



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>



In Reply Refer To:
4110.2 (NV-042)

WCSD Corporation
c/o Aaron Kesler
265 South Main
Fillmore, Utah 84631

RECEIVED

FEB 15 2006

FEB 10 2006

DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR
BUDGET AND PLANNING DIVISION

Dear Mr. Kesler:

The application to lease (and transfer) the grazing privileges from Thelora Kemp to WCSD Corporation for the Heusser Mountain Allotment was received on February 6, 2006. The signed and dated "Acceptance of Terms and Conditions and Request for Grazing Permit" for the Heusser Mountain Allotment was also received on February 6, 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 renewed 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 renewed 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.

A grazing permit will be issued for the period March 1, 2006 to December 31, 2010 corresponding to your lease agreement. The permitted use associated with this transfer authorizes cattle grazing on the Heusser Mountain Allotment from March 1 to March 31 and May 1 to February 28 for 1,486 AUMs. (See the enclosed Acceptance of Terms and Conditions Agreement for details.)

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 Heusser Mountain Allotments for the 2005 grazing year (list at end of this letter).


You meet all of the qualifications for the 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 allotments. 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 Heusser Mountain Bristlecone Pine Instant Study Area (ISA) is located within the Heusser Mountain Allotment in the Egan Range.

If you have any questions please contact *John Longinetti*, Rangeland Management Specialist, at (775) 289-1887. 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,



for William E. Dunn
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions Offer

Interested Public Mailing List (2005)
Grazing lease transfer for Heusser Mountain Allotment

cc:

Curtis Baughman, Nevada Department of Wildlife

Steven Carter, Permittee

Katie Fite, Western Watersheds Project

Steve Foree, Nevada Department of Wildlife

Brad Hardenbrook, Nevada Department of Wildlife

Betsy Macfarlan, Eastern Nevada Landscape Coalition

Nevada State Clearinghouse

Joe Pescio, Permittee

Pete Pescio, Permittee

U.S. Fish and Wildlife Service

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

We, WCSD Corporation, agree to accept the Terms & Conditions listed below and request that we be offered a Grazing Permit to graze the Heusser Mountain Allotment in which we have a grazing preference.

ALLOTMENT Number	Name	LIVESTOCK Number & Kind		GRAZING PERIOD		% PL	Type Use	AUMs	
				Begin	End			Susp	Actv
416	Heusser Mountain	44	Cattle	03/01/04	03/31/04	100	A	0	47
416	Heusser Mountain	144	Cattle	05/01/04	02/28/05	100	A	447	1439

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 Heusser Mountain Allotment:

Permitted use on the Heusser Mountain Allotment is 1,486 AUMs of cattle use. This use is proportioned among seven pastures within the allotment as follows:

Airport Flat Pasture: Permitted use in the Airport Flat Pasture is 240 AUMs. The season of use is from October 1 to February 28.

Winter I Pasture: Permitted use in the Winter I Pasture is 158 AUMs. The season of use is from October 1 to February 28.

B&W Seeding Pasture: Permitted use in the B&W Seeding Pasture is 435 AUMs. The season of use is from May 1 to June 15 in the spring and September 1 to October 31 in the fall.

The Cove Pasture (Unit # 1): Permitted use in The Cove Pasture is 203 AUMs. A three pasture spring/fall rotation grazing system has been established on pasture units # 1, # 2, and # 3. Grazing is authorized from May 1 to June 15 every third year and from September 1 to March 31 the remaining two years of the three year rotation. Water hauling for livestock is required in these three units and all water hauling sites must be approved by the authorized officer after annual consultation with the permittee.

Smith Valley Pasture (Unit # 2): Permitted use in the Smith Valley Pasture is 146 AUMs. A three pasture spring/fall rotation grazing system has been established on pasture units # 1, # 2, and # 3. Grazing is authorized from May 1 to June 15 every third year and from September 1 to March 31 the remaining two years of the three year rotation. Water hauling for livestock is required in these three units and all water hauling sites must be approved by the authorized officer after annual consultation with the permittee.

Lusetti Canyon Pasture (Unit # 3): Permitted Use in the Lusetti Canyon Pasture is 157 AUMs. A three pasture spring/fall rotation grazing system has been established on pasture units # 1, # 2, and # 3. Grazing is authorized from May 1 to June 15 every third year and from September 1 to March 31 the remaining two years of the three year rotation. Water hauling for livestock is required in these three units and all water hauling sites must be approved by the authorized officer after annual consultation with the permittee.

Romeo Seeding Pasture (Unit # 4): Permitted use in the Romeo Seeding Pasture is 147 AUMs. The season of use is from May 1 to June 15 in the spring and September 1 to October 31 in the fall.

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, this grazing permit or lease is renewed 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 or lease have been incorporated into this permit or lease and shall continue in effect under the renewed permit or lease until such time as the Secretary of the Interior completes processing of this permit or lease in compliance with all applicable laws and regulations, at which time this permit or lease may be canceled, suspended, or modified, in whole or in part, to meet the requirements of such applicable laws and regulations.

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.

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.

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.

To encourage public participation, the Forest Service will use a mailing of information to interested parties. Public involvement will be ongoing throughout the analysis process; however, at certain times public input will be specifically requested. Written scoping comments should be received by **March 15, 2006**. Comments should be sent to: **District Ranger, Santa Rosa Ranger District, 1200 E. Winnemucca Blvd., Winnemucca, Nevada 89445**. Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection. You need to provide comments or contact us if you want to remain on the mailing list for this project.