

9/12/03

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>

SEP 12 2003

In Reply Refer To:
4130(NV-012)

Dear Interested Public:

The Elko Field Office (F.O.) BLM has received an application from Dave and Deanna McCall to acquire the entire grazing preference and grazing privileges for the Odgers Allotment located southeast of Elko, NV. The McCall's have a grazing permit for the adjoining North Butte Valley Allotment. The following background information is provided (see enclosed map for allotment locations):

The TeMoak Livestock Association (TLA) previously held a grazing preference and permit to graze on public lands located in the Odgers and Bald Mountain Allotments since about 1940. The previous TLA's grazing permitted use is outlined in Table 1 below.

Table 1. Previous TeMoak Livestock Association Grazing Preference.

Base Property		Allotment	Grazing Preference		
Name	Acres		Active	Suspended	Total
Odgers Ranch	1,907	Odgers	1,596	0	1,596

The Odgers Allotment was licensed at 100% public land.

The TLA paid for grazing use each year through the 1983 grazing season with their 1983 annual authorization ending 10/16/83. Beginning in 1984, the Elko District BLM was informed by the Chairman of the TLA that they would no longer be paying grazing fees to the BLM, claiming the Western Shoshone still held aboriginal title to these lands. Following lengthy litigation, the TLA's grazing preference and permit were cancelled.

In June 2001, the Elko F.O. issued the Maverick/Medicine Final Multiple Use Decision, which covered the Odgers Allotment. Regarding the Odgers Allotment, this decision said to "Award the Permitted Use in Odgers and Bald Mountain Allotments, previously held by the TeMoak Livestock Association, to a qualified applicant".

The Elko F.O. is now considering the McCall's application for a grazing preference and permit in the Odgers Allotment.

The following terms and conditions would apply to a grazing permit for the Odgers Allotment:

Allotment	Livestock		Period		% Public Land	AUMs*
	Number	Kind	Begin	End		
Odgers	533	Cattle	10/1	12/30	100	1,596

*Total number of Animal Unit Months (AUMs) of specified livestock grazing use.

There are no historic suspended AUMs attached to this grazing permit.

Authorized grazing will be in accordance with the Assistant Field Office Manager's Final Multiple Use Decision dated June 6, 2001.

All range improvements will be maintained/repared by the permittee prior to livestock turnout and throughout the grazing season in accordance with range improvement permits.

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.

The terms and conditions of your permit may be modified if additional information indicates that revision is necessary to conform to 43 CFR 4180.

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 Odgers Allotment is located in the northern portion of North Butte Valley, just north of the Elko/White Pine County Line about 60 miles south of Wells, Nevada. There are two streams and numerous springs within this allotment. The allotment serves as summer range for mule deer and pronghorn antelope.

The grazing system for the Odgers Allotment was modified to allow for a change in season of use in order to improve forage diversity and improve riparian areas in the Odgers Allotment. The elimination of hot season use along Odgers Creek would provide for sufficient herbaceous growth necessary to improve plant vigor, restore riparian habitat and provide streambank protection. The previous grazing system failed to achieve riparian/stream objectives.

This would also allow the uplands to improve with rest during the critical part of the growing season each year.

The allotment is located within the Maverick/Medicine Herd Management Area (HMA).

The grazing regulations require the authorized officer to consult, cooperate, and coordinate (CCC) with affected permittees, the State agencies responsible for managing resources within the area, and the interested public prior to the issuance of grazing permits (43 CFR 4130.2(b)). Therefore, a copy of this letter is being sent to anyone who has expressed an interest in the Odgers Allotment. **The interested public is being asked to provide comment by September 26, 2003.** You will be notified of any changes to terms and conditions that may be warranted as a result of comments received.

If we propose to change the terms and conditions following the comment period, we will keep you and the other interested parties informed. Following the comment period, we will issue a decision on the application and send it to the interested public. The decision will include a 15-day period for protest and a 30-day period for appeal after the decision has become final.

The terms and conditions outlined are consistent with the Wells Resource Management Plan and achievement of the Standards for Rangeland Health.

If you have any questions about this matter, please contact Bruce Thompson, the assigned Rangeland Management Specialist at (775) 753-0200. 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,

Clint Oke, Acting

CLINTON R. OKE,
Assistant Field Manager
Renewable Resources

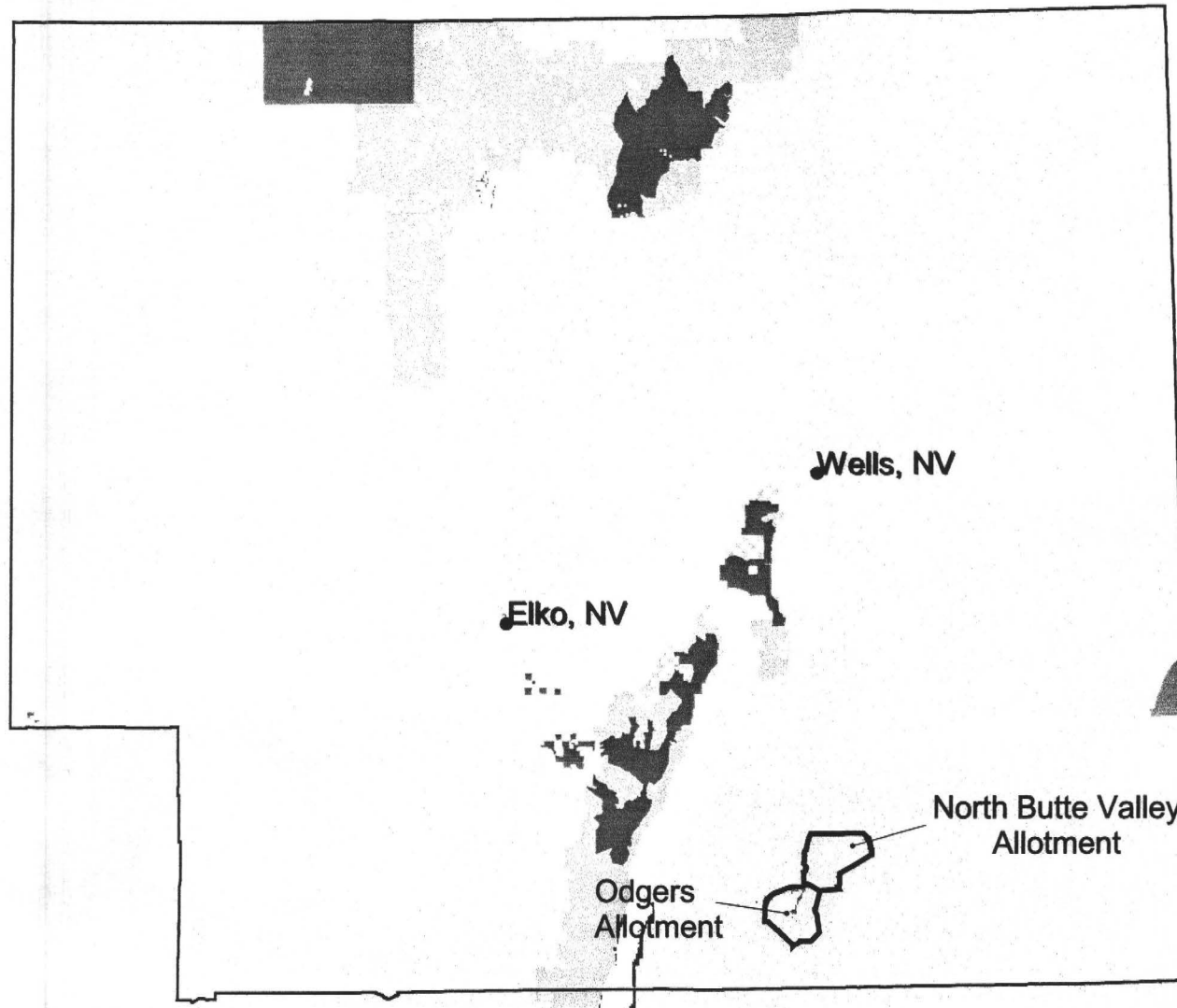
Enclosures: as stated above

cc: Nevada Cattlemen's Assoc.
Nevada Division of Wildlife
Commission for the Preservation of Wild Horses
U.S. Fish and Wildlife Service
Elko Board of County Commissioners
Resource Concepts Inc.
Committee for The High Desert
Western Watersheds Project
Dave and Deanna McCall
Ken Jones
Bert Paris and Son

Location Map



UNITED STATES
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ELKO FIELD OFFICE



- Cities
- District-bdy
- Allotment
- Landownership**
- Public (Administered by BLM)
- Bureau of Reclamation
- Department of Defense
- Native American Reservation
- Private
- U.S. Forest Service
- U.S. Fish & Wildlife Service
- USFS Wilderness Area

