



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Elko Field Office
3900 East Idaho Street
Elko, Nevada 89801-4611
<http://www.nv.blm.gov>



In Reply Refer To:
4150/9230 (NV-012)
T-NV-010-99-11-008

CERTIFIED MAIL NO. P 213-904-099
RETURN RECEIPT REQUESTED

JUL - 8 1999

UNAUTHORIZED USE NOTICE AND ORDER TO REMOVE

Hammond Ranches, Inc.
c/o Roy Shurtz
P.O. Box 2148
Elko, NV 89803

Dear Mr. Shurtz:

You are hereby notified that the Bureau of Land Management has made an investigation and evidence tends to show that you are making unauthorized use of the public lands and lands under the control of the Bureau of Land Management. We allege that you are violating the laws specified below and the regulations approved by the Secretary of the Interior pursuant to the authority vested in him by said laws. Therefore, it is our opinion that you have committed the following acts:

Allowing livestock with your brand to graze on public land without authorization.

Violating the terms and conditions of your grazing permit for the Little Humboldt Allotment as modified by grazing decision issued and effective on June 1, 1999 as provided for by 43 CFR 4110.3-3(b) and 4160.3(b).

That you are in violation of the following laws:

Taylor Grazing Act of June 28, 1934, as amended;
Section 2, 48 Stat. 1270; 43 USC 315a.

Federal Land Policy and Management Act of October 21, 1976,
Sections 303 and 402, 43 USC 1733 and 1152 respectively.

And that you are in violation of the following regulations:

43 CFR 4140.1

"The following acts are prohibited on public lands and other lands administered by the

Bureau of Land Management:

(b) Persons performing the following prohibited acts related to rangelands shall be subject to civil and criminal penalties set forth at §4170.1 and §4170.2:

(1) Allowing livestock or other privately owned or controlled animals to graze on or be driven across these lands:

(I) Without a permit or lease, and an annual authorization,

(ii) In violation of the terms and conditions of a permit, lease, or other grazing use authorizations including, but not limited to, livestock in excess of the number authorized, and

(iii) In an area or at a time different from that authorized.

These acts and violations have occurred on the following described land:

Little Humboldt Allotment.

Violations, if continuing, must stop immediately.

You are hereby ordered to remove all unauthorized livestock from the above listed allotment. Failure to comply with this unauthorized use notice and order to remove may result in impoundment of the unauthorized livestock.

If you have evidence or information which tends to show you are not an unauthorized user of the public lands as we have alleged, you are allowed 5 days from receipt of this notice to present such evidence or information at the Bureau of Land Management Elko Field Office, 3900 E. Idaho Street, Elko, Nevada.

If allegations we have made are correct, you must permanently cease and desist from the violations charged, if you have not already done so. You are allowed 5 days from receipt of this notice to appear at the Bureau of Land Management Elko Field Office to effect a settlement for unauthorized use damages.

Failure to comply with this notice will result in further action to protect the interest of the United States. As provided for in 43 CFR 4170.1-1(a) which states:

“The authorized officer may withhold issuance of a grazing permit or lease, or suspend the grazing use authorized under a grazing permit or lease, in whole or in part, or cancel a grazing permit or lease and grazing preference, or a free use grazing permit or other grazing authorization, in whole or in part, under subpart 4160 of this title, for violation by a permittee or lessee of any of the provisions of this part.”



CLINTON R. OKE, Assistant Field Manager
Renewable Resources

cc: LaVaca Cattle Company, Inc.
Farm Credit Services
Carl Hammond

Bottari & Associates Realty
HTT Resource Advisors
Elko County Conservation Association
Commission for the Preservation of Wild Horses
Wild Horse Organized Assistance
U.S. Fish & Wildlife Service
Friends of Nevada Wilderness
Nevada Cattlemen's Assoc. & Land Action Assoc.
Barrick Goldstrike Mines Inc.
Resource Concepts, Inc.
Nevada Division of Wildlife
Nevada State Clearinghouse
Nevada Division of Agriculture
Ellison Ranching Company
Kenneth Buckingham
Board of County Commissioners, Elko County
Federal Land Bank of Sacramento
Nevada First Corporation