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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)

MAR 7 2001

*Wilson Creek
Seaman
HMA's*

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, previously issued for the period from 03/01/00 to 02/28/01, will be replaced by a new term grazing permit for a one year period from 03/01/01 to 02/28/02. The term grazing permit is being reissued because standards were recently identified as not being met. Changes in grazing management are being implemented to meet those standards. These changes were implemented through the Annual Agreement for Implementation of Changes In Livestock Grazing Use on the Majors and South Spring Valley Allotments. This is the second year of implementation of these changes. 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, Majors and South Spring Valley Allotments (Selective Management Categories I, M and M respectively) and the Shoshone Unit Trail.

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, Majors and South Spring Valley 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 were developed through an agreement for implementation of changes in livestock grazing use on the Majors and South Spring Valley Allotments accepted March 5, 2001. This term permit will be issued until February 28, 2002 to coincide with the signed grazing agreement. 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 Grazing Environmental Impact Statement.

The terms and conditions outlined for the Majors and South Spring Valley Allotments were developed through consultation, cooperation and coordination with the interested public during the allotment evaluation process. Majors and South Spring Valley Allotments are not located within the a Wild Horse Herd Management Area. Wilson Creek Allotment is located within the Wilson Creek, Seaman and Dry Lake Herd Management Areas. A portion of the Shoshone Unit Trail is located within the Dry Lake 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 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 March 20, 2001. 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,

Chris Meyer, acting

James M. Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions Offer

CC: Mr. Bill Wilson

Mr. David Provost

Mr. Steve Foree, NDOW

Mr. Lee Tilman

Mrs. June Sewing

Mr. Jerry Millett

Mr. Paul Clifford

Mrs. Betsy Macfarlan

Mr. John McLain

Dr. Tom Sanders, DVM

Nevada State Clearinghouse, Commission for the Preservation of Wild Horses

Lincoln County Public Lands Commission

U. S. Fish and Wildlife Service

ACCEPTANCE OF TERMS AND 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 allotment in which I have a grazing preference.

ALLOTMENT	LIVESTOCK No. & Kind	PERIOD of USE	% Public Land	PERMITTED USE
South Spring Valley (Northwest Use Area)	800 Sheep 800 Sheep 13,971 Sheep 500 Cattle 380 Cattle 500 Cattle	05/01 to 06/15 09/01 to 09/30 05/01 to 06/15 03/01 to 03/10 06/01 to 06/15 12/09 to 02/28	100	242 AUMs 158 AUMs 4,226 AUMs* 164 AUMs 189 AUMs 1,350 AUMs
Majors Cleve Creek Bastian Creek North Majors South Majors John Henry Wash Osccola	835 Sheep 835 Sheep 7,708 Sheep 166 Cattle 90 Cattle 100 Cattle 210 Cattle 200 Cattle 200 Cattle 130 Cattle	05/01 to 06/30 09/01 to 09/30 05/01 to 10/31 03/01 to 05/31 03/01 to 05/31 03/01 to 05/31 03/01 to 05/31 03/01 to 04/15 04/16 to 05/31 03/01 to 05/31	100	335 AUMs 165 AUMs 9,326 AUMs* 503 AUMs* 272 AUMs 302 AUMs 635 AUMs 302 AUMs 302 AUMs 393 AUMs
Wilson Creek Mulshoe Use Area Dry Lake Use Area White River Use Area Atlanta Use Area Atlanta Use Area Pioche Bench Use Area S Lake Valley Use Area Spring Trail Fall Trail	1,531 Sheep 4,319 Sheep 879 Sheep 1,233 Sheep 1,494 Sheep 1,945 Sheep 1,712 Sheep 687 Sheep 687 Sheep 1,015 Sheep	11/01-05/01 11/01-05/01 12/01-02/15 11/01-01/31 11/01-01/31 04/15-05/31 04/15-05/31 05/01-05/05 05/31-06/04 10/25-11/01	100	1,833 AUMs 5,169 AUMs 445 AUMs 746 AUMs 904 AUMs** 601 AUMs 529 AUMs 138 AUMs 138 AUMs 139 AUMs
Shoshone Unit Trail	4,897 Sheep 4,897 Sheep 4,897 Sheep	05/01-05/05 05/31-06/04 10/25-11/01	100	161 AUMs 161 AUMs 161 AUMs

* AUMs held in voluntary nonuse for the conservation and protection of natural resources.

** AUMs held in mandatory nonuse as identified in the Wilson Creek Final Multiple Use Decision dated 11-05-92.

Allotment/Use Area	Number of Livestock	Kind of Livestock	Type of Use	Period of Use	Permitted Use (AUMS)
10126 Majors/	835	Sheep	A	05/01 to 06/30	335
	835	Sheep	A	09/01 to 09/30	165
	7,708	Sheep	N	05/01 to 10/31	9,326
	166	Cattle	N	03/01 to 05/31	503
Cleve Creek	90	Cattle	A	03/01 to 05/31	272
Bastian Creek	100	Cattle	A	03/01 to 05/31	302
North Majors	210	Cattle	A	03/01 to 05/31	635
South Majors	200	Cattle	A	03/05 to 04/15	302
John Henry Wash	200	Cattle	A	04/16 to 05/31	302
Osceola	130	Cattle	A	03/01 to 05/31	393

Cattle use will not exceed 1,703 AUMs in South Spring Valley Allotment and 2,183 AUMs active use in Majors Allotment with 503 AUMs held in voluntary nonuse for conservation and protection of natural resources. 4,226 sheep AUMs and 9,326 sheep AUMs will be held in voluntary nonuse for the conservation and protection of natural resources in Spring Valley and Majors Allotment respectively.

Authorized grazing use in Majors during April and May will be in accordance with the following allowable use levels;

Winterfat utilization will not exceed 30% of current year growth during spring use.
Utilization levels on grasses will not exceed 40% of current year growth.

Authorized grazing use in South Spring Valley during December, January, February and March will be in accordance with the following allowable use levels;

Winterfat utilization will not exceed 50% of current year growth during winter use.
Utilization levels on grasses will not exceed 55% of current year growth.

If utilization levels are reached, cattle will be moved to areas where utilization levels have not reached the above levels or cattle will be removed from the allotment. Failure to meet utilization levels will result in changes to period-of-use and stocking levels the following year.

Locate salt and/or mineral supplements for cattle at locations no closer than one mile from water sources.

South Spring Valley Allotment:

Cattle will be authorized on the allotment from 12/09 through 03/10 pending evaluation of the change to a winter season of use on the calf crop and forage resources. This evaluation will be completed in late April or May. Cattle will be distributed evenly

through out the allotment using herding and placement of salt and/or mineral supplements. Cattle will be authorized in the northeastern portion of the allotment from 06/01 through 06/15. The primary forage utilized at this time will be saltgrasses.

Majors Allotment:

Water will be hauled to the following temporary sites along existing roads while livestock are authorized in the use areas:

John Henry Wash Use Area in T. 13 N., R. 66 E., Sec. 9 and approximately Sec. 20.

South Majors Use Area in T. 13 N., R. 66 E., Sec. 24.

North Majors Use Area in T. 14 N., R. 66 E., Sec. 33 (a site that had been used in previous years is located in Sec. 1 SE).

Cleve Creek Use Area in T. 15 N., R. 66 E., Sec. 11 and Sec. 2.

Bastian Creek Use Area in T. 14 N., R. 66 E., Sec. 3 (which will be located higher on the bench.)

Osceola Use Area in T. 14 N., R. 67 E., Sec. 21 (Private Land, Crystal Queen Mine), Sec. 23, Sec. 11, Sec. 10 NENE, T. 15 N., R. 67 Sec. 34 and on the east side of U. S. Highway 6 & 50, Sec. 26,

Office Stipulations are as follows:

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 above allotment(s).

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.

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.

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

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.

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.

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.

RANGE IMPROVEMENTS

Work on Blind Springs, located in the South Spring Valley Allotment, will be coordinated between the BLM and permittee. The Murphy Wash Pipeline (#554497) will be evaluated to determine if burying the pipeline will alleviate the freezing conditions experienced in January 2001.

MONITORING PROGRAM

The South Spring Valley and Majors Allotment will continue to be monitored through measured utilization and use pattern mapping. The BLM and El Tejon Cattle Company agree to jointly conduct monthly monitoring inspections for the South Spring Valley and Majors Allotments. Monitoring will be conducted to determine utilization levels and grazing use patterns. Prior to authorizing grazing use monitoring will be conducted to determine forage availability, grazing use areas and grazing management practices. Following the grazing period monitoring will be conducted to determine utilization levels.

ANNUAL EVALUATION

Following the annual grazing period BLM and El Tejon Cattle Company will evaluate grazing use and determine if stocking levels were within allowable use levels. If adjustments are needed to achieve allowable use levels they will be developed at that time and will be implemented the next grazing year. Adjustments may include changes to period-of-use, stocking levels, areas-of-use or other grazing management practices. BLM and El Tejon will coordinate regarding a change in period-of-use for South Spring Valley which could be finalized this grazing year. In discussion with the permittee, it is the goal to change South Spring Valley to a winter operation with dates from December through March of each year.

SIGNATURES

I agree to adhere to the terms of the agreement.

Melchor Gragirena
Melchor Gragirena

03/05/01
Date