

Blue Wing M 5/30/95

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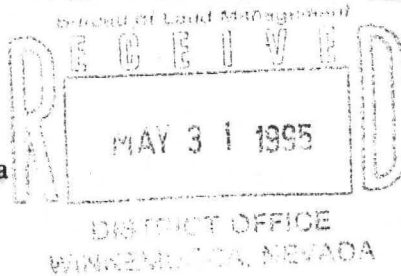
May 30, 1995

*ADMITTED IN CALIFORNIA ONLY

OF COUNSEL
 ROBERT M. BUCKALEW
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WRITER'S DIRECT DIAL NUMBER:

Bud Cribley, Area Manager
 Sonoma-Gerlach Resource Area
 Winnemucca District Office
 705 East 4th Street
 Winnemucca, Nevada 89445



TELECOPY TRANSMITTAL
FEDERAL EXPRESS

Re: Request for Postponement of Effective Date of Final Multiple Use Decision Dated December 6, 1994

Dear Mr. Cribley:

This letter is a formal request for a postponement of the effective date of the Final Multiple Use Decision issued by Bud Cribley dated December 6, 1994 (the "Decision"), pending judicial review requested by C-Punch Ranch, Inc. Federal law provides administrative agencies with the authority to postpone the effective date of a decision when justice so requires.

When an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review. On such conditions as may be required and to the extent necessary to prevent irreparable injury, the reviewing court, including the court to which a case may be taken on appeal from or on application for certiorari or other writ to a reviewing court, may issue all necessary and appropriate process to postpone the effective date of an agency action or to preserve status or rights pending conclusion of the review proceedings.

5 U.S.C.S. § 704 (Law. Co-op. 1989).

C-Punch is filing a request in federal district court for judicial review of the Decision based on the facts that the grazing reduction of AUMs is unjustified as well as unfair. There are several errors in the Re-evaluation of these allotments upon which the Decision was based. The request for judicial review will also be based on the fact that the proposed rotation system based on a north and south rotation is not feasible for C-Punch's operation and is impossible to implement without proper fencing. The rotation is also unnecessary if the number of cattle is reduced. These facts have been brought to your attention but no resolution of these matters has yet been reached. Therefore, with the effective date of June 1, 1995 for the Decision, C-Punch feels that it must protect its interests by requesting judicial review of the Decision.

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

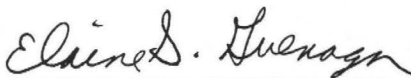
Cribley
May 30, 1995
Page 2

While the Bureau of Land Management has the authority to postpone the effective date of the Decision, it is possible that it will decide not to do so. If a response is not made to Elaine Guenaga by 3:00 p.m. on May 31, 1995, we will also ask the court for a judicial stay of the effect of the Decision.

C-Punch is taking the steps necessary to protect its interests, but is still willing to work informally with the Bureau to come to a consensus regarding an alternative to the grazing reductions and grazing rotation system. To further these efforts, we would like to schedule a meeting with you in the near future at which time we can all meet, including C-Punch's range consultant, and C-Punch can present its alternative(s) to the Decision.

We appreciate your efforts to work with C-Punch in this matter to reach a solution that will be fair to all parties and still meet the objectives of range protection and improvement.

Sincerely,



Harvey Whitemore, Esq.
Elaine S. Guenaga, Esq.
LIONEL SAWYER & COLLINS

Attorneys for C-Punch Ranch, Inc.

cc: Robert Irvin
Larry Irvin
Honorable Richard Bryan
Honorable Harry Reid
Honorable Barbara Vucanovich
Honorable John Ensign

6-2-95



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca District Office
705 East 4th Street
Winnemucca, Nevada 89445

In Reply Refer To:
(NV-026.1)
4160

June 2, 1995

LIONEL, SAWYER & COLLINS

Elaine S. Guenaga, Esq.
1100 Bank of America Plaza
50 West Liberty Street
Reno, NV 89501

Dear Ms. Guenaga:

I have received your letter dated May 30, 1995 requesting that the Bureau of Land Management (BLM) postpone the implementation of the Blue Wing/Seven Troughs Allotment Final Multiple Use Decision (FMUD) as it affects C-Punch Ranch, Inc. (C-Punch). To reiterate our phone conversation of May 31, 1995, I am not postponing the implementation of the FMUD. Since this decision has been appealed and transmitted to the Office of Hearings and Appeals it has been taken out of BLM's jurisdiction. Therefore, I will consider the FMUD to be in effect and C-Punch is required to adhere to all aspects of the decision.

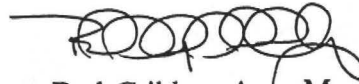
To date in all of our dealings with C-Punch, whether it was during the re-evaluation process before the FMUD was issued or after, we have never been successful in getting a significant dialog that addressed specific problems or solutions. All of the responses that we have received have either not addressed the issues or have been so general that we could not consider them in the decision making process. Our records show we have made every attempt to involve C-Punch in the decision making process, even delaying issuance of the final decision to give them more time to comment; but they have not been meaningfully involved. Even after the decision was issued I made it clear that we would be willing to discuss different alternatives to the grazing management plan but that the discussion had to be specific. Only now, that the date of implementation is upon us, do we receive an indication that a serious attempt is being initiated to address specific allotment resource problems and management alternatives.

Your letter referred to wanting to schedule a meeting between the BLM, C-Punch, and its range consultant to discuss the grazing rotation system. Though the Office of Hearings and Appeals has jurisdiction, it does not preclude us from meeting with C-Punch to consider specific grazing strategies. We can meet the week of June 19 to discuss any ideas. There are other permittees and affected interests involved with this allotment and any action requiring

modification of this FMUD will be done with their participation. To keep all parties informed, I am sending copies of your letter and this letter to them.

To set up a meeting please contact Ron Pearson or Rich Adams at (702) 623-1500.

Sincerely yours,



Bud Cribley, Area Manager
Sonoma-Gerlach Resource Area

CC w/ Enclosures:

Tim DeLong Family Trust
Duffurrena Sheep Co.
Mr. John Espil
Mr. Wes Cook
NV Commission for the Preservation of Wild Horses
Wild Horse Organ. Assist.
President, Pershing County Concerned Citizens
Division of Wildlife - Fallon
Sierra Club-Toiyabe Chapter
Natural Resources Defense Council
The Wilderness Society
Humane Society of U.S.
International Society for the Protection of Mustangs and Burros
Pershing County Sportsmen's Assoc.
Catellus Corp
Mr. Myron J. Goldsworthy
Division of Wildlife - Lovelock
Mr. Joe Dahl
Mr. Keith Guenther
Federal Land Bank of Sacramento
Lassen Production Credit Association
SCS - Winnemucca & Lovelock
Mayor Hugh Montrose
Chairman Pershing County Commissioners
Division of Wildlife - Reno

CC w/ BLMs Response:

Honorable Harry Reid
Honorable Richard Bryan
Honorable Barbara Vucanovich
Honorable John Ensign