



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca Field Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
(775) 623-1500
<http://www.nv.blm.gov/winnemucca>



L 5-6-02

In Reply Refer To:
(NV-22.10)
4110.2-3
4130.2

May 6, 2002

Dear Interested Public:

On April 23, 2002, Robert R. Depaoli applied for a transfer of the permitted use from Michael B. Stewart to himself for the Leadville Allotment, based on his lease of the base property from Michael Stewart. Robert Depaoli meets all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1 and this transfer offering, and issuance of a permit complies with the regulations governing transfers of grazing privileges and issuance of permits outlined in 43 CFR 4110.2-1, 4110.2-2, 4110.2-3, and 4130.2 (b) & (f). Also at this time, Mr. Depaoli signed the "Acceptance of Terms and Conditions" form and signed the enclosed grazing permit.

A Final Multiple Use Decision (FMUD) for the Leadville Allotment was completed on January 19, 1994. This FMUD reduced the active AUM's by 1276 AUM's (approximately 50% reduction) and reduced the season of use from 7 to 5.5 months. These changes were made to allow for attainment of allotment specific objectives. The terms and conditions outlined in the term permit are consistent with the Final Multiple Use Decision for the Leadville Allotment. The proposed grazing use will occur in the Smokey, Lower, Leadville, and Swingle pastures. Each grazing season, the cattle will be rotated through three of these pastures while the fourth pasture will be rested. Within a four year period, each pasture will receive at least one year of rest from cattle grazing.

A breakdown of the pasture rotations by year is as follows:

Year	Smokey	Lower	Leadville	Swingle
1	5/1 to 6/30	7/1 to 8/20	8/21 to 10/15	Rest
2	7/1 to 8/20	8/21 to 10/15	Rest	5/1 to 6/30
3	8/21 to 10/15	Rest	5/1 to 6/30	7/1 to 8/20
4	Rest	5/1 to 6/30	7/1 to 8/20	8/21 to 10/15

Livestock use occurred in 1996,1997,1999 and 2000. For these years the allotment specific objectives were met.

No livestock use occurred in 1995,1998 and 2001.

This allotment is within The Calico Herd Management Area in the Calico Mountains. The AML as set in the FMUD is 95 to 126 wild horses. The current count of wild horses is 159.

A partial noxious weed inventory has been conducted on the Leadville Allotment. The inventories have indicated that infestations are occurring along major roads/trails within and through the allotment. Weed species identified are Russian knapweed and tall white top. Noxious weed spray efforts have occurred in the past 5 years for treatment of infestations within the Leadville Allotment. Along with the initial spray efforts, follow-up treatments have and will continue to occur. The issuance of the grazing permit should not further promote the spread of noxious weeds.

The allotment has approximately 424 acres of riparian habitat. There are no fishery habitats on this allotment. The grazing system outlined in the FMUD is compatible to proper riparian management because riparian areas would receive no livestock use or would have time for regrowth three out of four years.

The Leadville Allotment provides habitat for numerous species of wildlife associated with the pre-dominant vegetative sites within the allotment. The proposed action area is not within a sage grouse distribution area.

The newly designated Little High Rock Canyon and High Rock Lake Wilderness's are within the Leadville Allotment. Livestock management within the Leadville Allotment and within the wilderness areas will be in accordance with the grazing permit.

I approved this transfer and grazing permit under the auspice of the 2002 "Grazing Rider". This approval was based on the fact that the current grazing permit and livestock management are meeting the allotment specific objectives. Should you have information, data, etc. that you would like to provide, please do so prior to May 22, 2002. Any comments in writing should be sent to Winnemucca Field Office BLM at 5100 East Winnemucca Blvd Winnemucca, NV 89445.

If you have any questions, please contact Scott Clarke at (775) 623-1715.

Sincerely yours,



For Colin P. Christensen
Assistant Field Manager
Renewable Resources

Enclosure - grazing permit
allotment maps

4-23-02

OPERATOR COPY

AUTH NUMBER: 2700024
DATE PRINTED: 4/19/2002

Form 4130-2a
(February 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT



STATE NV
OFFICE 020
AUTH NUMBER 2700024
PREFERENCE CODE 03
DATE PRINTED 04/19/2002
TERM 05/01/2002 TO 10/15/2004

GRAZING PERMIT

ROBERT R. DEPAOLI
P.O. BOX 1074
LOVELOCK NV 89419

BUREAU OF LAND MANAGEMENT
WINNEMUCCA FO
5100 E WINN BLVD
WINNEMUCCA NV 89445

PERMITTEE: MICHAEL B. STEWART (14842), ROBERT R. DEPAOLI (3871)

THIS GRAZING PERMIT IS OFFERED TO YOU UNDER 43 CFR PART 4100 BASED ON YOUR RECOGNIZED QUALIFICATIONS. YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS, UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT AND COVERED BY THIS PERMIT, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 775-623-1500 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

GRAZING SCHEDULE:

ALLOTMENT	PASTURE	LIVESTOCK		GRAZING BEGIN	PERIOD END	%PL	TYPE USE	AUMS
		NUMBER	KIND					
00141 LEADVILLE		235	CATTLE	05/01	10/15	100	ACTIVE	1298

OTHER TERMS AND CONDITIONS:

YOUR BASE PROPERTY LEASE WITH MICHAEL STEWART EXPIRES ON 10/15/2004

GRAZING USE WILL BE IN ACCORDANCE WITH THE JAN. 19, 1994 LEADVILLE FMUD

YOU ARE TO FOLLOW THE GRAZING SYSTEM OUTLINED IN THE LEADVILLE FMUD.

SPECIFIED AREAS OF USE AND PERIODS OF USE WILL CORRESPOND WITH YOUR YEARLY AUTHORIZATION.

LIVESTOCK WILL BE LIMITED TO 50% UTILIZATION IN EACH PASTURE AT KEY AREAS (OR AS DETERMINED THROUGH USE PATTERN MAPPING). WHEN UTILIZATION OBJECTIVES ARE MET, LIVESTOCK WILL BE MOVED TO THE NEXT SCHEDULED PASTURE OR REMOVED FROM THE ALLOTMENT.

PERMITTEES WILL BE REQUIRED TO PERFORM NECESSARY RIDING AND HERDING TO INSURE COMPLIANCE WITH THE LIVESTOCK DECISION ACTIONS.

ONLY CATTLE BEARING BLM ISSUED EARTAGS WILL BE AUTHORIZED TO GRAZE IN IN THE LEADVILLE ALLOTMENT. ANY CATTLE OWNED OR CONTROLLED BY YOU FOUND IN THE LEADVILLE ALLOTMENT WITHOUT BLM ISSUED EARTAGS WILL BE DEEMED IN EXCESS OF YOUR AUTHORIZED NUMBERS AND IN VIOLATION OF 43 CFR 4140.1(B)(1).

PURSUANT TO 43 CFR 10.4(G) THE HOLDER OF THIS AUTHORIZATION MUST NOTIFY THE AUTHORIZED OFFICER, BY TELEPHONE, WITH WRITTEN CONFORMATION 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 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.

THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT ARE IN CONFORMANCE WITH THE STANDARDS AND GUIDELINES FOR THE SIERRA FRONT-NORTHWESTERN GREAT BASIN RESOURCE ADVISORY COUNCIL, APPROVED BY THE SECRETARY OF

OPERATOR COPY

AUTH NUMBER: 2700024
DATE PRINTED: 4/19/2002

THE INTERIOR ON FEBRUARY 12, 1997.

ALLOT NO CONDITIONS

(none)

SALT AND/OR MINERAL BLOCKS SHALL NOT BE PLACED WITHIN ONE QUARTER (1/4) MILE OF SPRINGS, STREAMS, MEADOWS, RIPARIAN HABITATS, OR ASPEN STANDS.

THE PERMITTEE IS REQUIRED TO PERFORM NORMAL MAINTENANCE ON THE RANGE IMPROVEMENTS AS PER THEIR SIGNED COOPERATIVE AGREEMENTS/SECTION 4 PERMITS PRIOR TO TURNING OUT IN A PASTURE OR USE AREA SCHEDULED FOR LIVESTOCK USE.

THE PERMITTEES CERTIFIED ACTUAL USE REPORT, BY PASTURE/USE AREA, IS DUE 15 DAYS AFTER THE END OF THE AUTHORIZED GRAZING PERIOD.

ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDED AUMS</u>	<u>PERMITTED USE</u>
00141 LEADVILLE	1291	3279	4,570

Standard
Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7), enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

THIS PERMIT: 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS PROVIDED BY LAND PLANS AND APPLICABLE LAW; (B) REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:
SIGNATURE OF PERMITTEE: Robert R. Depack DATE: 4-23-02

APPROVED
BLM AUTHORIZED OFFICER: Gene Seedy Acting DATE: 4-30-02