



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>



DEC. 7 1999

In Reply Refer To:
4130
Grazing Case Files for:
Ed and Connie Bundy
Francis Lytle and Lavar Wade

Ed and Connie Bundy
1985 East 2300 South
St. George, Utah 84790

The transfer of grazing privileges from Francis Lytle and James Wade to you is being processed. I received your signed "Acceptance of Terms and Conditions" and propose to offer you a term permit for the period 1999 to 2009 for the Sheep Flat and Gourd Springs allotments.

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 Sheep Flat and Gourd Springs 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, 4110.2-2 and 4110.3-2.

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. The terms and conditions outlined are also consistent with the Caliente Resource Area Management Framework Plan (MFP), the Caliente Grazing Environmental Impact Statement and the subsequent Record of Decision.

If we propose to change the terms and conditions of these grazing permits 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.

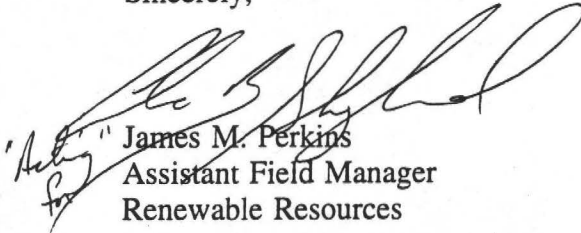
The interested public is being asked to provide comments by **December 17, 1999**. Any

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NV-045.09

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 Shirley Christman-Johnson, Rangeland Management Specialist, at (775) 726-8120. 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

Enclosure:
Acceptance of Terms and Conditions Offer

cc:
Nevada State Clearinghouse
Commission for the Preservation of Wild Horses
Lincoln County Commission
Lincoln County Public Land Commission
John McLain, RCI
Don Holloway, UNR COOP Extension
U.S. Fish and Wildlife Service, Reno, NV
Laurel Etchegaray, Nevada Woolgrower's Assn.
Francis Lytle
James Wade

ACCEPTANCE OF TERMS AND CONDITIONS AND
REQUEST FOR GRAZING PERMIT

I, Ed Bundy agree to accept the Terms and Conditions listed below and request that I be offered a Grazing Permit to graze the following allotment(s) as listed: Sheep Flat and Gourd Springs.

Signed: Ed Bundy Date: 10-1-99

Terms and Conditions:

1. The payment of grazing fees are due on the due date specified on the grazing fee bill. Failure to pay the grazing fee bill within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00.
2. Applications for changes in grazing use must be in written form and received by the Bureau of Land Management Office no later than 15 days prior to the desired date of change. Applications for changes in grazing use which require the issuance of a replacement or supplemental billing notice shall be subject to a ten (10) dollar service charge.
3. Grazing applications will be issued on a yearly basis showing all grazing use as active. If you desire to take all or partial non-use for the grazing year, you must indicate this in writing on your grazing application, along with a statement of your reasons.
4. Grazing applications will be issued on a yearly basis, if you do not sign and return your grazing application by the date specified on the application you will receive a bill for all of your active livestock grazing permitted use.
5. Signed Actual Use Statements are due annually to the Caliente Resource Area Office within 15 days after completing annual grazing use. In the case of year round grazing, Actual Use Statements must be received in our office by March 15.
6. The term Federal grazing permit is subject to cancellation, suspension, or modification for any violation of the Code of Federal Regulations or specified terms or conditions of this permit.
7. The Standards and Guidelines for Rangeland Health for the Mojave-Southern Great Basin Area in accordance with 43 CFR dated August 21, 1995, are to be considered part of the terms and conditions of this permit.

Allotment Specific Terms and Conditions

GOURD SPRING ALLOTMENT

The attached terms and conditions for grazing in designated Desert Tortoise habitat shall be adhered to until such time that they are superseded by the Caliente Management Framework Plan Amendment for Management of Desert Tortoise Habitat and associated grazing decisions altering the Federal grazing permit..



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In Reply Refer To:
4130

Grazing Case Files for:
Francis Lytle and Lavar Wade
NV-045.09

DEC. 7 1999

James Lavar Wade
1183 E. 1580 S.
St. George, Utah 84790

The transfer of grazing privileges from the Francis Lytle and James Wade permit to you is being processed. I received your signed "Acceptance of Terms and Conditions" and propose to offer you a term permit for the period 1999 to 2009 for the Sheep Flat and Gourd Springs allotments. This will establish your own permit under your own base property.

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 Sheep Flat and Gourd Springs 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, 4110.2-2 and 4110.3-2.

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. The terms and conditions outlined are also consistent with the Caliente Resource Area Management Framework Plan (MFP), the Caliente Grazing Environmental Impact Statement and the subsequent Record of Decision.

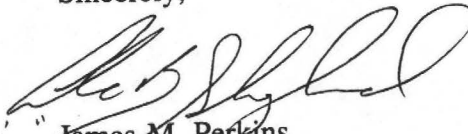
If we propose to change the terms and conditions of these grazing permits following the comment period, we will keep you and other interested parties informed. If we determine that it is necessary to offer you this permit via proposed decision, it will be sent to the interested public and will include a 15-day period for protest and a 30-day period for appeal.

The interested public is being asked to provide comments by December 17, 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 Shirley Christman-Johnson, Rangeland Management Specialist, at (775) 726-8120. 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,


"Acting"
for
James M. Perkins
Assistant Field Manager
Renewable Resources

Enclosure:
Acceptance of Terms and Conditions

cc:
Nevada State Clearinghouse
Commission for the Preservation of Wild Horses
Lincoln County Commission
Lincoln County Public Land Commission
John McLain, RCI
Don Holloway, UNR COOP Extension
U.S. Fish and Wildlife Service, Reno, NV
Laurel Etchegaray, Nevada Woolgrower's Assn.
Francis Lytle

ACCEPTANCE OF TERMS AND CONDITIONS AND
REQUEST FOR GRAZING PERMIT

I, Lavar Wade agree to accept the Terms and Conditions listed below and request that I be offered a Grazing Permit to graze the following allotment(s) as listed: Sheep Flat and Gourd Springs.

Signed: Lavar T. Wade Date: 10-28-99

Terms and Conditions:

1. The payment of grazing fees are due on the due date specified on the grazing fee bill. Failure to pay the grazing fee bill within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00.
2. Applications for changes in grazing use must be in written form and received by the Bureau of Land Management Office no later than 15 days prior to the desired date of change. Applications for changes in grazing use which require the issuance of a replacement or supplemental billing notice shall be subject to a ten (10) dollar service charge.
3. Grazing applications will be issued on a yearly basis showing all grazing use as active. If you desire to take all or partial non-use for the grazing year, you must indicate this in writing on your grazing application, along with a statement of your reasons.
4. Grazing applications will be issued on a yearly basis, if you do not sign and return your grazing application by the date specified on the application you will receive a bill for all of your active livestock grazing permitted use.
5. Signed Actual Use Statements are due annually to the Caliente Resource Area Office within 15 days after completing annual grazing use. In the case of year round grazing, Actual Use Statements must be received in our office by March 15.
6. The term Federal grazing permit is subject to cancellation, suspension, or modification for any violation of the Code of Federal Regulations or specified terms or conditions of this permit.
7. The Standards and Guidelines for Rangeland Health for the Mojave-Southern Great Basin Area in accordance with 43 CFR dated August 21, 1995, are to be considered part of the terms and conditions of this permit.

Allotment Specific Terms and Conditions

GOURD SPRING ALLOTMENT

The attached terms and conditions for grazing in designated Desert Tortoise habitat shall be adhered to until such time that they are superseded by the Caliente Management Framework Plan Amendment for Management of Desert Tortoise Habitat and associated grazing decisions altering the Federal grazing permit..

DEC 1999
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BLM

ATTACHMENT 1

SPECIFIC TERMS AND CONDITIONS FOR THE NEW FEDERAL GRAZING PERMIT

Gourd Spring Allotment

1. Grazing will be permitted in accordance with grazing Prescriptions 1 and 2 identified in the Opinion as amended.
2. Grazing prescription areas within your allotment are delineated on Attachment 2, titled Gourd Spring Allotment Map.
3. Livestock grazing use shall be authorized in the Gourd Spring allotment from 10/01 through 02/28 in the Prescription 1 area and 10/01 through 05/31 in the Prescription 2 and Non-Prescription areas as identified in the following table and Attachment 2.

SPECIFIC USE AREAS AND IDENTIFIED PERIODS OF USE

PRESCRIPTION AREAS ^{1/}	SEASON OF USE	
	BEGIN DATE	END DATE
Prescription 1 ^{2/}	10/01	02/28
Prescription 2 ^{3/}	10/01	05/31
Non-Prescription	10/01	05/31

^{1/} Refer to Attachment 2.

^{2/} Prescription 1, Tortoise Habitat Categories I, II, and Intensive III.

^{3/} Prescription 2, Tortoise Habitat Category III non-intensive.

4. All vehicle use in desert tortoise habitat within the Gourd Spring allotment shall be restricted to existing roads and trails.
5. Trash and garbage shall be removed from each camp site that is associated with livestock grazing operations (branding, sheep herding, roundup, etc.) and disposed of off site in a designated facility. No trash or garbage shall be buried at camp sites.
6. Use of hay or grains as a feeding supplemental shall be prohibited in desert tortoise habitat to avoid the introduction of non-native plant species. Mineral, protein and salt blocks are authorized subject to 43 CFR section 4130.6-2(c).
7. The allotment shall include at a minimum the following key species for monitoring purposes where appropriate based upon density and availability: galleta grass (*Hilaria jamesii*) and (*H. rigida*), bush muhly (*Muhlenbergia porteri*), sand dropseed (*Sporobolus cryptandrus*), Indian ricegrass (*Oryzopsis hymenoides*), black grama (*Bouteloua eriopoda*), desert needlegrass (*Stipa speciosa*), range ratany (*Krameria parvifolia*),

ephedra (*Ephedra spp.*), white burrobrush (*Hymenoclea salsola*) and winterfat (*Eurotia lanata*).

8. The following table identifies key areas, species and the maximum allowable use levels for specified periods of livestock grazing use, which shall be used at a minimum for monitoring purposes within Prescription 1 and 2 areas in the Gourd Spring allotment. As additional key species and/or key areas are determined necessary for monitoring purposes, maximum allowable use levels will be established based upon the conditions as set forth in the Opinion for Prescription 1 and/or 2 areas.

EXISTING KEY AREAS, SPECIES AND ALLOWABLE USE LEVELS

KEY AREA & LEGAL DESCRIPTION	KEY SPECIES	PRESCRIPTION 2		
		10/01 TO 10/14	10/15 TO 02/28	03/01 TO 05/31
1 (T.10S., R.69E., Sec. 29)	Nevada ephedra	≤40%	≤45%	≤40%
	Big galleta	≤40%	≤50%	≤40%
2 (T.11S., R.69E., Sec. 7)	Nevada ephedra	≤40%	≤45%	≤40%
	Big galleta	≤40%	≤50%	≤40%

9. The following table identifies the maximum allowable use levels for specified periods of livestock grazing use, which shall be used at a minimum for monitoring purposes within Prescription 1 and 2 areas.

ALLOTMENT NAME	PRESCRIPTION	ALLOWABLE USE LEVELS AND USE PERIODS PER GRAZING PRESCRIPTION		
		10/01 - 10/14	10/15 - 02/28	03/01 - 05/31
GOURD SPRING	PRESCRIPTION 1	All perennial species - ≤ 40%	Key perennial grasses - ≤ 50% Key perennial shrubs & forbs - ≤ 40%	No livestock use will be allowed during this period.
		10/01 - 10/14	10/15 - 02/28	03/01 - 05/31
	PRESCRIPTION 2	All perennial species - ≤ 40%	Key perennial grasses - ≤ 50% Key perennial shrubs & forbs - ≤ 45%	All perennial species - ≤ 40%
		10/01 - 10/14	10/15 - 02/28	03/01 - 05/31

10. When the allowable use levels are reached for the Prescription 1 and/or 2 areas, the livestock must be removed from the allotment unless other management alternatives are authorized by the Caliente Resource Area Manager that are consistent with the Opinion and this decision.
11. Adequate livestock control must be provided by existing range improvements within the Gourd Spring allotment to prevent livestock from continually migrating into the Prescription 1 area during the period 03/01 through 05/31. If livestock continually migrate into the Prescription 1 area, the entire allotment will be required to be managed under Prescription 1 until range

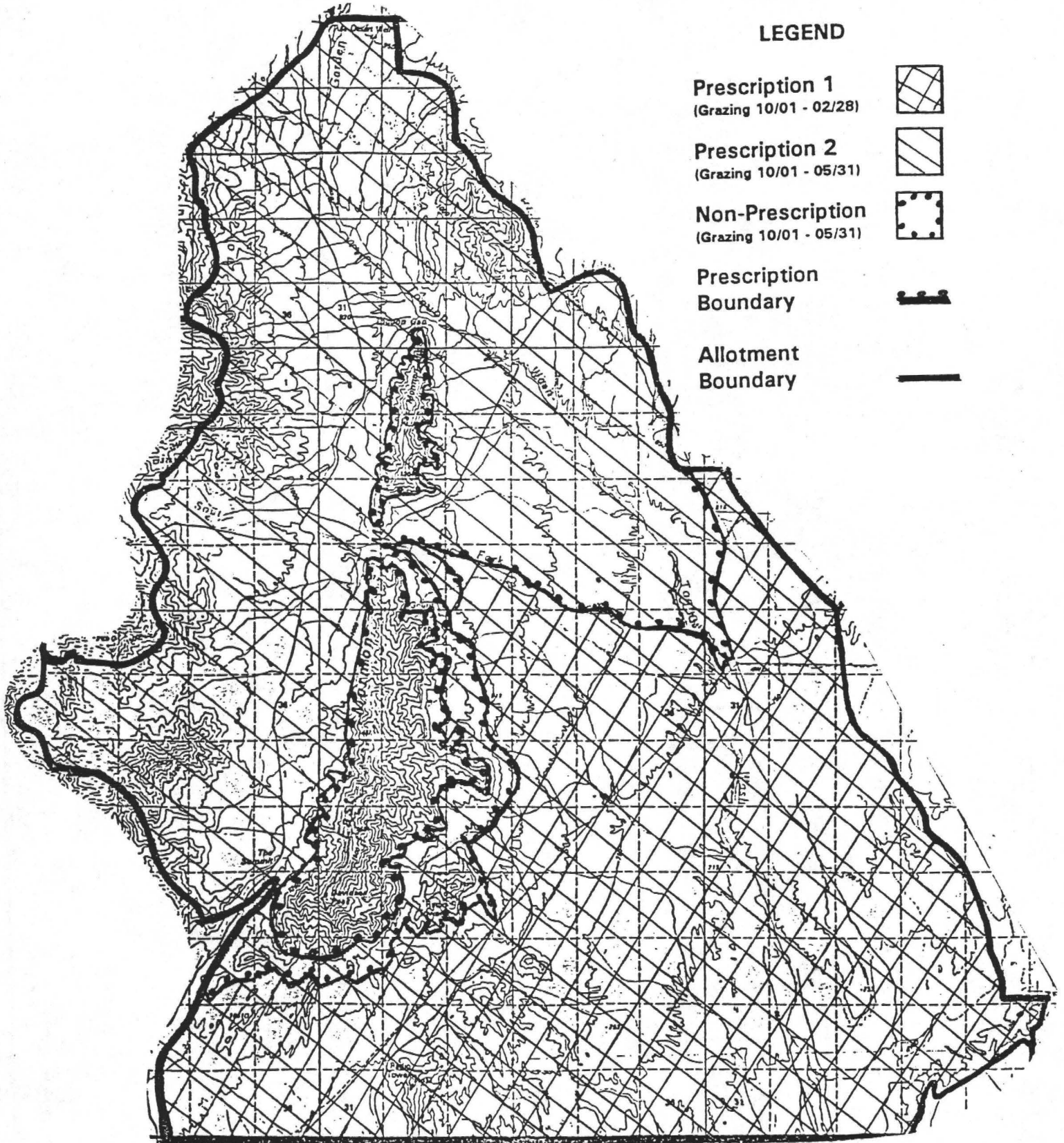
improvements become available to stop such action.

12. By October 1, 1992, all cattle (six months of age or older at turn out) will be required to be ear tagged by you with BLM issued ear tags. Additionally, you are required to submit a list of ear tag numbered cattle that are turned out/authorized on the Gourd Spring allotment. The list must be submitted to the Caliente Resource Area office within seven (7) days of turn out. At the end of the authorized grazing period, any ear tag numbers not accounted for, shall be reported to the Caliente Resource Area office within 15 days.
 - a. Since you will be removing your livestock by May 31, 1992 as a normal part of your operation, I have extended the date to ear tag all your cattle to October 1, 1992. This will keep you from having to round up your cattle prior to March 1, 1992 and then again three (3) months later. In order to assure adequate cattle control is provided to prevent cattle from continually migrating into the Prescription 1 area, all cattle found in the Prescription 1 area during the period 03/01/92 through 05/31/92 shall be ear tagged by you with a BLM ear tag. Terms and Conditions number 15 and 16 will then be followed.
13. You are required to remove and return to the Caliente Resource Area office all BLM issued ear tags of cattle shipped /sold. This must be done prior to being issued replacement ear tags.
14. Replacement tags for brush loss, unfound death loss, or other unexplained losses will be issued on a case by case basis at the determination of the Caliente Resource Area Manager.
15. Any livestock found in the Prescription 1 area during the period of 03/01 through 05/31 shall be relocated to the Prescription 2 area within 72 hours. The ear tag numbers of any cattle or description of the domestic horse(s) found in the Prescription 1 area during the period 03/01 through 05/31 shall be recorded and submitted in writing to the Caliente Resource Area office within five (5) days of being observed.
16. Any livestock found in the Prescription 1 area during the period of 03/01 through 05/31 and which were previously recorded and relocated to the Prescription 2 area shall be removed from the Gourd Spring allotment within 72 hours of being observed.
17. Applications for changes in grazing use must be in written form and be received by the Caliente Resource Area office no later than 15 days prior to the desired date of change.
18. Applications for changes in grazing use filed after a billing notice has been issued, and which require the issuance of a replacement bill or supplemental bill shall be subject to a ten (10) dollar service charge.

19. Grazing Applications will be issued on a yearly basis showing all grazing use as active by Prescription 1, 2 and/or Non-Prescription areas. If you desire to take all or partial non-use for the grazing year, you must indicate this in writing on your Grazing Application, along with your reason(s).
20. A statement of Actual Grazing Use made on the Gourd Spring allotment by grazing Prescription area, 1, 2 and/or Non-Prescription areas must be received in the Caliente Resource Area office no later than 15 days after the last day of authorized grazing use.

ATTACHMENT 2

GOURD SPRING ALLOTMENT MAP



LEGEND

Prescription 1
(Grazing 10/01 - 02/28)



Prescription 2
(Grazing 10/01 - 05/31)



Non-Prescription
(Grazing 10/01 - 05/31)



Prescription
Boundary



Allotment
Boundary

