



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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6-19-00
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OFFICE OF THE DIRECTOR

2000 JUN 14 PM 1:35

In Reply Refer To:
4130 (NV042)

JUN 12 2000

Jay Wright
2675 Mineral Drive
Ely, NV 89301

Your grazing application to transfer grazing privileges from Gary Sprouse of Blue Diamond Oil Corporation was received on March 10, 2000. The Acceptance of Terms and Conditions form was signed on June 8, 2000. Based on your application we propose to offer you a ten year term grazing permit corresponding to your base property lease agreement. The period of the term grazing permit will be for July 1, 2000 to June 30, 2000.

You have signed a lease agreement to lease 120 acres of base property located near Current, Nevada from Gary Sprouse of Blue Diamond Oil Corporation. This includes a portion of the base property owned by Gary Sprouse. Grazing use associated with this transfer also includes a portion of the permitted use tied to the base property owned by Mr. Gary Sprouse. The permitted use associated with this base property lease includes both summer and winter allotments.

This term grazing permit will authorize permitted use for 4,777 cattle AUMs on the summer allotments and 933 cattle AUMs on the winter allotments. The summer allotments are as follows: Copper Flat, Giroux Wash, Dark Peak, Little White Rock and Chimney Rock. The winter allotments include Timber Mountain, Fox Mountain, and Wilson Creek (White River Pasture).

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 above listed allotments. **The interested publics are being asked to provide comments by June 28, 2000.**

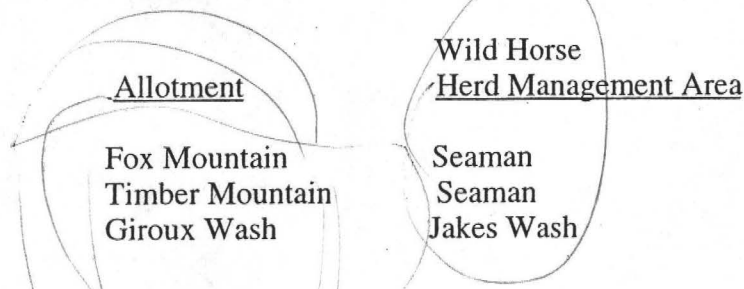
You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1, and this offering and issuance of a permit complies with the regulations governing issuance of permits outlined in 43 CFR 4110.2-1 and 4110.2-2.

The terms and conditions outlined in the enclosed acceptance form for Giroux Wash, Dark Peak, Lake Area, Little White Rock, and Chimney Rock are those which have historically appeared on previous term permits authorizing grazing use in these allotments. They are also 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 Environmental Impact Statement. In addition, the terms and conditions for the

Copper Flat, Timber Mountain, Fox Mountain, and Wilson Creek Allotments are accordance with the terms and conditions identified in the Final Multiple Use Decisions (FMUDs).

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 Egan Resource Management Plan Environmental Impact Statement and Schell Draft Grazing Environmental Impact Statement.

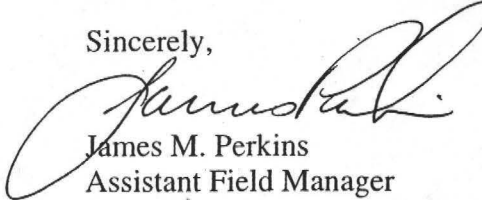
Allotments located within wild horse herd management areas are as follows:



If we propose to change the terms and conditions of your 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.

If you have any questions please contact Grant Hoggan, your assigned Range Management Specialist for the Copper Flat, Giroux Wash, Dark Peak, Lake Area, Little White Rock, Chimney Rock, Timber Mountain, Fox Mountain, and Wilson Creek Allotments, at 775-289-1886.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure: Acceptance of Terms and Conditions

cc:

Ms. Catherine Barcomb, Comm. for the Preservation of Wild Horses
Nevada State Clearing House
Steve Foree-NDOW
Curt Baughman-NDOW
John McLain-Resource Concepts
U. S. Fish and Wildlife Service
Nevada Department of Agriculture
Gerald Miller
Jule Wadsworth
Varlin Higbee
Vaughn M. Higbee
Lincoln County Commissioners
R. H. Schmutz
Tim Perkins
Shirley McCrosky
Shelley Wadsworth
Nevada Cattlemen's Association
Sue Forbes-Humboldt-Toiyabe National Forest Rangeland Management Specialist
Jerry Green-Humboldt-Toiyabe National Forest District Ranger

ACCEPTANCE OF TERMS & CONDITIONS and REQUEST FOR GRAZING PERMIT

I, Jay Wright, 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 Number & Kind	GRAZING PERIOD		%PL	TYPE USE	AUM's
		Begin	End			
00427 Giroux Wash	327 Cattle	04/16	11/01	100	Active	2,150
00827 Dark Peak	192 Cattle	05/01	08/13	100	Active	663
00910 Lake Area	138 Cattle	06/01	11/01	100	Active	699
00427 Copper Flat	249 Cattle	06/01	11/01	100	Active	1,262
01004 Timber Mountain	40 Cattle	03/01	04/10	100	Active	54
01004 Timber Mountain	40 Cattle	11/01	02/28	100	Active	158
01201 Wilson Creek	106 Cattle	03/01	03/31	100	Active	108
01201 Wilson Creek	106 Cattle	01/01	02/28	100	Active	206
11001 Fox Mountain	76 Cattle	03/01	04/10	100	Active	102
11001 Fox Mountain	76 Cattle	11/01	02/28	100	Active	300

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 Giroux Wash, Dark Peak, Lake Area, Copper Flat, Timber Mountain, Wilson Creek, and Fox Mountain 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 standards and multiple use objectives for the above allotments. Such deviations will require an application and written authorization from the authorized officer prior to grazing.

2. To improve livestock distribution the placement of mineral block and or salt blocks will be a minimum distance of ½ mile from water in flat country and out of the bottoms with placement on the ridge tops in mountainous country as approved by the authorized officer.
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 in 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. 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.
6. Grazing will be in accordance with the Northeastern or Mojave Southern Great Basin Area Standards and Guidelines for grazing administration 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 or 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.

Copper Flat Allotment:

In addition to the above terms and conditions as in accordance with 43 CFR 4130.3-2, the following terms and conditions will also be included in the grazing permit for the Copper Flat Allotment:

1. All grazing use on the Copper Flat will be in accordance with the Final Multiple Use Decision dated November 19, 1997.
2. The total authorized permitted use during a grazing year will not exceed 1, 264 AUM's.
3. The season of use for cattle grazing will be 06/01 to 11/01 for native range and the unfenced seeded area. Cattle grazing in the fenced seedings will be 06/01 to 06/15 and 9/15 to 11/01 for those years in which sheep also graze the fenced seedings in the spring. The cattle period of use in the fenced seedings will be 06/06 to 11/01 for those years in which no sheep graze the fenced seedings in the spring. One of five fenced seedings will be rested from cattle grazing from 06/01 to 06/15 each year. Cattle grazing will be distributed throughout the fenced seedings.
4. All gates to the fenced crested wheatgrass seedings will be closed when livestock are not authorized to be in the fenced seedings.

5. The following allowable use levels will not be exceeded for native key forage plant species in the Copper Flat Allotment:

<u>Key Species</u>	<u>Allowable use level</u>	
	<u>Spring</u>	<u>Yearlong</u>
Indian ricegrass	50%	55%
Needlegrasses	50%	55%
Bluebunch wheatgrass	50%	55%
Winterfat	50%	50%
Black sagebrush	50%	50%
Crested Wheatgrass	50%	60%
Bitterbrush		45%
Serviceberry		45%

6. Water hauling during spring and fall will occur at agreed upon locations on native range and the unfenced seeded area. Locations used in any year will vary, to facilitate livestock distribution.

Timber Mountain, Fox Mountain, Wilson Creek Allotments:

In addition to the above terms and conditions as in accordance with 43 CFR 4130.3-2, the following terms and conditions will also be included in the grazing permit for the Timber Mountain, Fox Mountain, Wilson Creek Allotments:

Grazing use on the Fox Mountain, Timber Mountain Allotments shall be in accordance with the Seaman HMA Final Multiple Use Decision Seated October 18, 1996. Grazing use on the Wilson Creek Allotment shall be in accordance with the Wilson Creek Final Multiple Use Decision dated November 5, 1992.

Signed: _____

Jay Wright

Jay Wright

6-8-00

Date