



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Elko District Office

P.O. Box 831

Elko, Nevada 89803

In Reply Refer To:
4120 (NV-010)

MAR 20 1996

Dear Interested Public:

In accordance with the Grazing Regulations, "... the authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to issuance of nonrenewable grazing permits and leases" (43 CFR 4130.6-2).

On March 13, 1996, William and Elizabeth Dickinson applied to graze 205 cows on the Lower Seeding in the North Butte Valley Allotment starting 4/15/96. The Wells Resource Management Plan (RMP) describes the livestock grazing period of use in the North Butte Valley Allotment as 5/1 to 12/22. An allotment evaluation was completed in 1989, and a grazing agreement was signed on 2/20/90. No modification was made to the period of use. However applications for early turnout into the seedings in the North Butte Valley Allotment have been approved the past few years. The permitted use in the North Butte Valley Allotment is 1,645 AUMs. Although the application requests an early turnout, total AUMs of use would not exceed permitted use (active preference).

The North Butte Valley Allotment is a medium sized cattle grazing allotment located in the northern portion of Butte Valley, approximately 50 miles south of Wells, Nevada. The Lower Seeding is located in the northern portion of the allotment (see attached map). A portion of the Maverick/Medicine Herd Management Area (HMA) occurs within this allotment. This allotment receives only incidental to light use by wild horses. Crested wheatgrass provides most of the forage in this pasture and there are no streams or springs in this pasture. The permittee uses a well in the Lower Seeding to water his livestock. Approval of the grazing application is consistent with multiple use objectives for this allotment and will not interfere with existing livestock operations on the public lands.

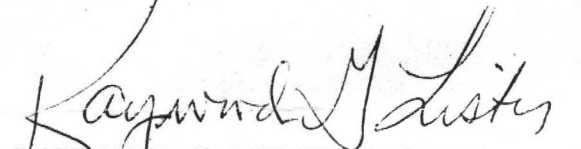
In addition to the existing terms and conditions, the following term and condition will apply:

The early turnout (4/15/96 through 4/31/96) is authorized as temporary nonrenewable use, and will not result in a permanent change to your grazing permit.

If you have any comments regarding the approval or denial of this application, please provide them to this office within 15 days of the date of this letter.

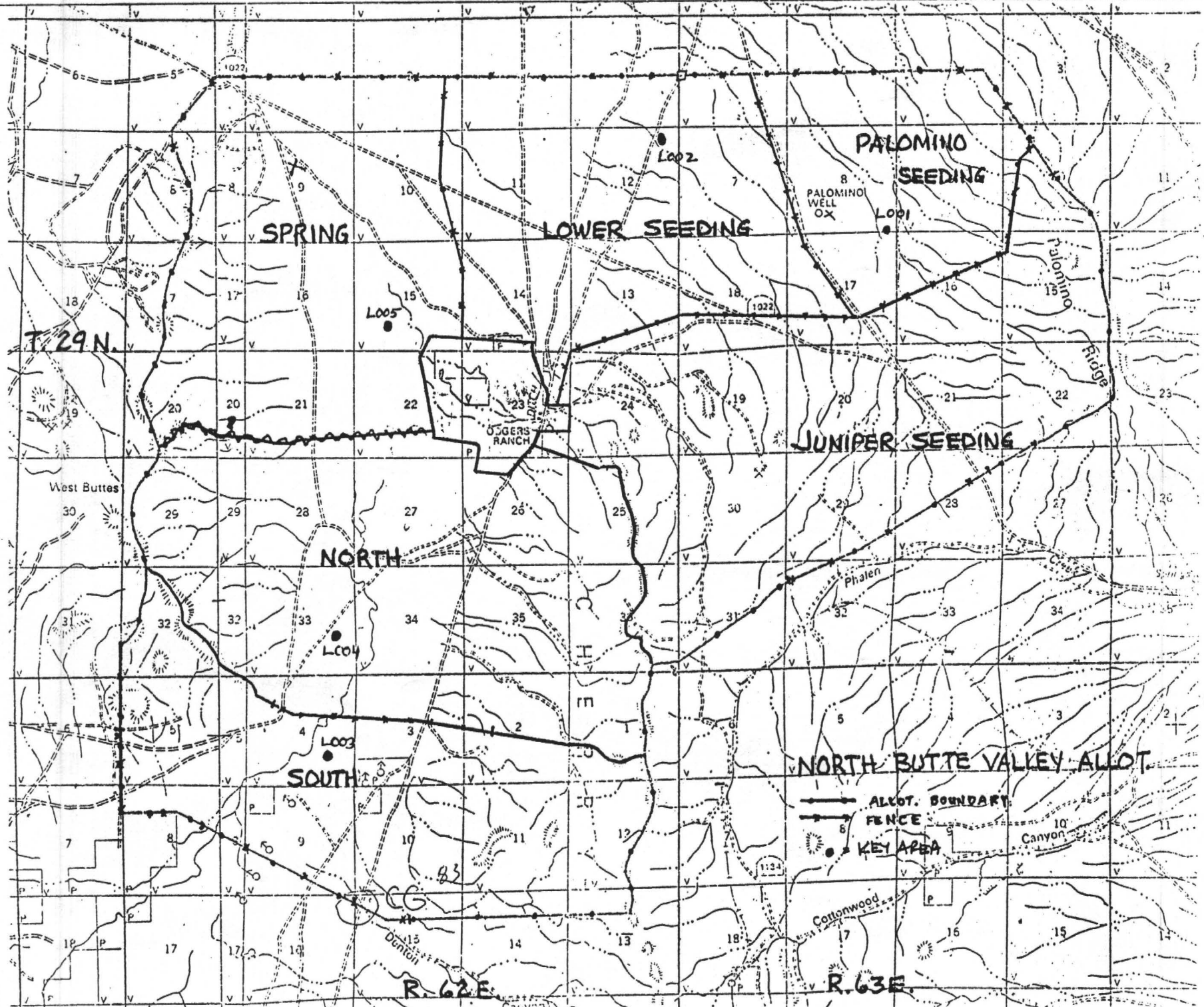
If you have any questions, please call Bruce Thompson at (702) 753-0200.

Sincerely yours,


RAYMOND G. LISTER, Acting Manager
for Renewable Resources

Enclosure: As stated above

cc: American Horse Protection Association, Inc.
Animal Protection Institute
Commission for the Preservation of Wild Horses
Kathryn Cushman
Cliff Gardner
Kenneth Jones
Natural Resources Defense Council
The Nature Conservancy
Nevada Cattlemens Association
Nevada Dept. of Agriculture
Nevada Division of Wildlife
Bertrand Paris & Sons
Rutgers School of Law
Sierra Club, Toiyabe Chapter
US Fish and Wildlife Service
Wells Res. Area Grazing Assn.
Wild Horse Organized Assistance
Edie Wilson



SPRING

LOWER SEEDING

PALOMINO SEEDING

JUNIPER SEEDING

NORTH

SOUTH

NORTH BUTTE VALLEY ALLOT.

ALLOT. BOUNDARY
FENCE
KEY AREA

R. 62 E.

R. 63 E.



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

255 W. Moana Lane

Suite 207A

Reno, Nevada 89509

(702) 688-2626

March 27, 1996

Mr. Raymond G. Lister
Renewable Resource Manager
Bureau of Land Management
P.O. Box 831
Elko, Nevada 89803

Subject: Protest - TNR Authorization - North Butte Valley

Dear Mr. Lister:

The Commission for the Preservation of Wild Horses has reviewed the proposed decision to allow temporary non renewable use of the Lower Seeding Pasture of the North Butte Valley Allotment. No data are provided to support the proposed decision.

The Wild Horse Land Use Plan Amendment allocated only 10 percent of the available key winter species to wild horses of the Maverick/Medicine Wild Horse Herd. According to the environmental assessment for the amendment, wild horses were utilizing up to 40 percent of the available forage prior to livestock turnout. Maps provided in the proposed decision indicated five key areas within this allotment. As intended by the land use plan amendment, the Bureau significantly reduced wild horses in an effort to protect winter forage and reduce competition with livestock. Based upon the information provided in the proposed decision, the Bureau will authorize livestock use during the critical growing season for these winter pastures without any regard for the previous intentions of the Wild Horse Amendment.

Please provide the necessary monitoring data and analysis in an environmental assessment to support the Final Decision.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Barcomb".

CATHERINE BARCOMB
Executive Director



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Elko District Office
3900 East Idaho Street
Elko, Nevada 89801-4611

In Reply Refer To:
4130 (NV-010)

APR -9 1996

Commission for the Preservation
of Wild Horses
255 W. Moana Lane Suite 207A
Reno, NV 89509

Dear Ms. Barcomb:

This letter is in response to your correspondence dated March 27, 1996 concerning the requested change in season of use (early turnout) for the Lower Seeding Pasture of the North Butte Valley Allotment. In response to your comments and concerns, we offer the following:

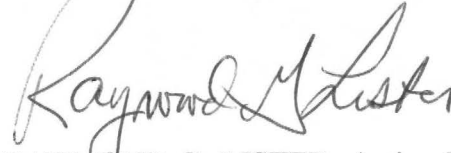
The Approved Wild Horse Amendment outlined specific winter use areas by livestock and wild horses that would be monitored prior to livestock turnout. Data from these areas formulated the basis for establishing initial stocking levels for wild horses and were identified in Map 2 on page 5 of the Wild Horse Amendment. Neither the Lower Seeding Pasture nor any other pasture in the North Butte Valley Allotment fall within the combined winter use areas where the 10% utilization by wild horses and livestock prior to turnout would apply. In addition, our census data confirms there is no wild horse use within the Lower Seeding Pasture of the North Butte Valley Allotment. The 40% utilization by wild horses prior to livestock addressed in the Amendment refers to the combined winter use areas as identified on Map 2 on page 5.

As stated in our previous letter, this temporary change in season of use would not exceed the total permitted AUMs for the allotment. The normal season of use for the allotment is 5/1 to 12/22. As per the allotment evaluation and subsequent grazing agreement signed 2/20/90, the seeded pastures are grazed each spring on a rotational basis beginning 5/1 with deferred use in the native pastures. Historically, use prior to 5/1 in the seeded pastures has been allowed based on favorable weather and growing conditions. Before authorizing such use, we have, as in the past, evaluated the current forage conditions as well as all available monitoring data collected for the North Butte Valley Allotment. Based on this review, we have determined that authorizing livestock grazing use prior to 5/1 this year would not affect the multiple use objectives for the allotment or the specific management objectives for the Lower Seeding Pasture (i.e. maintain 3 acres/AUM production of crested wheatgrass and do not exceed annual utilization of 60%).

We appreciate your comments concerning these proposed changes to grazing use in the North Butte Valley Allotment and hope the information provided above adequately addresses your concerns.

Should you have any further questions concerning the subject matter, please contact Kathy McKinstry or Bruce Thompson at (702) 753-0200.

Sincerely yours,

A handwritten signature in cursive script that reads "Raymond G. Lister". The signature is written in dark ink and is positioned above the printed name.

RAYMOND G. LISTER, Acting Manager
for Renewable Resources