



Antelope 11/21/00  
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## 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:  
4120 (NV 04200)

NOV 21 2000

Vidler Water Company Inc.  
C/O Don Pattalock  
3264 Goni Road, Suite 153  
Carson City, Nevada 89706

Dear Mr. Don Pattalock,

Your application to transfer the grazing privileges from Reed Robison to Vidler Water Company Inc. was received in November 2000. The signed "Acceptance of Terms and Conditions" form was also received in November 2000. I propose to offer you a term permit for the Chin Creek Allotment (Selective Management Category I), Connors Summit, Meadow Creek, Bastian Creek, Willow Springs, Tippet Pass Allotment (Selective Management Category M), Bassett Creek and McCoy Creek Allotments (Selective Management Category C).

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 Connors Summit, Meadow Creek, Bassett Creek, Bastian Creek, Willow Springs, McCoy Creek, Tippet Pass and Chin Creek Allotments.

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 have historically appeared on previous annual licenses and permits authorizing grazing use on the allotments. In addition they were developed through the notice of Final Multiple Use Decision dated July 16, 1990 and the Order of Administrative Law Judge dated September 25, 1991, for implementation of changes in livestock grazing use on the Chin Creek Allotment. One additional term and condition was added at the time of your application to transfer grazing privileges. 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 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.

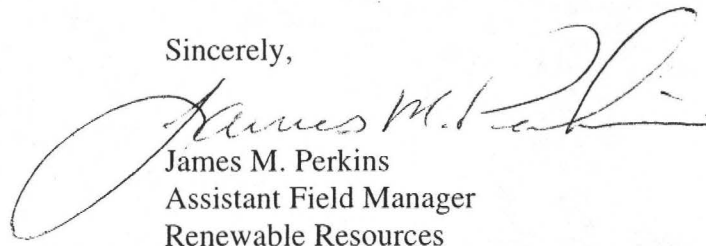
The terms and conditions outlined for the Chin Creek Allotment were developed through consultation, cooperation and coordination with the interested public during the allotment evaluation process. Chin Creek Allotment is located within the Antelope Herd Management Area. A portion of the Tippett Pass Allotment is located within the Antelope 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(s) and will include a 15-day period for protest and a 30-day period for appeal.

The interested public(s) is being asked to provide comments by December 8, 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  
Mr. Lee R. Tillman  
Nevada Department of Agriculture  
Nevada State Clearinghouse  
US Fish and Wildlife Service

ACCEPTANCE OF TERMS AND CONDITIONS  
 and  
 REQUEST FOR GRAZING PERMIT

I, Don A. Pattalock of Vid er Water Company Inc. 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		GRAZING PERIOD		%PL	TYPE USE	AUM's
		NUMBER	KIND	BEGIN	END			
00915	Connors Summit	234	Cattle	03/01	02/28	100	Active	2,448
10113	Meadow Creek	37	Cattle*	03/01	02/28	100	Active	444
10114	Bassett Creek	49	Cattle*	03/01	02/28	100	Active	588
10121	Bastian Creek	148	Cattle	03/01	02/28	100	Active	1,776
10129	Willow Springs	550	Cattle	03/01	02/28	100	Active	6,600
10135	McCoy Creek	42	Cattle	03/01	02/28	100	Active	504
20107	Tippett Pass	631	Cattle*	03/01	02/28	100	Active	8,172
10104	Chin Creek **							
	Spring Valley	3,600	Sheep	04/15	06/15	100	Active	1,468
	Spring Valley	1,000	Sheep	06/16	07/15	100	Active	197
	Antelope Mt.	1,000	Sheep	07/16	09/19	100	Active	434
	Black Hills	1,000	Sheep	09/20	10/31	100	Active	276
	Black Hills	1,043	Sheep	11/01	04/30	100	Active	1,241
	Antelope Valley	718	Cattle	11/01	05/31	100	Active	5,004

\* Meadow Creek, Bassett Creek, McCoy Creek and Tippett Pass Allotments have dual use identified in the Schell Resource Area Rangeland Program Summary.

\*\* Permitted use for Chin Creek Allotment is 7,372 AUMs; there are 130 AUMs in historical suspended use and 5,743 AUMs held in nonuse for resource conservation/protection of the federal range and 189 AUMs held in Voluntary Nonuse.

Permitted Use (AUMs) will be held in voluntary nonuse for the conservation and protection of natural resources until they are activated.

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for Vidler Water Company Inc.

For all allotments:

1. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
2. 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 \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. 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.
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.
4. Grazing will be in accordance with the Northeastern Great Basin Area Standards and Guidelines for grazing administration as developed by the Northeastern 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 subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for grazing administration.
5. Permittee is required to perform normal maintenance on the range improvements that have been issued through approved cooperative agreements or section 4 permits.

Chin Creek Allotment:

1. The Bureau will manage the Chin Creek Allotment in accordance with the notice of Final Multiple Use Decision dated July 16, 1990 and the Order of Administrative Law Judge dated September 25, 1991.
2. Those AUMs shown in suspension for the Chin Creek Allotment include 5,743 AUMs of nonuse for resource conservation/protection purposes until the authorized officer determines through monitoring data that active use may resume.
3. Any flexibility must be consistent with the accomplishment of the multiple-use-objectives for the Chin Creek Allotment.

4. The following terms and conditions apply to the specific grazing use areas on the Chin Creek Allotment as per notice of Final Multiple Use Decision dated July 16, 1990 and Order of Administrative Law Judge dated September 25, 1991, until an Allotment Management Plan (AMP) is developed:

**Spring Valley Use Area**

A deferred-rotation grazing system is in effect for the Spring Valley Use Area for sheep. The season of use is 04/16 to 07/15. Herding of sheep is required at all times. In even calendar years use will be rotated starting from the north end of the use area and ending at the south end. In odd years the order is reversed. Until such time as an AMP is developed, 1,080 cattle AUMs are converted to sheep AUMs.

**Antelope Range Use Area**

A deferred-rotation grazing system is in effect for the Antelope Range Use Area for sheep. The season of use is 07/16 to 09/19. Herding of the sheep is required at all times. In even calendar years use will be rotated starting from the north end of the use area and ending at the south end. In odd years the order is reversed.

**Antelope Valley Use Area**

A three pasture deferred-rotation grazing system is in effect for the Antelope Valley Use Area for cattle. Grazing use will be rotated between the North and South pastures of the Chin Creek Allotment and the Antelope Valley Allotment in the Elko District. In any given year two of the three pastures will receive two and a half months of winter use and one pasture will receive two months of spring use. The season of use is 11/01 to 05/31. Combined use in the Antelope Valley North and South pastures shall not exceed five months of grazing use. The permittee will haul water during dry periods when using the Antelope Valley Allotment to Bureau designated sites until permanent water is developed. Permittee agrees to move off the use area prior to 05/31 should the authorized officer determine, after consultation with the permittee, that meadow grasses on the permittee's private lands have reached 6" in height.

**Black Hills Use Area**

A deferred-rotation grazing system is in effect for the Black Hills Use Area for sheep. The season of use is 11/01 to 04/30, however, a temporary season of use from 09/20 to 04/30 is in effect for the interim period until an AMP is developed. In even calendar years use will be rotated starting from the north end of the use area and ending at the south end. In odd years the order is reversed.



Signature of Permittee

11-9-00

Date