

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
 HC 33 Box 33500 (702 No. Industrial Way)
 Ely, Nevada 89301-9408
<http://www.nv.blm.gov/Ely>

In Reply Refer To:
 4110.2 (NV-040)

Brandon Humphries
 Wahoo Ranch
 HC 10 Box 10848
 Ely Nevada 89301

FEB 02 2006

Dear Brandon:

Your application to transfer the cattle grazing privileges from the Robert Harbecke Permit (Fern Harbecke) to Wahoo Ranch was received by BLM on January 6, 2006. The signed and dated *Acceptance of Terms and Conditions* form was received by BLM on January 30, 2006.

In accordance with Sec. 325, Title III, H.R. 2691, Department of the Interior and Related Agencies Appropriations Act, 2004 (P.L. 108-108), which was enacted on November 10, 2003, your grazing permit can now be issued under Section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752), title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.), or, if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50).

In accordance with Public Law 108-108 the terms and conditions contained in the expired or transferred permit have been incorporated into your new permit and shall continue in effect under the new permit until such time as the Secretary of the Interior completes processing of this permit in compliance with all applicable laws and regulations, at which time this permit may be canceled, suspended, or modified, in whole or in part, to meet the requirements of such applicable laws and regulations.

The active permitted use associated with this transfer authorizes 311 AUMs of cattle grazing in the Willard Creek Allotment with a season of use from 04/15 through 11/30. This authorization is summarized as follows:

Allotment		Livestock		Grazing Period		% PL	Type Use	AUMs
Number	Name	Number	Kind	Begin	End			
10127	Willard Creek	41	Cattle	04/15	11/30	100	Active	311

The allotment summary is as follows:

Allotment	Preference		Total
	Active	Suspended	
10127 Willard Creek	311	492 *	803

RECEIVED

FEB 07 2006

DEPARTMENT OF ADMINISTRATION
 OFFICE OF THE DIRECTOR
 BUDGET AND PLANNING DIVISION

* 492 AUMs are held in non-use for conservation/resource protection purposes in accordance with the Multiple Use Decision for the Willard Creek Allotment dated December 8, 1993.

The new 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 and a copy of the acceptance form will be sent to individuals, groups or organizations that have expressed an interest in the management of livestock grazing on the Willard Creek Allotment for the 2005 grazing year (list at end of this letter).

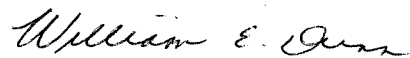
You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1, and this offering and issuance of a permit complies with the regulations governing issuance of permits outlined in 43 CFR 4110.2-1 and 4110.2-2.

The terms and conditions outlined in the enclosed acceptance form are those that have historically appeared on previous annual licenses and permits authorizing grazing use on the Willard Creek Allotment. The terms and conditions of livestock grazing outlined for the Willard Creek Allotment were developed through consultation, cooperation and coordination with the interested public during the allotment evaluation process. The terms and conditions outlined are also consistent with the Egan Resource Management Plan (RMP), Final Environmental Impact Statement (FEIS), and subsequent Record of Decision (ROD).

The Willard Creek Allotment does not occur within a wild horse herd management area (HMA). The allotment also does not occur within a wilderness area or wilderness study area (WSA).

If you have any questions please contact *Mark Lowrie*, Rangeland Management Specialist, at (775) 289-1888. 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,



William E. Dunn
Acting Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions Offer

Interested Public Mailing List (2005)
Grazing transfer for the Willard Creek Allotment

CC:

Curtis A. Baughman, NDOW
Dave Buhlig (Nevada Land & Resource Co.)
Steven J. Carter, Carter Griffin Inc.
El Tejon Sheep Co.
Katie Fite (Western Watershed Project)
Mr. Steve Foree, (NDOW)
Brad Hardenbrook (NDOW)
Lincoln County Commissioners
Betsy Macfarlan, ENLC
Nevada State Clearinghouse
Ben Roberts (Great Basin National Park)
U.S. Fish and Wildlife Service

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

I, Brandon Humphries, authorized representative for Wahoo Ranch, agree to accept the Terms & Conditions listed below and request that I be offered a Grazing Permit to graze the allotment in which I have a grazing preference.

Allotment Number	Name	Livestock Number/Kind	Grazing Period		% Public Land	Type Use	AUMs
			Begin	End			
10127	Willard Creek	41 Cattle	04/15	11/30	100	Active	311

Total active cattle AUMs for this permit are 311 AUMs.

The allotment summary is as follows:

Allotment	Active	Preference		Total
		Suspended		
10127 Willard Creek	311	492*		803

* The 492 AUMs suspended preference are actually AUMs in non-use for conservation and protection of the range resource according to CFRs and according to the multiple use decision for the Willard Creek Allotment dated December 8, 1993.

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for Wahoo Ranch in the Willard Creek Allotment:

Stipulations Common To All Allotments:

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations would not prevent attainment of the Multiple-Use Objectives for the allotment.
2. Deviations from specified grazing use dates will be allowed when consistent with Multiple-Use Objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. Pursuant to 43 CFR 10.4 (G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains,

funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). 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.

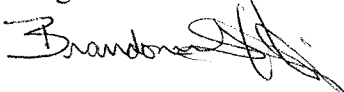
4. The authorized officer is requiring that an actual use report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
5. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
6. Grazing use will be in accordance with the Northeastern Great Basin Area Standards and Guidelines for grazing administration as developed by the Northeastern Great Basin Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Sub-part 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.

Additional Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for the Willard Creek Allotment:

1. The permittee is required to perform normal maintenance on the range improvements that have been issued through approved cooperative agreements or section 4 permits.
2. Grazing use will be in accordance with the Final Multiple Use Decision for the Willard Creek Allotment dated December 8, 1993.
3. To improve livestock distribution the placement of mineral blocks or salt blocks will be a minimum distance of $\frac{1}{4}$ mile from water.

Signature of Permittee



Date

1-30-2006