



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Elko Field Office
3900 East Idaho Street
Elko, Nevada 89801-4611

In Reply Refer To:

4130/4710 (NV-010)

APR 18 1997

Earl Bingham and Family LTD
c/o Earl Bingham
8005 North 3600 West
Honeyville, UT 84314

Dear Mr. Bingham:

Your application for an extension of use on the Ferber Flat Allotment from 4/21/97 to 4/30/97 was received on 4/8/97. Your existing grazing permit allows for grazing use from 11/10 to 4/20 annually. As per the new grazing regulations which became effective on 8/22/95, the authorized officer is required to consult, cooperate and coordinate with various parties including the interested public prior to the issuance of non-renewable grazing permits. Consulting with the interested public allows the BLM the opportunity to consider the most complete information when making decision. As a result of the consultation process, the BLM received comments and concerns from the Animal Protection Institute (API) and the Commission for the Preservation of Wild Horses. The Commission requested additional information pertaining to pre-livestock use by wild horses and API felt that a deviation from the permit dates should not be allowed as they felt this deviation would result in a further loss of forage for wild horses.

The Approved Wells Resource Area Wild Horse Amendment outlined specific combined winter use areas by livestock and wild horses that would be monitored prior to livestock turnout. It was determined that limiting wild horses to 10% utilization levels on key forage species prior to the turnout of livestock would result in combined utilization that would meet multiple use objectives. Although the Ferber Flat Allotment does fall within the combined winter use areas where the 10% utilization level applies, aerial census flights over the last ten year period have never shown a wild horse on the allotment. Therefore, the Elko Field Office has determined it not necessary to collect pre-livestock utilization data on the Ferber Flat Allotment (should aerial census data show a change in the horse distribution in the future, vegetation monitoring will be adjusted accordingly). Data collected at the end of the grazing season over the last ten years shows an average utilization on key forage species of 38% on shrubs and 30% on grasses. These utilization figures are well within the objective levels.

I have given the comments received pertaining to the change in period of use in the Ferber Flat Allotment careful consideration. Based on my review of the comments received, I have determined that authorizing livestock grazing use from 4/21 to 4/30 this year would not affect the attainment or non-attainment of the multiple use objectives for the Ferber Flat Allotment. API and the Commission are being provided with a copy of the grazing license and a map of the allotment which are enclosed. In addition to the existing terms and conditions, the following terms and conditions will apply:

The change in the period of use (4/21/97 through 4/30/97) is authorized as a change in the period of use, and will not result in a permanent change to your grazing permit.

All livestock use will be confined to the Little Whitehorse Pass and surrounding vicinity.

Should you have any further questions concerning the subject matter, please contact Kathy McKinstry or Bruce Thompson at (702) 753-0200.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Clinton R. Oke", with a horizontal line underneath.

CLINTON R. OKE, Assistant District Manager
Renewable Resources

Enclosure(s): As stated above.

cc. Animal Protection Institute
Commission for the Preservation of Wild Horses

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

DUE DATE APRIL 21, 1997

TOTAL DUE \$174.70

STATE (1) NV
OFFICE (2) 015
OPERATOR NUMBER (3) 271026
PREFERENCE CODE (4) 03
SCHEDULE NUMBER (5) 1
BILL NUMBER (6) G27102625
BILL DATE (7) 04/17/97
BILL CODE (8) 1
AMOUNT COLLECTED (9) _____
FOR BLM USE ONLY

TD 4/7/

BINGHAM, EARL FAMILY
LTD PARTNERSHIP
EARL L. BINGHAM
8005 NORTH 3600 WEST
HONEYVILLE, UT 84314

BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
3900 EAST IDAHO ST.
ELKO, NV 89801-4611

MAKE REMITTANCE TO: US DEPT. OF THE INTERIOR-BLM. PLEASE RETURN THE TOP PORTION OF THIS NOTICE WITH YOUR PAYMENT, AND KEEP THE BOTTOM PORTION. THIS NOTICE SHOWS THE AMOUNT DUE IN GRAZING FEES FOR LIVESTOCK GRAZING USE OFFERED TO YOU. YOUR CANCELED CHECK IS YOUR RECEIPT. A SERVICE CHARGE OF \$10.00 WILL BE MADE FOR EACH APPLICATION REQUIRING A REPLACEMENT OR SUPPLEMENTAL BILL.

===== FOR INTERNAL USE ONLY =====
ARF BILL NBR FUND STOF STCTYCCLT LINE DOLLARS
G27102625 720 NV015 NV0070601 164.70
G27102625 670 NV015 10.00
=====

BILL NUMBER: G27102625 BINGHAM, EARL FAMILY
ALLOT

PASTURE	LIVESTOCK NUMBER	BEGIN PERIOD	END PERIOD	T %PL U	AUM" S	AUM COST	FEE AMOUNT
04314 FERBER FLAT	1850 S	04/21/97	04/30/97	100 A	122	\$1.35	\$164.70
						SUBTOTAL	\$164.70
						SERVICE CHARGE	\$10.00
						TOTAL DUE	\$174.70

TERMS AND CONDITIONS:

GRAZING OF THE EXISTING ADMINISTRATIVE SHEEP TRAIL OTHER THAN FOR TRAILING IS PROHIBITED. ACTUAL USE DATA MUST BE SUBMITTED TO OUR OFFICE WITHIN 15 DAYS FROM THE LAST DAY OF USE. THE CHANGE IN THE PERIOD OF USE FOR THIS BILL (4/21/97 - 4/30/97) IS AUTHORIZED AS A CHANGE IN THE PERIOD OF USE, AND WILL NOT RESULT IN A PERMANENT CHANGE TO YOUR GRAZING PERMIT. ALL LIVESTOCK USE WILL BE CONFINED TO THE LITTLE WHITEHORSE PASS AND

BILL NUMBER:

SURROUNDING VICINITY.

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.

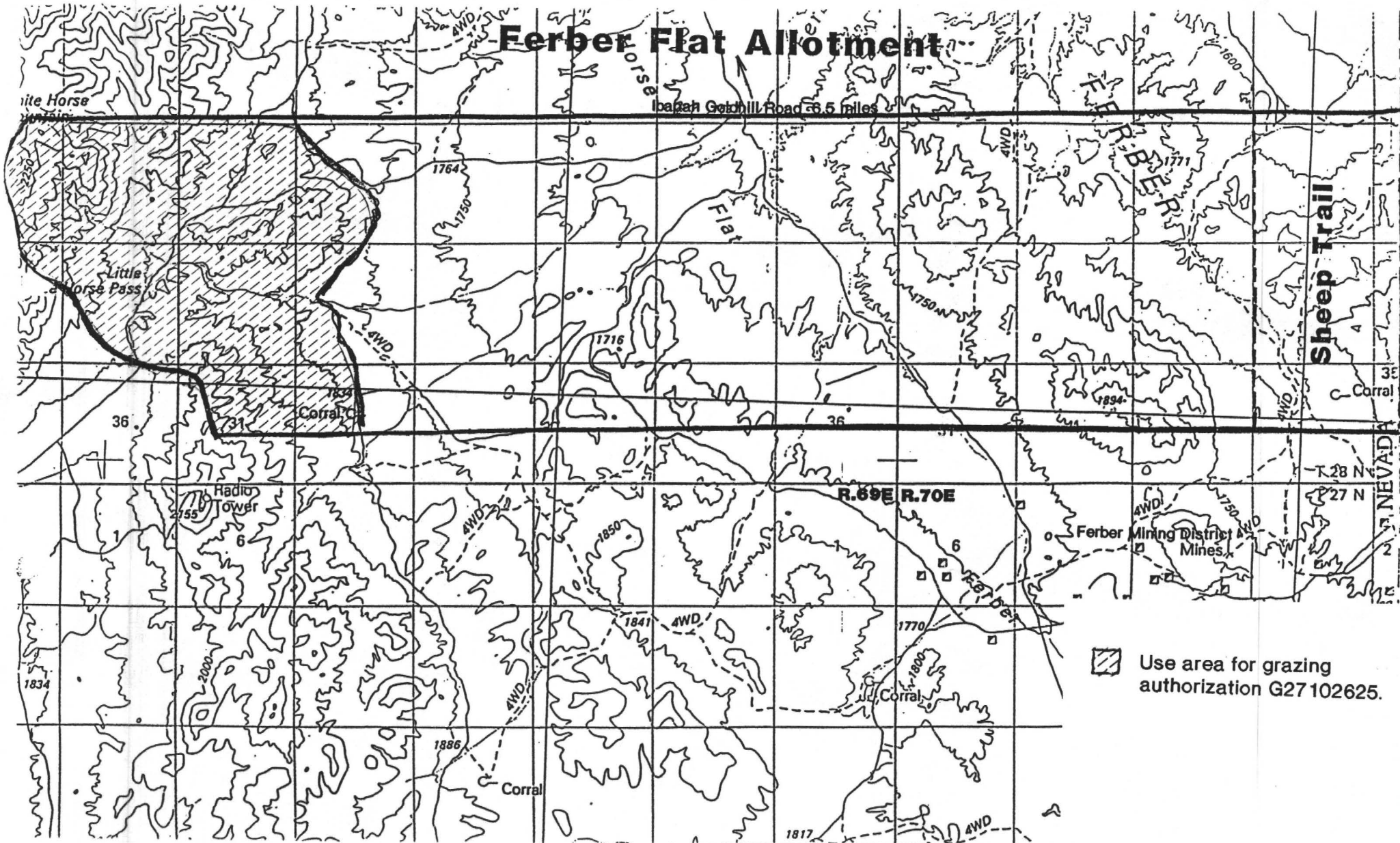
ALL RIPARIAN ENCLOSURES, INCLUDING SPRING DEVELOPMENT ENCLOSURES, ARE CLOSED TO LIVESTOCK USE UNLESS SPECIFICALLY AUTHORIZED IN WRITING BY THE AREA MANAGER.

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.

YEAR TO DATE AUTHORIZED


ALLOT	PREF	NOT	AUTHORIZED					
ACTIVE	ACTIVE	SCHED	ACTIVE	NONUSE	FR USE	EOU	TRAIL	TEMP
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04314	2735	1984	751					

Ferber Flat Allotment



Lapah Getchill Road 3.5 miles

Sheep Trail

 Use area for grazing authorization G27102625.



COMMISSION FOR THE
PRESERVATION OF WILD HORSES

1105 Terminal Way
Suite 209
Reno, Nevada 89502
(702) 688-2626

April 28, 1997

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

Subject: Ferber Flat Allotment TNR - Antelope Valley HMA

Dear Ms. Hankins:

Thank you for consulting the Nevada Commission for the Preservation of Wild Horses. We appreciate the additional information concerning this allotment.

As we have discussed, the ramifications of the Wells Wild Horse Amendment is threatening to the viability of the affected wild horse herds. We appreciate the disclosure of data that suggest that wild horses are at or below their appropriate management level within this herd management area.

These additional data supports the decision to issue additional use for livestock.

Sincerely,

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

CATHERINE BARCOMB
Executive Director