Plan (MFP), the Schell Grazing Environmental Impact Statement and the subsequent Record of Decision.

An Environmental Assessment 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 Schell Grazing Environmental Impact Statement.

The terms and conditions outlined for the Majors and South Spring Valley Allotments were developed through consultation, cooperation and coordination with the interested public during the allotment evaluation process. Majors and South Spring Valley Allotments are not located within the a Wild Horse Herd Management Area. Wilson Creek Allotment is located within the Wilson Creek, Seaman and Dry Lake Herd Management Areas. A portion of the Shoshone Unit Trail is located within the Dry Lake Herd Management Area.

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.

The interested public is being asked to provide comments by April 10, 2000. Any comments in writing should be sent to James M. Perkins, Assistant Field Manager-Renewable Resources at the above address.

If you have any questions please contact Brett Covlin, at (775) 289-1800. If you would prefer to discuss this matter in person, please call to set up an appointment with us so that we may respond to any questions you may have.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions Offer

CC: Commission for the Preservation of Wild Horses

Mr. Steve Foree, NDOW
Mr. Curt Baughman, NDOW
Nevada Cattlemen's Association
Mr. John McLain, RCI
Lincoln County Commissioners
Bottari & Associates Realty
Nevada Department of Agriculture
Ms. Jule Wadsworth
Mr. Vaughn M. Higbee
R. H. Schmutz
Tim Perkins
Shirley McCrosky
Shelley Wadsworth
Nevada State Clearinghouse
US Fish and Wildlife Service

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

I, El Tejon Cattle Co., 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	% Public Land	PERMITTED USE
South Spring Valley	800 Sheep	05/01 to 06/15	100	242 AUMs
	800 Sheep	09/01 to 09/30		158 AUMs
West	13,446 Sheep	05/01 to 06/15		4,067 AUMs*
	200 Cattle	03/01 to 04/30		401 AUMs
Southeast	400 Cattle	05/01 to 05/29		381 AUMs
Murphy Wash East	200 Cattle	03/01 to 04/30		401 AUMs
North		Rest		
Northwest	120 Cattle	03/01 to 05/31		363 AUMs
	320 Cattle	06/01 to 06/15		158 AUMs
Majors			100	
	835 Sheep	05/01 to 06/30		340 AUMs
	835 Sheep	09/01 to 09/30		165 AUMs
	7,777 Sheep	05/01 to 10/31		9,409 AUMs*
	186 Cattle	03/01 to 05/31		564 AUMs*
Cleve Creek	90 Cattle	03/05 to 06/05		275 AUMs
Bastian Creek	100 Cattle	03/01 to 05/31		302 AUMs
North Majors	210 Cattle	03/01 to 05/31		635 AUMs
South Majors	200 Cattle	03/05 to 04/15		276 AUMs
John Henry Wash	200 Cattle	04/16 to 05/31		302 AUMs
Osceola	130 Cattle	03/01 to 05/31		355 AUMs
Wilson Creek			100	
Mulshoe Use Area	1,531 Sheep	11/01-05/01		1,833 AUMs
Dry Lake Use Area	4,319 Sheep	11/01-05/01		5,169 AUMs
White River Use Area	879 Sheep	12/01-02/15		445 AUMs
Atlanta Use Area	1,233 Sheep	11/01-01/31		746 AUMs
Pioche Bench Use Area	1,945 Sheep	04/15-05/31		601 AUMs
S Lake Valley Use Area	1,712 Sheep	04/15-05/31		529 AUMs
Spring Trail	687 Sheep	05/01-05/05		138 AUMs
	687 Sheep	05/31-06/04		138 AUMs
Fall Trail	1,015 Sheep	10/25-11/01		139 AUMs
Shoshone Unit Trail			100	
	4,836 Sheep	05/01-05/05		159 AUMs
	4,836 Sheep	05/31-06/04		159 AUMs
	4,836 Sheep	10/25-11/01		159 AUMs

* AUMs held in voluntary r onuse for the conservation and protection of natural resources.

Terms and Conditions:

In accordance with 43 CFR 4130.3-1 and 4130.3-2, the following terms and conditions will be included in the term grazing permit for the Majors, South Spring Valley, Wilson Creek and Shoshone Unit Trail Allotments.

For all 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 allotment(s).
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. Sheep will continually be moved, sheep will be moved a minimum of five miles a day when trailing, and not be allowed to bed within a 1/4 mile of live water.
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 at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop 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 Great Basin Area Standards and Guidelines for grazing administration for the Majors Allotment and the South Spring Valley and Shoshone Unit Trail Allotments which portions are within White Pine County, Nevada and 43 CFR subpart 4180. Grazing will be in accordance with the Mojave-Southern Great Basin Area Standards and Guidelines for the Wilson Creek Allotment and the South Spring Valley and Shoshone Unit Trail Allotments which portions are within Lincoln County and/or Nye County, Nevada and 43 CFR subpart 4180. The grazing management practices identified in the terms and conditions are designed to ensure significant progress towards the fulfillment of the Northeastern Great Basin Area, Mojave-Southern Great Basin Area Standards and toward conformance with the guidelines. The management actions implement the guidelines to meet multiple use objectives and standards.

Wilson Creek Allotment:

1. All sheep use on the Wilson Creek Allotment will be in accordance with the Final Multiple Use Decision dated 11/5/92.
2. To improve livestock distribution the placement of mineral block and or salt blocks will be a minimum distance of 1/4 mile from water, unless deep snow is on the ground.

South Spring Valley and Majors Allotments (applicable to both):

1. The BLM and permittee agree to monthly field inspections to determine if additional management actions are required to meet objectives and Standards and Guidelines.
2. Authorized grazing use in Majors and South Spring Valley during April and May will be in accordance with the following allowable use levels;

Winterfat utilization will not exceed 30% of current year growth during spring use. Utilization levels on grasses will not exceed 40% of current year growth.

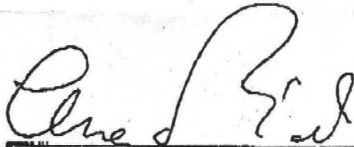
3. If utilization levels are reached, cattle will be moved to areas where utilization levels have not reached the above levels or cattle will be removed from the allotment. Failure to meet utilization levels will result in changes to period-of-use and stocking levels the following year.
4. Locate salt and/or mineral supplements for cattle at locations no closer than one mile from water sources.

South Spring Valley Allotment:

1. Cattle use will not exceed 1,703 AUMs in South Spring Valley Allotment.
2. Cattle will be authorized on the western and eastern portion of the allotment from 03/01 through 04/30. The emphasis on the eastern portion of the allotment will be on the benchland along Murphy Wash Pipeline (#554497). Cattle will be authorized in the western portion of the allotment from 05/01 through 05/29, the Murphy Wash East Use Area will be rested.
3. Water will be hauled to T. 11 N., R. 67 E., Sec. 34, the temporary water haul site will be located along existing roads. Additional water haul sites may be identified through coordinated, cooperation and consultation with the BLM and the permittee. Water will continue to be hauled to T. 12 N., R. 68 E., Sec. 30 while cattle are in the North Use Area. Water will be turned on along the Murphy Wash Pipeline (#554497) to service the southeastern portion of the allotment.
4. Water will be shut off at the Windmill Well (#554296) T. 11 N., R. 68 E., Sec. 31 and South Well (aka Johns Wash Well) (#554299) T. 10 N., R. 68 E., Sec. 30 SE to discourage livestock use in the winterfat area(s) during March, April and May.
5. 4,067 sheep AUMs will be held in voluntary nonuse for the conservation and protection of natural resources.

Majors Allotment:

1. Cattle use will not exceed 2,208 AUMS in Majors Allotment; 501 AUMs will be held in voluntary nonuse for the conservation and protection of natural resources.
2. Water will continue to be hauled to temporary sites along existing roads while livestock are authorized in the use areas. Additional water haul sites may be identified through coordinated, cooperation and consultation with the BLM and the permittee.
3. Cattle AUMs not activated will be held in voluntary nonuse for the conservation and protection of natural resources for this year.
4. 9,409 sheep AUMs will be held in voluntary nonuse for the conservation and protection of natural resources.



Signature of Permittee

3/16/00

Date