



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:
4120 (NV-010)

NOV - 8 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 October 29, 1996, Bertrand Paris and Sons applied for a change in permitted use, requesting to graze 300 cows on the North South and South South Seedings in the West Cherry Creek Allotment from 11/19/96 to 12/31/96. The utilization in the North South Seeding and the South South Seeding this past spring was slight and the seedings have not been grazed since the spring. The permitted season of use for the West Cherry Creek Allotment as described in the Wells Resource Management Plan (RMP) and by the Area Manager's Final Multiple Use Decision for the West Cherry Creek Allotment dated 9-30-94, is 5/01 to 10/31. Applications for Temporary Non Renewable (TNR) use in the seedings in the West Cherry Creek Allotment have been approved the past few years. The permitted use in the West Cherry Creek Allotment is 2,674 AUMs, of which 1,246 AUMs is available for cattle use and 1,428 AUMs are available for sheep use. The existing terms and conditions for the Bertrand Paris and Sons permit allows for the use of scheduled sheep AUMs (396) in the seeded pastures by cattle.

Bertrand Paris and Sons are applying for an additional 407 AUMs above his permitted use in the West Cherry Creek Allotment. The application dated October 29, 1996 would be authorized as a temporary deviation from the grazing permit dates and as temporary non-renewable use above the permitted use of the Bertrand Paris and Sons grazing permit.

The West Cherry Creek Allotment is a medium sized grazing allotment located in the northern portion of Butte Valley near the Elko County and White Pine County Line, approximately 70 miles south of Wells, Nevada. The North South and South South Seedings are located in the southern portion of the allotment (see attached map). A portion of the Maverick/Medicine Herd Management Area (HMA) occurs within this allotment. Due to fences there is no use in the seedings by wild horses. The seedings are predominately crested

wheatgrass. There are no streams or springs within the seedings. The permittee uses a pipeline and troughs in the seedings to water his livestock. Approval of the grazing application is consistent with multiple use objectives for this allotment.

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

- a. Utilization of the key forage species will not exceed 65 percent. When 65 percent utilization is achieved, the cattle will be removed within 5 days.
- b. Submit an actual use report within 15 days of the end of grazing.
- c. The extension in period of use (11/19 through 12/31) is authorized as temporary nonrenewable use and will not result in a permanent change to the 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.

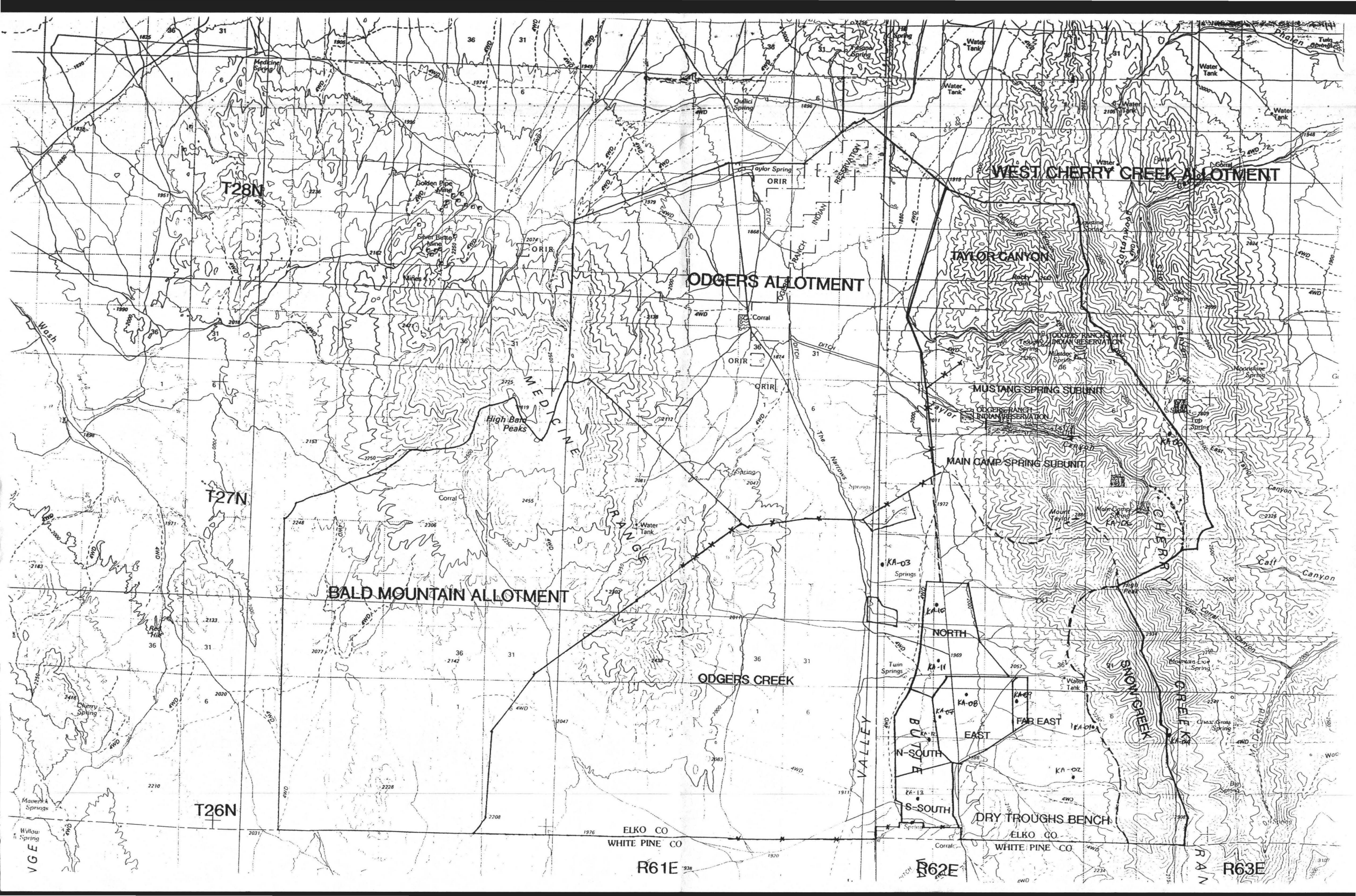
Sincerely yours,



CLINTON R. OKE, Manager
for Renewable Resources

Enclosure: As stated above

cc: American Horse Protection Association, Inc.
Animal Protection Institute of America
Commission for the Preservation of Wild Horses
Kathryn Cushman
Farm Credit Services
Cliff Gardner
Louise Lear
Natural Resources Defense Council
The Nature Conservancy
Nevada Dept. of Agriculture
Nevada Division of Wildlife
Nevada Land Action Association
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



T28N

T27N

T26N

ODGERS ALLOTMENT

WEST CHERRY CREEK ALLOTMENT

BALD MOUNTAIN ALLOTMENT

ODGERS CREEK

TAYLOR CANYON

MUSTANG SPRING SUBUNIT

MAIN CAMP SPRING SUBUNIT

NORTH

EAST

FAR EAST

DRY TROUGHS BENCH

ELKO CO
WHITE PINE CO

R61E

R62E

R63E

VGLE

RAN



COMMISSION FOR THE
PRESERVATION OF WILD HORSES

1105 Terminal Way

Suite 209

Reno, Nevada 89502

(702) 688-2626

December 8, 1996

Mr. Clinton R. Oke
Renewable Resources
Elko District
3900 East Idaho Street
Elko, Nevada 89801-4611

Subject: West Cherry Creek Seedings

Dear Mr. Oke:

The Commission for the Preservation of Wild Horses has received and reviewed the proposed decision to authorize livestock use on various seedings. We are surprised that the District would authorize use above the "moderate level" or allowable use levels of the land use plan.

We do appreciate the terms and conditions to remove livestock prior to severe use of these public range improvement projects.

Sincerely,

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

CATHERINE BARCOMB
Executive Director