



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

In Reply Refer To:
4130 (NV-012)

JAN 14 1998

Cliff and Bertha Gardner
c/o Cliff Gardner
HC 60 Box 700
Ruby Valley, NV 89833

Dear Mr. Gardner:

One of the new grazing regulations is that each permittee must have an approved Grazing Permit **and** an annual authorization (43 CFR 4140.1(b)(1)(i)) before grazing on public land. A paid annual authorization met the requirement under the old rule.

Your grazing permit will expire on February 28, 1998 and must be renewed prior to authorization to graze on public lands for the 1998 grazing season. In order to authorize your 1998 grazing use, we need to have the attached "Acceptance of Terms and Conditions" form signed and returned as promptly as possible.


The new grazing regulations also require the authorized officer to consult, cooperate, and coordinate with affected permittees, the State agencies having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits (43 Code of Federal Regulations 4130.2(b)). Therefore, a copy of this letter, a copy of the terms and conditions, and a map showing the location of the Harrison Allotment will be sent to anyone who has expressed an interest in the Harrison Allotment. The FFR W&C Ruby #9 Allotment is located on public land which is fenced in with private land owned by Cliff and Berth Gardner. **The interested public is being asked to provide comment by January 29, 1998.** You will be notified of any changes to terms and conditions that may be warranted as a result of comments received.

A Multiple Use Decision for the Harrison Allotment was completed in 1993. The terms and conditions outlined in the term permit are consistent with the Final Multiple Use Decision for the Harrison Allotment. This allotment is within the Maverick/Medicine Wild Horse Herd Management Area.

The terms and conditions outlined are consistent with the Wells Resource Management Plan and have been analyzed in the Wells Resource Management Plan Environmental Impact Statement.

If you have any questions please contact Bruce Thompson, your assigned Rangeland Management Specialist at (702) 753-0286. 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,


CLINTON R. OKE, Assistant District Manager
Renewable Resources

Enclosures: As stated

cc: Animal Protection Institute
Jack and Terry Bowers
Paul Bottari
Board of County Commissioners, Elko
Commission for the Preservation of Wild Horses
Cliff Gardner
Natural Resources Conservation Service
Nevada Division of Wildlife -Elko
Nev. Cattlemen's Assn./Nev Land Action Assn.
Nevada Woolgrowers Assn.
Resource Concepts Inc.
Wells Resource Area Grazing Assoc.
Buster Wines
Gary and Candace Wines
U.S. Fish and Wildlife Service

**ACCEPTANCE OF TERMS & CONDITIONS and
REQUEST FOR GRAZING PERMIT**

We, Cliff and Bertha Gardner, agree to accept the Terms & Conditions listed below and request that we be offered a Grazing Permit to graze the allotment in which we have a grazing preference.

Proposed Terms & Conditions

<i>Allotment</i>	<i>Livestock Number & Kind</i>	<i>Begin Period</i>	<i>End Period</i>	<i>% PL</i>	<i>Type Use</i>	<i>AUMs</i>
Harrison	192 Cattle	4/16	12/31	100	Active	384
FFR W&C Ruby #9 Fenced Federal Range	70 Cattle	8/01	8/31	100	Custodial	70

Terms and Conditions:

There are 182 historic suspended AUMs attached to this grazing permit.

Grazing use in the Harrison Allotment shall be in accordance with the District Manager's Final Multiple Use Decision dated September 10, 1993.

The FFR W&C Ruby #9 is public land which is fenced in with private land owned by Cliff and Bertha Gardner.

Actual use data on all pastures must be submitted to this office within 15 days from the last day of use.

Pursuant 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. 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.

Supplemental feeding is limited to salt, mineral, and/or protein supplements in block, granular, or liquid form. Such supplements must be placed at least ¼ mile from live waters (springs and streams), troughs, wet or dry meadows, and aspen stands.

All riparian exclosures, including spring development exclosures, are closed to livestock use unless specifically authorized in writing.

Payment of grazing fees is due on or before the due date specified on the grazing bill. Failure to pay the grazing bill within 15 days of the due date specified on the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00.

The term of this permit would be from March 1, 1997 to February 28, 2007.

Signed: _____

Date: _____