

L 12-12-00



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-042)

DEC 12 2000

Tom Rosevear
P.O. Box 938
Ely, Nevada 89301

Dear Tom:

On December 8, 2000 you signed and accepted the Acceptance of Terms and Conditions form for a grazing permit associated with grazing use on the Indian Jake, Preston, Willow Spring Seeding, and Willow Spring Seeding Addition Allotments. At this time, I am proposing to issue you a term grazing permit. The issuance of the permit would be for a period of ten years beginning March 1, 2001 and ending February 28, 2011.

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 the 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 January 19, 2001.

You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1. 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 4110.2-3.

The terms and conditions outlined in the enclosed acceptance form for the Indian Jake, Preston, Willow Spring Seeding, and Willow Spring Seeding Addition Allotments are essentially the same that have been identified on the previous term grazing permit for Tom Rosevear. The livestock stocking level has not been adjusted. Minor changes in the season of use is proposed for the Indian Jake Allotment. The terms and conditions are consistent with the Egan Resource Area Record of Decision and the Egan Rangeland Program Summary. The impacts of livestock grazing under these terms and conditions have been analyzed in the Egan Resource Management Plan and Final Environmental Impact Statement. In addition, the terms and conditions for the Willow Spring Seeding and Willow Spring Seeding Addition Allotments are in accordance with the terms and conditions identified in the Final Multiple Use Decisions.

The Indian Jake Allotment is located within the Jakes Wash Wild Horse Herd Management Area (HMA). The other three allotments are not located within a HMA.

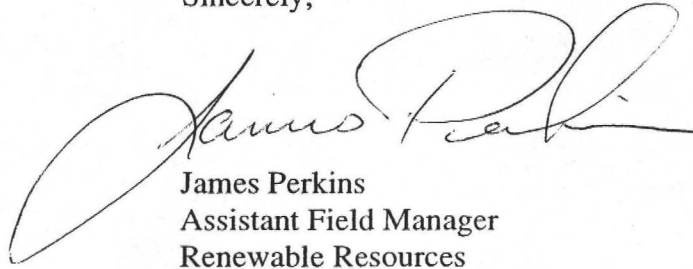
An Environmental Assessment (#NV-040-01-022) has been completed for the issuance of this proposed term permit. The proposed grazing use is within the array of options identified for the alternatives and proposed action as analyzed in the Draft Egan Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS). The terms and conditions outlined are consistent with the Egan RMP and FEIS. The impacts of livestock grazing under these terms and conditions have been analyzed in the Egan FEIS. The terms and conditions are also consistent with the Northeastern Great Basin Area Resource Advisory Council (RAC) standards for grazing administration.

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.

Prior to approval of a new term permit, **if the interested publics have any information, data, etc. that they would like to provide, they may do so prior to January 19, 2001.** Any written comments should be sent to James Perkins, Assistant Field Manager, Renewable Resources, Ely Field Office, Bureau of Land Management, HC 33 BOX 33500 Ely, NV 89301.

If you have any questions, please contact Mark Lowrie, Rangeland Management Specialist on my staff, at (775) 289-1888.

Sincerely,



James Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions

cc:

Ms. Catherine Barcomb, Commission for the Preservation of Wild Horses

Curt Baughman, NDOW

Nevada Cattlemen's Association

Nevada State Clearing House

Nevada Department of Agriculture

Sue Forbes, Humboldt-Toiyabe National Forest

Mike Podborny-NDOW

John McLain-Resource Concepts Incorporated

U.S. Fish and Wildlife Service

ACCEPTANCE OF TERMS & CONDITIONS
and
REQUEST FOR GRAZING PERMIT

I, Tom Rosevear, 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		GRAZING PERIOD		%	Type	AUMs
Number	Name	Number & Kind		Begin	End	PL	Use	
0804	Indian Jake	350	Cattle	03/15	06/15	100	A	1,070
		315	Cattle	09/01	02/28	100	A	1,874
0806	Preston	19	Cattle	05/16	06/15	100	A	19
0824	Willow Spring Seeding	8	Cattle	07/17	08/13	100	A	7
0825	Willow Spring Seeding Addition	9	Cattle	06/01	07/08	100	A	11

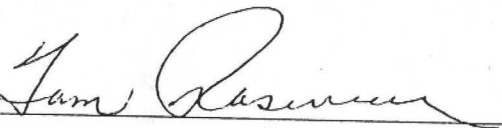
Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for the Indian Jake, Preston, Willow Spring Seeding, and Willow Spring Seeding Addition 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 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.

4. The authorized officer is requiring that an actual use report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
5. 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.
6. Grazing use will be in accordance with the Northeastern Great Basin Area Standards and Guidelines for grazing administration as developed by the Northeastern Great Basin 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.

Signed: _____



Tom Rosevear

Date: 12-8-2000