



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Elko District Office
P.O. Box 831
Elko, Nevada 89803

L 1/26/96
✓
In Reply Refer To:
4130 (NV-015)

JAN 26 1996

CERTIFIED NO. Z 350-230-833
RETURN RECEIPT REQUESTED

Reed B. Robison
HCR 33 Box 33940
Ely, NV 89301

Upon review of our grazing case files, we have found that Mr. Reed Robison does not have a grazing permit. In accordance with the new grazing regulations, permittees are now required to have a grazing permit in addition to their annual grazing license.

In December 1995, the Bureau sent Mr. Robison a letter explaining the need to have a grazing permit, and included a listing of the terms and conditions that would apply to livestock grazing. In January 1996, Mr. Robison signed and returned a form titled **Acceptance of Terms and Conditions, and Request for Grazing Permit.**

The grazing regulations require consultation, cooperation and coordination with affected permittees or lessees, the State having lands or responsibility for managing resources within the area, and interested public prior to the issuance or renewal of grazing permits or leases. In order to comply with the consultation requirements of the grazing regulations, the following decision is being issued:

AREA MANAGER'S PROPOSED DECISION

It is my proposed decision to approve the grazing permit (enclosed and described below) for the period 3/1/1996 through 2/28/2006.

| <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> |
|------------------|------------------------------------|---------------------|-------------------|------------|-----------------|--------------|
| Antelope Valley | 718 Cattle | 11/01 | 5/31 | 100 | active | 2,517 |
| Antelope Valley | 718 Cattle | 11/01 | 5/31 | 100 | nonuse | 2,555 |
| | | | | | Total | 5,072 |
| Badlands | 1,248 Sheep | 11/01 | 3/31 | 100 | active | 1,240 |
| | | | | | Total | 1,240 |

Terms and Conditions

Line two is nonuse for conservation and protection of federal range.

Suspended nonuse associated with the Antelope Valley Allotment is 130 AUMs.

Authorized grazing use will be in accordance with the Area Manager's Final Multiple Use Decision dated December 22, 1994.

Actual use will be submitted to this office within 15 days of livestock removal.

Supplemental feeding is limited to salt, mineral and/or protein supplements in block, granular or liquid form. Such supplements must be placed at least 1/4 mile from live waters (springs, streams and troughs), wet or dry meadows, and aspen stands.

All riparian exclosures, including spring development exclosures, are closed to livestock grazing unless specifically authorized.

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

Mr. Robison please sign and return the enclosed permit.

See the enclosed map for the locations of the Antelope Valley Allotment and Badlands Allotment.

Reed B. Robison will be the sole permittee in the Antelope Valley Allotment, and graze in common with DBA Need More Sheep Co. in the Badlands Allotment. The grazing permit for the Antelope Valley Allotment is for 2,517 AUMs active, 130 AUMs suspended nonuse, and 2,555 AUMs nonuse for conservation and protection of the federal range.

An Allotment Evaluation for the Antelope Valley Allotment was completed in April 1994. The Area Manager's Final Multiple Use Decision was issued on December 22, 1994. The grazing permit includes terms and conditions that livestock grazing be in accordance with the Final Multiple Use Decision.

Approval of the permit is consistent with the Wells Resource Management Plan.

Authority for this decision is found in 43 CFR 4100.0-8, 4110.2-2, 4130.2, 4130.3, 4160.1 and 4160.3.

Any applicant, permittee or other affected interest may protest this proposed decision under 43 CFR 4160.1, in person or in writing to Bill Baker, Area Manager, P. O. Box 831, Elko, Nevada, 89803 within 15 days after receipt of the decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. Any applicant, permittee or other person whose interest is adversely affected by the final decision may file an appeal and petition for stay of the decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely yours,



BILL BAKER, Manager
Wells Resource Area

Enclosure: as state above

cc:DBA Need More Sheep Co.
Ely District BLM, Schell Resource Area
The Nature Conservancy
Natural Resources Defense Council
Nevada Dept. of Agriculture
Nevada Division of Wildlife
Marvel and Hansen, Attorneys at Law
Sierra Club, Toiyabe Chapter
Animal Protection Institute of America
Wild Horse Organized Assistance
Commission for the Preservation of Wild Horses
Humane Society - US
Gordon Temoak
US Fish and Wildlife Service
W. Shoshone Historic Preservation Society
Wells Resource Area Grazing Assn.
Rutgers Law School
Kathryn Cushman
Federal Land Bank
American Horse Protection Association, Inc.
Kenneth Jones
Von Sorenson

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRAZING PERMIT

STATE NV
OFFICE 015
OPERATOR NUMBER 271007
PREFERENCE CODE 03
DATE PRINTED 01/24/96
TERM 03/01/1996 TO 02/28/200

BWJ 1/24/96

ROBISON, REED B.

HC 33 BOX 33940
ELY, NV 89301

BUREAU OF LAND MANAGEMENT
WELLS RESOURCE AREA
P.O. BOX 831
ELKO, NV 89803

THIS GRAZING PERMIT IS OFFERED TO YOU BASED ON YOUR RECOGNIZED GRAZING PREFERENCE ON THE PUBLIC LANDS AND/OR OTHER LANDS ADMINISTERED BY THE BLM. YOU ARE AUTHORIZED TO MAKE GRAZING USE TO THE EXTENT OF YOUR ACTIVE GRAZING PREFERENCE AS SHOWN BELOW UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS INCORPORATED HEREIN AND YOUR PAYMENT OF GRAZING FEES.

ALLOT

| PASTURE | LIVESTOCK | | GRAZING PERIOD | | %PL | TYPE USE | AUM'S |
|-----------------------|-----------|--------|----------------|-------|-----|----------|-------|
| | NUMBER | KIND | BEGIN | END | | | |
| 04301 ANTELOPE VALLEY | 718 | CATTLE | 11/01 | 05/31 | 100 | | 2517 |
| | 718 | CATTLE | 11/01 | 05/31 | 100 | | 2555 |
| 04302 BADLANDS | 1248 | SHEEP | 11/01 | 03/31 | 100 | ACTIVE | 1239 |

TERMS AND CONDITIONS:

LINE TWO IS NONUSE FOR CONSERVATION AND PROTECTION OF FEDERAL RANGE
SUSPENDED NONUSE ASSOCIATED WITH THE ANTELOPE VALLEY ALLOTMENT IS 130 AUMS

AUTHORIZED GRAZING USE WILL BE IN ACCORDANCE WITH THE AREA MANAGERS'S FINAL MULTIPLE USE DECISION DATED DECEMBER 22, 1994.

ACTUAL USE WILL BE SUBMITTED TO THIS OFFICE WITHIN 15 DAYS OF LIVESTOCK REMOVAL.

SUPPLEMENTAL FEEDING IS LIMITED TO SALT, MINERAL AND/OR PROTEIN SUPPLEMENTS IN BLOCK, GRANULAR OR LIQUID FORM. SUCH SUPPLEMENTS MUST BE PLACED AT LEAST 1/4 MILE FROM LIVE WATERS (SPRINGS, STREAMS, AND 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 BY THE AREA MANAGER.

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.

ALLOTMENT SUMMARY (AUM'S)

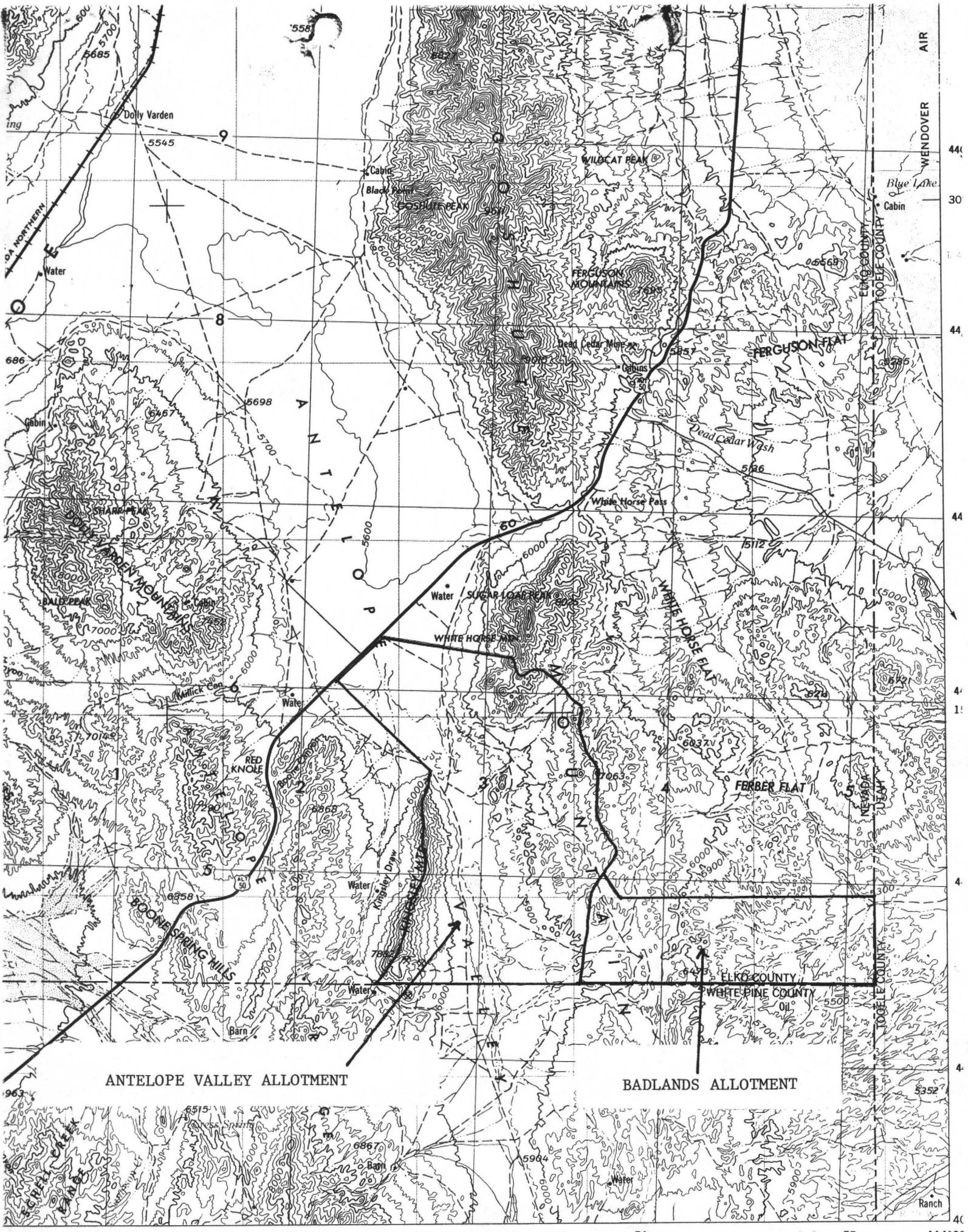
| ALLOT | P R E F E R E N C E | | |
|-----------------------|---------------------|------|-------|
| | ACTIVE | SUSP | TOTAL |
| 04301 ANTELOPE VALLEY | 5072 | 130 | 5202 |
| 04302 BADLANDS | 1240 | | 1240 |

THIS PERMIT ; 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS REQUIRED BY LAND PLANS AND APPLICABLE LAW; (B) ANNUAL REVIEW AND TO MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:

SIGNATURE OF PERMITTEE: _____ DATE _____

AREA MANAGER: _____ DATE _____



ANTELOPE VALLEY ALLOTMENT

BADLANDS ALLOTMENT

71

30'

72

R. 07 E.

73

R. 15'

74

R. 07 E.

75

R. 07 E.

114°00'



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

255 W. Moana Lane

Suite 207A

Reno, Nevada 89509

(702) 688-2626

February 2, 1996

Mr. Bill Baker
Wells Resource Area
Bureau of Land Management
3900 East Idaho Street
P.O. Box 831
Elko, Nevada 89801

Subject: 10 Year Permit - Antelope Valley Allotment

Dear Mr. Baker:

The Commission for the Preservation of Wild Horses has received the proposed decision to issue a 10 year grazing permit for the Antelope Valley and Badlands Allotments. It is encouraging that the District issued a multiple use decision for one of these allotments in 1994. In light of the Wild Horse Amendment to the Wells Resource Management Plan, we feel it would be appropriate to specifically address resource objectives and management actions in the terms and conditions.

Allotment evaluations and multiple use decisions are an ongoing and scheduled process to determine rangeland carrying capacities. We assume that this process will occur during the next 10 years and it may possibly modify this permit. It may be appropriate to limit the term of this permit to your scheduled allotment evaluation.

We would appreciate your attention on this matter.

Sincerely

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

CATHERINE BARCOMB
Executive Director