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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)

SEP - 7 1999

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

Dear Mr. Melchor Gragirena

Your grazing permit/lease No. 274442 has expired. 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 Allotment (Selective Management Category I), Majors Allotment (Selective Management Category M), South Spring Valley (Selective Management Category M) and the Shoshone Trail. This new permit supersedes the grazing rider permit issued March 1, as mandated by Section 124 of Public Law 105-277 (Omnibus Consolidated and Emergency Supplemental Appropriations Act) which will expire on September 30, 1999 (the Pub. L. 105-277 permit).

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, South Spring Valley, Majors 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 have historically appeared on previous annual licenses and permits authorizing grazing use in this Allotment. However, changes to the term permit were made to comply with the grazing use specified in the Wilson Creek FMUD. 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 Draft Grazing Environmental Impact Statement.

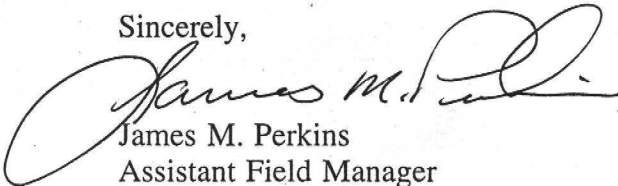
The Majors, South Spring Valley Allotments and Shoshone Unit Trail are not located within a Wild Horse Herd Management Area. The Wilson Creek, Dry Lake, and Seaman Wild Horse Management Areas are located in portions of the Wilson Creek Allotment.

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.

The interested public is being asked to provide comments by September 20, 1999. 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 Chris Mayer, Supervisory Rangeland Management Specialist, or Jared Bybee Rangeland Management Specialist at the Ely Field Office, 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: El Tejon Cattle Company-Permittee
Nevada State Clearinghouse
Mr. Duanne Erickson, Nevada Division of Wildlife
Mr. Curt Baughman, Nevada Division of Wildlife
Mr. Mike Podbourny, Nevada Division of Wildlife
USDI-National Park Service
White Pine County Commissioners
Nevada Cattlemen's Association
Mr. John McLain, Resource Concepts Inc.
U. S. Fish and Wildlife Service
Mr. Glen Terry
Ms. Laurel Etchegaray, Nevada Woolgrower's Association
Ms. Cathy Barcomb-Comm. For the Preservation of Wild Horses
Lincoln County Commissioners
Mr. Don Holloway-UNR COOP. EXTENSION
Bottari & Associattes

**ACCEPTANCE OF TERMS & 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 allotments in which I have a grazing preference.

ALLOTMENT	LIVESTOCK no. & kind	PERIOD of USE	Percent Public Land	PERMITTED USE
Majors	1351 cattle	04/16-06/15	100	2709 AUM's
	8190 sheep	05/01-10/31	100	9909 AUM's
South Spring Valley	283 cattle	04/01-09/30	100	1703 AUM's
	15,430 sheep	05/01-06/15	100	4667 AUM's
Wilson Creek			100	
Muleshoe use	1531 sheep	11/01-05/01		1833 AUM's
Drylake use	4319 sheep	11/01-05/01		5169 AUM's
Whiteriver use	879 sheep	12/01-02/15		445 AUM's
Atlanta use	1233 sheep	11/01-01/31		746 AUM's
Pioche bench	1945 sheep	04/15-05/31		601 AUM's
S. lake valley	1712 sheep	04/15-05/31		529 AUM's
Spring trail	687 sheep	05/01-05/05		138 AUM's
	687 sheep	05/31-06/04		138 AUM's
Fall trail	1015 sheep	10/25-11/01		139 AUM's
Shoshone Unit Trail	4836 sheep	05/01-05/05	100	159 AUM's
	4836 sheep	05/31-06/04		159 AUM's
	4836 sheep	10/25-11/01		159 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 Majors, South Spring Valley, Wilson Creek and Shoshone Unit Trail Allotments.

1. All Sheep use on the Wilson Creek Allotment will be in accordance with the Final Multiple Use Decision Dated 11/5/92.
2. Livestock numbers identified in the term grazing permit are a function of seasons of use and the total number of Animal Unit Months of specified livestock grazing 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.

3. 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.

4. 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.

5. 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.

6. 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.

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

8. 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.

9. 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 sub part 4180. Grazing Use will be in accordance with the Mojave-Southern Great Basin Area Standards and Guidelines for the Wilson Creek Allotment and South Spring Valley and Shoshone Unit Trail Allotments which portions are within Lincoln County and/or Nye County, Nevada and 43 CFR sub part 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 the multiple use objectives and standards.

Signed: Albetto S. Proquina

8/10/99

DATE