



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

ELKO FIELD OFFICE
3900 E. IDAHO STREET
ELKO, NEVADA 89801

IN REPLY REFER TO:

4130 (NV-012)

Rother Farms
Leo Mousel
HC-30 Box 343
Elko, NV 89801

FEB 25 1997

Dear Mr. Mousel:

We have reviewed your grazing permit and have found the dates shown for period of use are not in conformance with historic use authorized on the Lindsay Creek Allotment. The period of use on your grazing permit should be consistent with authorized use. In order to revise your term grazing permit, we need to have the attached "Acceptance of Terms and Conditions" form signed and returned as promptly as possible. The terms and conditions include the needed changes in the season of use for the Lindsay Creek Allotment. The period of use for the Browne Allotment will remain the same as appears on your existing grazing permit.

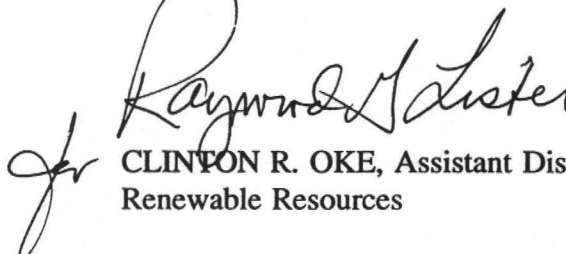
The new grazing regulations also require the authorized officer to consult, cooperate, and coordinate with affected permittees, the State agencies having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits (43 Code of Federal Regulations 4130.2(b)). Therefore, a copy of this letter, the enclosed acceptance form, and a map showing the location of the Lindsay Creek and Browne Allotments will be sent to anyone who has expressed an interest in these allotments. **The interested public is being asked to provide comment by March 11, 1997.** You will be notified of any changes to terms and conditions that may be warranted as a result of comments received.

The changes outlined in the terms and conditions reflect historic use on the Lindsay Creek Allotment, are consistent with the Elko Resource Management Plan and have been analyzed in the Elko Resource Management Plan Environmental Impact Statement.

The Browne Allotment is within the Diamond Hills North Wild Horse Herd Area. An Appropriate Management Level (AML) has not been set for the Browne Allotment, however, an evaluation of the allotments in the entire Diamond Mountains area, which includes three BLM districts, is currently ongoing and will set AML and livestock stocking levels upon its completion.

If you have any questions please contact Chuck Petersen, your assigned Rangeland Management Specialist at (702) 753-0359. 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 above

cc: U. S. Fish & Wildlife Service
Sierra Club, Toiyabe Chapter
Natural Resources Defense Council
Resource Concepts, Inc.
Nevada Department of Agriculture
Nevada Division of Wildlife
Nevada Cattlemen's Association and Nevada Land Action Association
Nevada Division of Environmental Protection
Board of County Commissioners, Elko
John Marvel
Intermountain Federal Land Bank Association
National Wildlife Federation
Reed Ranching
Adobe Hills Ranch
Jack Walther
DeLoyd Satterthwaite
Animal Protection Institute of America
Commission for the Preservation of Wild Horses
Anna Charlton
Wild Horse Organized Assistance

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

Rother Farms does agree to accept the Terms & Conditions listed below and request that it be offered a Grazing Permit to graze the allotments in which it has a grazing privileges.

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> |
|------------------|--|-------------------------|-----------------------|------------|-----------------|-------------|
| Lindsay Creek | 206 Cattle | 4/15 | 10/30 | 100 | Active | 1,349 |
| Browne | 323 Cattle | 5/16 | 9/15 | 100 | Active | 1,307 |

Terms and Conditions

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

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

There are 468 historical suspended non-use AUMs in the Lindsay Creek Allotment and 673 historical suspended non-use AUMs in the Browne Allotment, both of which are associated with Rother Farms.

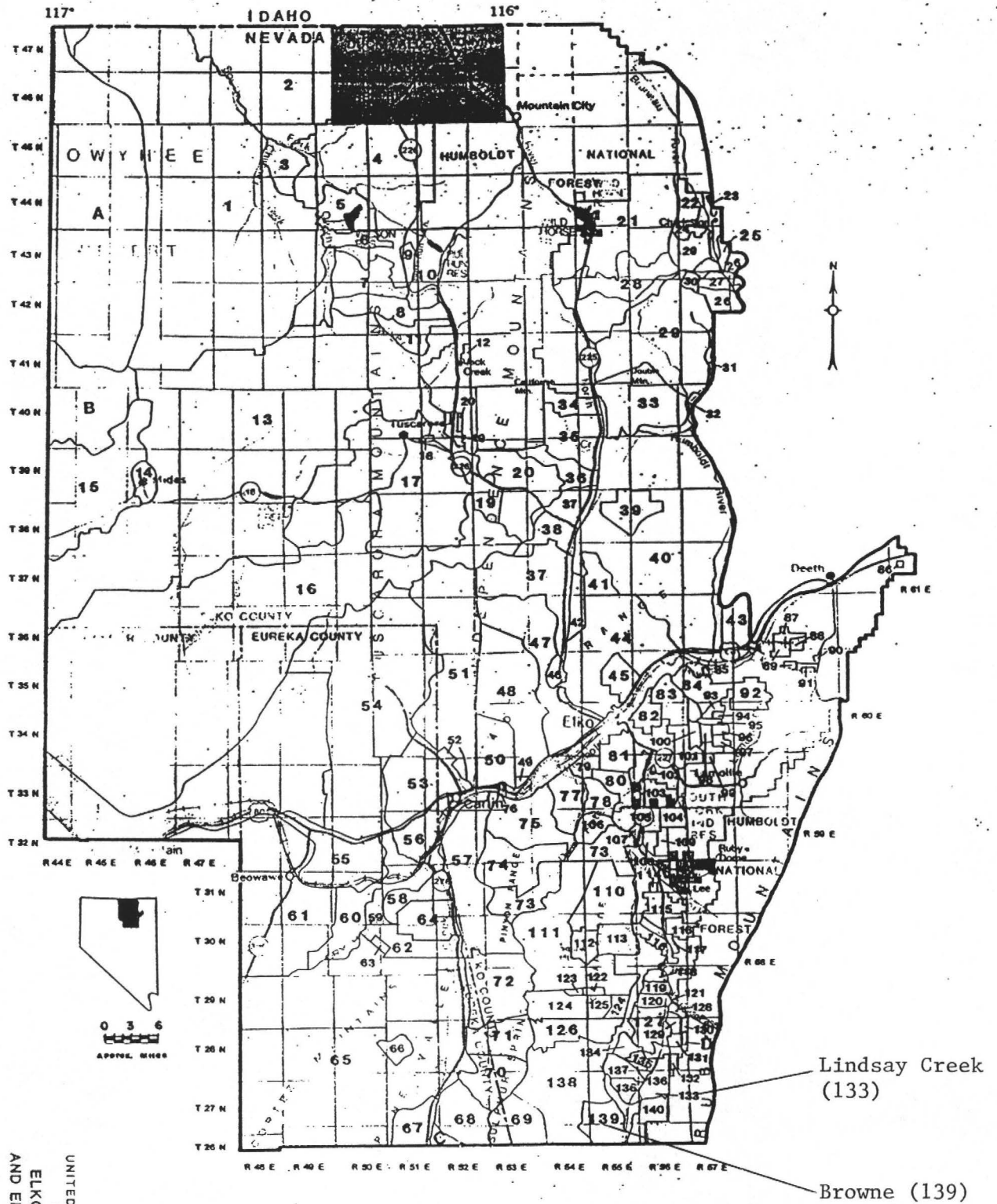
The term of the Grazing Permit will be from March 1, 1997 to February 28, 2007.

Signed: _____

Date

Note: In order to timely process your new permit and annual authorization this form needs to be signed and returned to the Elko BLM office as soon as possible.

Rother Farms Allotments



UNITED STATES DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 ELKO RESOURCE MANAGEMENT PLAN
 AND ENVIRONMENTAL IMPACT STATEMENT

ALLOTMENT BOUNDARIES



COMMISSION FOR THE
PRESERVATION OF WILD HORSES

1105 Terminal Way
Suite 209

Reno, Nevada 89502
(702) 688-2626

March 14, 1997

Mr. Clint Oke
Elko District
Bureau of Land Management
3900 East Idaho Street
P.O. Box 831
Elko, Nevada 89803

Subject: Browne Allotment - Diamond Hills North HMA

Dear Mr. Oke:

The Commission for the Preservation of Wild Horses has reviewed the proposed terms and conditions for the Lindsay and Browne Allotments. As you are aware, the Browne Allotment is within the Diamond Hills North Wild Horse Area and subject to an allotment evaluation.

Presently, the Elko District has determined that wild horse and livestock use of the allotment is causing resource damage. Stocking rates far less than proposed terms and conditions are known to cause damage. We suggest that this permit be subject to the pending final multiple use decision.

Federal regulations prohibit authorizing use that would exceed the carrying capacity.

Sincerely,

Catherine Barcomb
CATHERINE BARCOMB
Executive Director