

BLM-037



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2700240

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD BEGIN END	%PL USE TYPE USE	AUMS
NV10051 SHANNON STATION/SPANISH GULCH		643 SHEEP	05/01 09/30	100 ACTIVE	647

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 402(C)(2) OF FLPMA, 1976 AS AMENDED, AND CONTAINS THE SAME TERMS AND CONDITIONS AS THE PREVIOUS PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELLED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

GRAZING USE WILL BE INACCORDANCE WITH THE DIAMOND MOUNTAINS FINAL MULTIPLE USE DECISION DATED JANUARY 1, 2000. (EA TITLED DIAMOND MOUNTAIN COMPLEX FINAL EVALUATION; THE DECISION TITLED THE FINAL MULTIPLE USE DECISION FOR THE SHANNON STATION AND SPANISH GULCH ALLOTMENTS.)

IN ACCORDANCE WITH 43 CFR 4130.8-1(F): FAILURE TO PAY GRAZING BILLS WITHIN 15 DAYS OF THE DUE DATE SPECIFIED IN 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. PAYMENT MADE LATER THAN 15 DAYS AFTER THE DUE DATE, SHALL INCLUDE THE APPROPRIATE LATE FEE ASSESSMENT. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS MAY BE A VIOLATION OF 43 CFR SEC. 4140.1(B)(1) AND SHALL RESULT IN ACTION BY THE AUTHORIZED OFFICER UNDER 43 CFR SECTIONS 4150.1 AND 4160.1-2.

IN ACCORDANCE WITH 43 CFR 4130.3-2(D): ACTUAL USE INFORMATION, FOR EACH PASTURE/USE AREA, WILL BE SUBMITTED TO THE AUTHORIZED OFFICER WITHIN 15 DAYS OF COMPLETING GRAZING USE AS SPECIFIED ON THE GRAZING PERMIT AND/OR GRAZING LICENSES.

IN ACCORDANCE WITH 43 CFR 4120.3-1(A): ALL RANGE IMPROVEMENTS SHALL BE INSTALLED, USED, MAINTAINED, AND/OR MODIFIED ON THE PUBLIC LANDS, OR REMOVED FROM THESE LANDS, IN A MANNER CONSISTENT WITH MULTIPLE-USE MANAGEMENT.

IN ACCORDANCE WITH 43 CFR 4130.3-2(C): IN ORDER TO IMPROVE LIVESTOCK AND RANGELAND MANAGEMENT ON THE PUBLIC LANDS, ALL SALT AND/OR MINERAL SUPPLEMENTS WILL NOT BE PLACED WITHIN 1/4 MILE OF ANY RIPARIAN AREA, WET MEADOW, OR WATERING FACILITY (EITHER PERMANENT OR TEMPORARY) UNLESS STIPULATED THROUGH A WRITTEN AGREEMENT OR DECISION.

DATE PRINTED: 10/23/2018

CASE FILE COPY

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IN ACCORDANCE WITH 43 CFR 4130.3-2(H): ALL GRAZING PERMITTEES SHALL PROVIDE REASONABLE ACCESS ACROSS PRIVATE AND/OR LEASED LANDS TO THE BUREAU OF LAND MANAGEMENT FOR THE ORDERLY MANAGEMENT AND PROTECTION OF THE PUBLIC LANDS.

IN ACCORDANCE WITH 43 CFR 4130.3-3: THE AUTHORIZED OFFICER MAY MODIFY TERMS AND CONDITIONS OF THE PERMIT OR LEASE WHEN THE ACTIVE USE OR RELATED MANAGEMENT PRACTICES ARE NOT MEETING THE LAND USE PLAN, ALLOTMENT MANAGEMENT PLAN OR OTHER ACTIVITY PLAN, OR MANAGEMENT OBJECTIVES, OR IS NOT IN CONFORMANCE WITH THE PROVISIONS OF SUBPART 4180 RAC STANDARDS AND GUIDELINES.

PURSUANT TO 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 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 BY THE AUTHORIZED OFFICER.

IN ACCORDANCE WITH 43 CFR 4130.3-1 (B) - ALL PERMITS AND LEASES SHALL BE MADE SUBJECT TO CANCELLATION, SUSPENSION, OR MODIFICATION FOR ANY VIOLATION OF THESE REGULATIONS OR OF ANY TERM OR CONDITION OF THE PERMIT OR LEASE.

PERMITTED USE SUMMARY

ALLOTMENT	ACTIVE AUMS	SUSPENDED AUMS	TEMP SUSPENDED AUMS	PERMITTED USE
NV10051 SHANNON STATION/SPANISH GULCH	647	0	0	647

TERMS AND CONDITIONS APPLICABLE TO ALL PERMITS AND LEASES

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
 2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
 3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits or leases when completed.
 4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
 5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
 6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
 7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
 8. Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
 9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
 10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of the discovery and make a reasonable effort to protect the remains and/or cultural items.
 11. Grazing fee payments are due on the date specified on the billing notice and **MUST** be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
 12. Members of Congress may not enter into a grazing permit or lease. 41 USC 6306 (2014). Further, no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (42 U.S.C. 1701 et. seq.) shall be admitted to any share or part in a permit or lease for grazing or derive any benefit to arise from a permit or lease for grazing.
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THIS GRAZING PERMIT:

- 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES
- 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS REQUIRED BY LAND PLANS AND APPLICABLE LAW; (B) ANNUAL REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED BY:

Cheryl Bliss
 OPERATOR SIGNATURE
Cheryl Bliss owner
 PRINTED NAME AND TITLE

12-15-2018
 DATE

APPROVED BY:

Jon D. Sherve
 BLM AUTHORIZED OFFICER SIGNATURE
Jon D. Sherve
 PRINTED NAME AND TITLE

2/15/2019
 DATE

AUMS: Animal Unit Months. Animal unit month means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month. For fee calculation purposes, an AUM is one month's use and occupancy of the range by one cow, bull, steer, heifer, horse, burro, mule, 5 sheep or 5 goats that: (1) are over the age of 6 months at the time of entering lands administered by the BLM; (2) are weaned regardless of age; (3) will become 12 months of age during the authorized period of use.

%PL Use: Percent forage from public land use.

Type Use: Categories with specific rules that govern AUM and grazing fee calculation and input on grazing authorizations and bills.

**Antelope Unit Adjudication
and Allotment Agreement**

In accordance with 43 CFR 4111.3-2(c), 4111.4-1 and 4111.4-2 of the Federal Range Code, we, the undersigned range users of the Antelope Unit hereby agree to the allotments as herein described and illustrated on the accompanying map.

JAMES ITHURRALDE ALLOTMENT

Beginning at the narrows at Devils Gate on U. S. Highway 50 at a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, T. 20 N., R. 52 E., MDM, thence in a southerly direction and in a straight line a distance of two and one-half (2-1/2) miles to the Four Corners Seeding Fence at the road junction in Big Reilley Canyon near the south quarter corner of Sec. 6, T. 19 N., R. 53 E., MDM, thence northeast following outside and around the seeding fence to a point on that fence near the point where the pipeline crosses under the fence near the east quarter corner of sec. 17, T. 19 N., R. 53 E., thence southeasterly approximately two (2) miles on a line north of and somewhat paralleling the pipeline to the Lone Tree on a small hill near the SE corner of Sec. 21, T. 19 N., R. 53 E., thence easterly up the ridge to the top of the drainage divide between Spring Valley Canyon and Zulu Canyon, thence in a southerly direction along the drainage divide (Propect Ridge) to Prospect Peak, thence south to Surprise Peak in the NE $\frac{1}{4}$ of Sec. 27, T. 18 N., R. 53 E., which lies on the Florio Range ~~use~~ ^{line}, thence in a northeasterly direction along the Florio Range line over Hoosac Mountain, a distance of about four and one-half (4-1/2) miles to Pinto Summit on U. S. Highway 50, thence north and west along Highway 50, a distance of about twelve (12) miles to Devils Gate narrows, the point of beginning.

It is further understood that each of the undersigned users of the Antelope Unit agree to accept the grazing capacity of their respective allotments as herein outlined.

In the case of the Florio Range, it is agreed that the forage available over and above that necessary to satisfy the Class I demand for Mrs. Jeanne Arambel and Mr. James Ithurralde will be allowed to the Bartholomae operation (Fish Creek Ranch) for those numbers, seasons and areas specified by the Bureau of Land Management.

It is further agreed that these allotments will in no way affect the recognized sheep trail of Mrs. Jeanne Arambel along Highway U. S. 50 and the Pedro Corta Rstate and James Ithurralde through the unit.

It is further agreed that Mrs. Jeanne Arambel will be allowed to trail her sheep from Pinto Creek through the Spanish Gulch allotment of the Diamond Unit to their Allotment on the west side of the Florio Range with the right to water at the troughs southwest of Bureka.

It is further agreed that, if deemed necessary by the Bureau of Land Management, water from the Four Corners Seeding Pipeline may be used by Ithurralde while trailing across the area east of the seeding. Ithurralde guarantees water in the pipeline to the Four Corners Seeding.

It is further agreed by the undersigned users of the Antelope Unit that the entire benefit of an increase in grazing capacity due to natural revegetation or cultural range improvements within any given allotment will go entirely towards satisfying the Class I demand of that range user in whose allotment the increase is made.

C. P. [Signature]
Hay Ranch (Lucky "C")

4-5-65
Date

Mrs. Jeanne Arambel
Mrs. Jeanne Arambel
as provided in [illegible]

Date

James Ithurralde
James Ithurralde

Date

William Bartholomae Estate

7/15/65
Date

By [Signature]
Co-executor

By [Signature]
Co-executor

See attached Agreement

Domingo Segura

Date

[Signature]
Richard McKay

[Signature]
Date

Approved [Signature]
Battle Mountain District Advisory Board

June 20, 1965
Date

Concur [Signature]
District Manager

12/16/65
Date

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant James Ithurralde

P.O. Box 26 of Eureka
Street and No. or P.O. Box No. City or town

Nevada 89316
State and Zip Code No.

(2) Source of water Lucky Spring #1
Name of natural water source.

(3) The water is diverted by Natural Channel
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SW 1/4 Sec. 1, T. 18N., R. 53E., M.D.M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should
(unsurveyed) or at a point from which the NE corner Sec. 36, T19N., R53E M.D.M.
be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such
reach.
bears N. 11° 52' 20" E. a distance of 9493 feet.

(5) The water is impounded in Natural Channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1860
Date
and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use
are located is Public domain with grazing permit.
Patented, deceded, public domain with grazing permit, etc.

(8) The claimant's water right (was not) recorded in the office of the County Recorder of
County, at Page of Book of
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

10-153

(9) The approximate number of animals watered by the claimant during the first year 1860,
Date
was 50 cattle 2100 horses or Other sheep. The watering
was conducted during each of the following months March 15 thru October 31 each year

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

same
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpose has been
0.15 cubic feet per second.
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at SW 1/4 SE 1/4 Sec. 1, T18N, R53E, M.D.M. (unsurveyed)
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
land, it should be stated.

Remarks

Remarks

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by James Ithurralde are full and correct to the best of his knowledge and belief.

Agent for Claimant.
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

James Ithurralde
Claimant

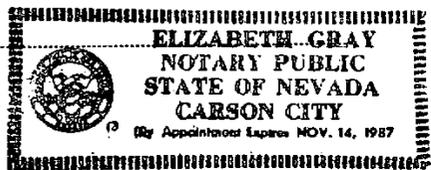
Telephone No. (.....)

By David M. Boyer
Lumos & Associates
3100 Mill St., #114
Street and No., or P.O. Box No.
Reno, Nevada 89502
City, State, Zip Code No.
Telephone No. (702.) 348-7277

Subscribed and sworn to before me this 12th day of August, 1985

Elizabeth Gray
Notary Public in and for the County of Washoe

My commission expires Nov. 14, 1987



\$50 FILING FEE MUST ACCOMPANY PROOF

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant James Ithurralde
P.O. Box 26 of Eureka
Street and No. or P.O. Box No. City or town
Nevada 89316
State and Zip Code No.

(2) Source of water Summit Spring #1
Name of natural water source.

(3) The water is diverted by Natural Channel
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Lot 6 Sec. 6, T.18N., R.54.E., M.D.M. or
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should
at a point from which the NW corner Sec. 31, T.19N., R.54E. M.D.M. bears N. 30
be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such
34' 09" W. a distance of 7951 feet.
reach.

(5) The water is impounded in Natural Channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1860
Date
and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use
are located is Public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right (was not) recorded in the office of the County Recorder of
County, at Page of Book of
NOTE--Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

10-153

Remarks.....
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Agent for Claimant
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James Ithurrealde
Claimant

Telephone No. (.....)

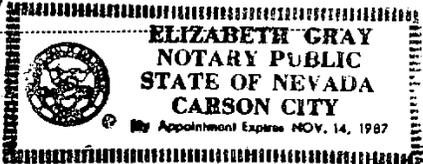
By *David M. Boyer*
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Reno, Nevada 89502
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THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant James Ithurralde

P.O. Box 26 of Eureka
Street and No. or P.O. Box No. City or town

Nevada 89316
State and Zip Code No.

(2) Source of water Spanish Gulch Spring
Name of natural water source.

(3) The water is diverted by Natural Channel
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SE 1/4 NE 1/4 Sec. 29, T. 19N., R. 54 E., M.D.M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should
(unsurveyed) or at a point from which the SW corner Sec. 30, T. 19N., R. 54 E.,
be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such
reach.
M.D.M. bears S. 69° 02' 18" W. a distance of 10,974 feet.

(5) The water is impounded in Natural Channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1860
Date
and completed -
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use
are located is Public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of
County, at Page of Book of
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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10-153

Remarks

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Agent for Claimant.

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James Ithurralde

Claimant

Telephone No. (.....)

By David M Bayn
Lumos & Associates

3100 Mill St., #114
Street and No., or P.O. Box No.
Reno, Nevada 89502

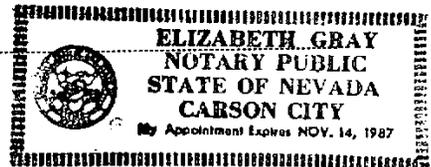
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THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant James Ithurralde

P.O. Box 26 of Eureka
Street and No. or P.O. Box No. City or town
Nevada 89316
State and Zip Code No.

(2) Source of water Milk Ranch Spring
Name of natural water source.

(3) The water is diverted by Spring box, natural channel and pipeline
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SE 1/4 SW 1/4 Sec. 30, T. 19N., R. 54E., M.D.M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should
(unsurveyed) or at a point from which the SW corner of said Sec. 30, bears
be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such
S 77° 55' 17" W a distance of 1491 feet.
reach.

(5) The water is impounded in Natural Channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1860
Date
and completed -
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use
are located is Public domain and with grazing permit
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of
County, at Page of Book of
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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Date
was 50 cattle 2100 horses sheep or Other. The watering
was conducted during each of the following months March 15 thru October 31 each year

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

same
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpose has been
0.15 cubic feet per second.
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at SE 1/4 SW 1/4 Sec. 30, T. 19N., R. 54E., M.D.M. (unsurveyed)
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
land, it should be stated.

Remarks

Remarks.....
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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by James Ithurrealde are full and correct to the best of his knowledge and belief.

Agent for Claimant.
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

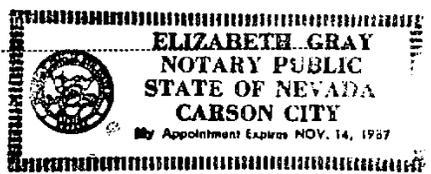
James Ithurrealde
Claimant

Telephone No.(.....)

By David M. Bayn
Lumos & Associates
3100 Mill St., #114
Street and No., or P.O. Box No.
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City, State, Zip Code No.
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Subscribed and sworn to before me this 12th day of August, 1985

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United States Department of the Interior



Bureau of Land Management

Battle Mountain Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
(775)635-4000 Fax(775)635-4034

In Reply Refer to:

4160.1
(NV-062.8)

JAN 5 2000

Cert. Mail # Z 188 115 992
Return Receipt Requested

James Ithurrealde
P. O. Box 26
Eureka, NV 89316

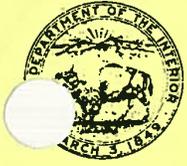
FINAL MULTIPLE USE DECISION FOR THE SHANNON STATION AND SPANISH GULCH ALLOTMENTS

The Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines were approved February 12, 1997. These Standards and Guidelines reflect the stated goals of improving rangeland health while providing for the viability of the livestock industry. The Record of Decision for the Shoshone-Eureka Environmental Impact Statement and the Resource Management Plan (RMP) was issued on March 1986. The Record of Decision for the RMP Amendment was issued in November 1987. These documents establish the multiple use goals and objectives which guide management of the public lands on the Shannon Station and Spanish Gulch allotments. The Rangeland Program Summary (RPS) was issued in December 1988, which further specifically identified the allotment specific objectives for the Shannon Station and Spanish Gulch allotments.

As identified in the Shoshone-Eureka RMP and the RPS, monitoring was established on the Shannon Station and Spanish Gulch allotments to determine if existing multiple uses for the allotment were consistent with attainment of the objectives established in the RPS and standards for Rangeland Health approved by the Secretary of the Interior on February 12, 1997. Monitoring data has been collected between 1988 and 1998. These data have been analyzed, through the evaluation process, to determine what changes in existing management are required in order to meet specific multiple use objectives for these allotments.

The Northeastern Great Basin Area's Standards are listed below:

Standard 1. Upland Sites: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and land form.



United States Department of the Interior



Bureau of Land Management

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The Northeastern Great Basin Area's Standards are listed below:

Standard 1. Upland Sites: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and land form.

Standard 2. Riparian and Wetland Sites: Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

Standard 3. Habitat: Habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes. Habitat conditions meet the life cycle requirements of threatened and endangered species.

Standard 4. Cultural Resources: Land use plans will recognize cultural resources within the context of multiple use.

The specific multiple use objectives for the Shannon Station and Spanish Gulch allotments are listed below:

Land Use Plan/Rangeland Program Summary (RPS) Objectives

Vegetation and Ecological Condition

1. Utilization not to exceed 50% on key species by seed dissemination, and 60% by the end of the grazing year.
2. In the long term, improve 6,414 acres to good, and 350 acres to excellent condition.
3. In the long term, manage for upward trend on 7,056 acres.

Livestock Existing Use/Management Objective

1. Existing use: 2,848 AUMs cattle and sheep.
2. In the short term, manage use at 2,848 AUMs.
3. In the long term, manage use at 3,242 AUMs in conformance with other objectives of the RMP.

Wildlife Management Objectives

1. Utilization of key browse species not to exceed 50% in terrestrial big game habitat areas.
2. Existing big game use (AUMs): 1,391. In the long term, provide habitat to support 1,135 AUMs (forage needs for reasonable numbers) of big game use, in conformance with the objectives of the RMP.
3. In the long term, within the Diamond Hills Habitat Management Plan (HMP) Area, improve 3,656 acres of terrestrial big game habitat to good, and 199 acres to excellent condition. Manage for upward trends on 4,021 acres.
4. Manage rangeland habitat to maintain or enhance sagegrouse strutting and nesting areas, in conformance with other objectives of the RMP.

Wild Horse and Burro Management Objectives

1. Initially manage to provide 180 AUMs of forage for 15 horses within the Diamond Herd Management Area. 7.5% of the herd management area is within this allotment.
2. Maintain or improve wild horse habitat in a condition which enhances or preserves their wild and free roaming behavior, in conformance with other objectives of the RMP. (For example the absence of fences which disrupts normal distribution and movement patterns.)

3. Maintain or improve wild horse habitat by ensuring free access to water, in conformance with other objectives of the RMP.

Special Status Species

There are no known listed, proposed, or candidate species within the allotment.

Through the consultation, cooperation, and coordination process (CCC), protests of the Proposed Multiple Use Decision (PMUD) were received from Eureka County and James Baumann, listing the following point(s) of protest:

1. Failure to adequately address Eureka's comments dated November 27, 1998 on the Diamond Mountain Complex. Of particular concern are the methodology and conclusions regarding utilization maps, stocking rates, ecological condition and trend, season of use and wildlife and riparian recommendations.

The previous point(s) of protest and comments received following the protest period during the tour of the Diamond Mountain complex and meetings with affected permittees have been considered in developing the Final Multiple Use Decision. The BLM has properly followed procedures in data collection as outlined in the Nevada Rangeland Monitoring Handbook and "Sampling Vegetation Attributes, Interagency Technical Reference, 1996", Riparian Area Management, Process for Assessing Proper Functioning Condition, TR 1737-9, 1993", Riparian Area Management, Process for Assessing Proper Functioning Condition for Lentic Riparian-Wetland Areas, TR 1737-11, 1994" and "BLM Manual 1630- Big Game Studies".

As a result of the evaluation and input received from the permittee(s) and interested publics I have determined the following standards and/or objectives have not been met:

Standard 1. Upland Sites- is not currently being met. Average utilization exceed 60% several years throughout the evaluation period. Production (DPC) and frequency data showed several key species occurred in low percentages at Key Management Areas (KMAs). In addition, at 3 KMAs the cheatgrass component comprised at least 25% of the plant community by weight.

Standard 2. Riparian and Wetland Sites- is not currently being met. Several of the lentic and lotic riparian areas were determined to be non-functional or functional-at-risk with a static or downward trend. In order to meet this standard all riparian areas must be in proper functioning condition (PFC) or making significant progress towards PFC. In addition utilization levels were found to be heavy/severe in riparian areas.

Standard 3. Habitat-is not currently being met. Mule deer habitat (key browse) studies showed a large portion of the browse species were mature or decadent with low recruitment. In addition, some of the key browse species were severely hedged. Production (DPC) and frequency data showed several key species occurred in low percentages at KMAs. The cheatgrass component comprised at least 25% of the plant community by weight at 3 KMAs.

Through the allotment evaluation process it was determined that changes in existing livestock management are needed to meet multiple use objectives established by the LUP and Standards for Rangeland Health as outlined for the Northeastern Great Basin Area. It was determined that wildlife were not contributing to the non-attainment of these objectives or Standards, therefore, no wildlife

decision is necessary. As a result of the evaluation conclusions and after considerations of input received during the tour and through the CCC process, my final decision is:

LIVESTOCK GRAZING MANAGEMENT DECISION

Manage Shannon Station and Spanish Gulch as one allotment. Sheep use will be permitted in the Spanish Gulch pasture of the Shannon Station/Spanish Gulch allotment.

Changes in permitted use are identified below:

From:

<u>Allotment</u>	<u>Livestock</u>		<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
	<u>Kind</u>	<u>Number</u>			
Shannon Station/ Spanish Gulch Baumann	Cattle	135	04/01-04/30	97	129
		350	05/01-10/31	97	2,054
		160	11/01-12/15	97	230
		120	02/01-02/28	97	<u>107</u>
	total				2,520
Ithurralde	Sheep	643	05/01-09/30	100	<u>647</u>
	total				3,167

To:

Plan A

<u>Allotment</u>	<u>Livestock</u>		<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
	<u>Kind</u>	<u>Number</u>			
Shannon Station/ Spanish Gulch Baumann	Cattle	136	04/01-04/30	97	130
		350	05/01-10/14	97	1,529
		197	10/15-02/28	97	<u>861</u>
	total				2,520
Ithurralde	Sheep	643	05/01-09/30	100	<u>647</u>
	total				3,167

Cattle grazing on the Shannon Station/Spanish Gulch Allotment will be authorized in accordance with the following interim grazing system, this grazing system will become part of the terms and conditions on each permit for the Shannon Station/Spanish Gulch allotment.

<u>Pasture</u>	<u>Season of Use</u>	Treatment A	Treatment B
		<u>Even Years</u>	<u>Odd Years</u>
Whistler	Spring	defer	04/01-04/30,
	Fall/Winter	10/15-02/28	10/15-02/28
Willow	Spring	04/01-04/30,	defer
	Fall/Winter	10/15-02/28	10/15-02/28
Sixth Street	Spring	defer	defer
	Fall/Winter	10/15-02/28	10/15-02/28
Simpson Seeding	Spring	defer	defer
	Fall/Winter	10/15-02/28	10/15-02/28
Williams	Summer	05/01-06/11	09/04-10/14
Newark	Summer	06/12-07/23	07/24-09/03
Angelo Belli	Summer	07/24-09/03	06/12-07/23
Rocky Knoll	Summer	09/04-10/14	05/01-06/11

This interim grazing system identifies the first 2 years of a repeating grazing system. Beginning in Year 3 cattle grazing will continue with Treatment A, etc... A reasonable effort will be made to ensure minimal cattle drift between the mountain pastures until fences #1, 2, 3, 4, 5, 6 are constructed.

To:

Plan B

<u>Allotment</u>	<u>Livestock</u>		<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
	<u>Kind</u>	<u>Number</u>			
Shannon Station/ Spanish Gulch Baumann	Cattle	130	04/01-05/14	97	182
		300	05/15-12/31	97	2,210
		68	01/01-02/28	97	<u>128</u>
	total				2,520
Ithurrlade	Sheep	643	05/01-09/30	100	<u>647</u>
		total			3,167

The grazing system identified in Plan A will be used in the interim until the necessary range improvements are developed to implement the grazing system below, which incorporates recommendations identified in "Shannon Station/Spanish Gulch Allotment- Technical Recommendations, submitted by James Baumann and Eureka County Department of Natural Resources". Upon the completion of the pasture fences and vegetation manipulations, the grazing system in Plan B will be implemented upon notification from the Authorized Officer and the terms and conditions of the term permit will be changed upon receipt of this notification as follows:

<u>Pasture</u>	<u>Season of Use</u>	Treatment A	Treatment B	Treatment C	Treatment D
		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
Whistler/Seeding	Spring	04/01-05/14,	defer	defer	defer
	Fall/Winter	08/15-02/28	08/15-02/28	08/15-02/28	08/15-02/28
Willow	Spring	defer	04/01-05/14,	defer	defer
	Fall/Winter	08/15-02/28	08/15-02/28	08/15-02/28	08/15-02/28
Sixth Street	Spring	defer	defer	04/01-05/14,	defer
	Fall/Winter	08/15-02/28	08/15-02/28	08/15-02/28	08/15-02/28
Simpson Seeding	Spring	defer	defer	defer	04/01-05/14,
	Fall/Winter	08/15-02/28	08/15-02/28	08/15-02/28	08/15-02/28
Williams	Summer	06/15-07/15	Rest	05/15-06/14	07/16-08/14
Newark	Summer	07/16-08/14	05/15-06/14	06/15-07/15	Rest
Angelo Belli	Summer	Rest	06/15-07/15	07/16-08/14	05/15-06/14
Rocky Knoll	Summer	05/15-06/14	07/16-08/14	Rest	06/15-07/15

This grazing system identifies the first 4 years of a repeating grazing system. Beginning in Year 5 cattle grazing will continue with Treatment A, etc...

In addition to the permitted use identified above, the following additional terms and conditions shall be made part of all grazing permits in the Shannon Station/Spanish Gulch allotment:

Baumann Permit

This permit reflects your adjusted grazing permitted use based upon the "Allotment Evaluation" for this allotment. The term of this permit shall be for ten years. The terms and/or conditions of this permit shall be amended or changed when additional and/or new monitoring data reflects the need to do so.

The terms and conditions of this permit must be consistent with the Standards and Guidelines approved February 12, 1997 for the Northeastern Great Basin Resource Advisory Council (RAC) area.

Utilization of "Key Forage Species" will not exceed 50% by seed dissemination and 60% by the end of the grazing year.

Key species at the 6 KMAs are to meet or make significant progress towards DPC.

Residual riparian vegetation, appropriate for the site, will be left in riparian or wetland habitats by the end of the growing year.

Plan A

Cattle grazing will be done in accordance with the grazing system identified in the Final Multiple Use Decision for the Shannon Station/Spanish Gulch Allotment dated 01/05/00.

Plan B

Cattle grazing will be done in accordance with the grazing system identified in the Final Multiple Use Decision for the Shannon Station/Spanish Gulch Allotment dated 01/05/00.

In accordance with 43 CFR 4130.8-1(f): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10% of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include appropriate late fee assessments. Failure to make payment within 30 days may be a violation of 43 CFR sec. 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR sec. 410.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(d): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing as specified on the grazing permit and/or grazing licenses. Actual use information will be provided for each pasture in the Shannon Station/Spanish Gulch allotment

In accordance with 43 CFR 4120.3-1(a): Range improvements shall be installed, used, and maintained, and/or modified on the public lands, or removed from the public lands, in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(c): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within 1/4 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 43 CFR 4130.3-2(h): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of public lands.

Pursuant to 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 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 by the authorized officer.

Ithurralde Permit

This permit reflects your adjusted grazing permitted use based upon the "Allotment Evaluation" for this allotment. The term of this permit shall be for ten years. The terms and/or conditions of this permit shall be amended or changed when additional and/or new monitoring data reflects the need to do so.

The terms and conditions of this permit must be consistent with the Standards and Guidelines approved February 12, 1997 for the Northeastern Great Basin Resource Advisory Council (RAC) area.

Utilization of "Key Forage Species" will not exceed 50% by seed dissemination and 60% by the end of the grazing year.

Sheep camps will be placed a minimum of 1/4 mile from all permanent water.

Sheep camps will be moved every 5 days. No 2 sheep camps will camp in the same area in a grazing year.

New bed grounds will be used every night. Bed grounds will be a minimum of 1/4 mile from previous bed grounds.

Camp sites will be cleaned with all trash removed.

Key species at the 6 KMAs are to meet or make significant progress towards DPC.

Residual riparian vegetation, appropriate for the site, will be left in riparian or wetland habitats by the end of the growing year.

In accordance with 43 CFR 4130.8-1(f): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10% of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include appropriate late fee assessments. Failure to make payment within 30 days may be a violation of 43 CFR sec. 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR sec. 410.1 and 4160.1-2.

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In accordance with 43 CFR 4120.3-1(a): Range improvements shall be installed, used, and maintained, and/or modified on the public lands, or removed from the public lands, in a manner consistent with multiple use management.

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The following range improvements will be developed on the Shannon Station allotment:

- 1a: Construct fence(s) #2, 4, 7;
- 1b. Develop springs, as state and federal law allow;
- 1c. Establish permanent water haul locations;
- 2a. Thin sagebrush on approximately 800 acres in the Whistler Pasture;
- 2b. Establish 525 acre seeding in the Whistler Pasture;
- 2c. Construct pipeline from Simpson Spring;
- 2d. Construct pipeline from well in Simpson seeding;
- 3a. Construct fence #1, 3, 5, and 6;
- 3b. Vegetation manipulation in the Sixth Street Pasture.

RATIONALE: Through the allotment evaluation and multiple use decision process it was determined that the following standards and/or objectives are not being met.

Standard 1. Upland Sites- is not currently being met. Average utilization exceed 60% several years throughout the evaluation period. Production (DPC) and frequency data showed several key species occurred in low percentages at Key Management Areas (KMAs). In addition, at 3 KMAs the cheatgrass component comprised at least 25% of the plant community by weight.

Standard 2. Riparian and Wetland Sites- is not currently being met. Several of the lentic and lotic riparian areas were determined to be non-functional or functional-at-risk with a static or downward trend. In order to meet this standard all riparian areas must be in proper functioning condition (PFC) or making significant progress towards PFC. In addition utilization levels were found to be heavy/severe in riparian areas.

Standard 3. Habitat-is not currently being met. Mule deer habitat (key browse) studies showed a large portion of the browse species were mature or decadent with low recruitment. In addition, some of the key browse species were severely hedged. Production (DPC) and frequency data showed several key species occurred in low percentages at KMAs. The cheatgrass component comprised at least 25% of the plant community by weight at 3 KMAs.

In order to ensure significant progress is being made towards achieving these standards the following management action(s) will be implemented: 1. implement an interim grazing schedule which will: a) provide spring rest for each pasture 3 out of 4 years; and b) reduce grazing pressure in the mountain pastures; 2. develop fences and vegetation manipulations to implement

final grazing schedule which will further reduce grazing pressure in the mountain pastures and help improve riparian and wildlife habitat.

The main concern with livestock management on the Shannon Station allotment is distribution problems. Development of range improvements in conjunction with changes in season of use in the mountain pastures will provide for improvement of upland, riparian and wildlife habitat vegetation. The Spanish Gulch allotment has historically been used for sheep grazing with cattle use allowed from cattle from Shannon Station due to the lack of fencing. These allotments will be combined into 1 allotment.

The selected management actions in this multiple use decision are appropriate and will result in significant progress toward fulfillment of the standards and conformance with the guidelines for the Northeastern Great Basin Area.

AUTHORITY: The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR) including, but not limited to the following:

4100.0-8: "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

4110.2-4: "After consultation, cooperation, and coordination with the affected grazing permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may designate and adjust grazing allotment boundaries. The authorized officer may combine or divide allotments, through an agreement or by decision, when necessary for the proper and efficient management of public lands."

4110.3: "The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."

4110.3-2: " (a) Permitted use may be suspended in whole or in part on a temporary basis due to drought, fire, or other natural causes, or to facilitate installation, maintenance, or modification of range improvements. (b) When monitoring or field observations show grazing use or patterns of use are not consistent with the provisions of subpart 4180, or grazing use is otherwise causing an unacceptable level or pattern of utilization, or when use exceeds the livestock carrying capacity as determined through monitoring, ecological site inventory or other acceptable methods, the authorized officer shall reduce permitted grazing use or otherwise modify management practices."

4110.3-3(a): “ After consultation, cooperation, and coordination with the affected permittee or lessee, the State having lands or managing resources within the area, and the interested public, reductions of permitted use shall be implemented through a documented agreement or by decision of the authorized officer. Decisions implementing §4110.3-2 shall be issued as proposed decisions pursuant to §4160.1, except as provided in paragraph (b) of this section.”

4130.3: “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

4130.3-1: “(a) The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing shall not exceed the livestock carrying capacity of the allotment. (b) All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or any term or condition of the permit or lease.”

4130.3-3: “Following consultation, cooperation and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public and opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease.”

4130.3-2: “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands. ...”

4160.1(a): “Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interested public.”

4160.2: “Any applicant, permittee, lessee or other interested public may protest the proposed decision under §4160.1 of this title in person or in writing to the authorized officer within 15 days after receipt of such decision.”

4180.1: “The authorized officer shall take appropriate action under subparts 4110, 4120, 4130 and 4160 of this part as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management needs to be modified to ensure that the following conditions exist.

- (a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.
- (b) Ecological process, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.
- (c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.
- (d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.”

4180.2(c): “The authorized officer shall take appropriate action as soon as practicable but not later than the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130 and 4160 of this part that will result in significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water.”

APPEAL: In accordance with 43 CFR 4160.4: “Any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge by following the requirements set out in § 4.470 of this title. As stated in that part, the appeal must be filed within thirty (30) days from receipt of this notice or within 30 days after the date the proposed decision becomes final as provided by § 4160.3(a). Appeals and petitions for stay of the decision shall be filed at the office of the authorized officer. The authorized officer shall promptly transmit the appeal and petition for stay and the accompanying administrative record to ensure their timely arrival at the Office of Hearings and Appeals.” Appeals and petitions for stay shall be filed with Jeffrey A. Weeks, Assistant Field Manager, Renewable Resources, 50 Bastian Road, Battle Mountain, Nevada 89820. The appeal shall state the reasons, clearly and concisely, why the appellant believes this decision was issued in error. All grounds of error not stated will be considered waived.

Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant’s success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

WILD HORSE AND BURRO MANAGEMENT DECISION

It has been determined through monitoring that a thriving ecological balance can be obtained through an Appropriate Management Level (AML) of 11 wild horses 137 AUMs for that portion of the Diamond Herd Management Area which occurs in the Shannon Station allotment.

	<u>Average Actual Use</u>	<u>AML</u>
Wild Horses	11	11
AUMs	137	137

RATIONALE: The analysis and evaluation of available monitoring data indicates that wild horse populations are not contributing to the non-attainment of the multiple use objectives and Standards for this allotment. By establishing an AML for wild horses of 137 AUMs, wild horse populations will not adversely affect resource values in the Shannon Station/Spanish Gulch allotment.

AUTHORITY: The authority for this decision is contained in Sec. 3(a), Wild Horse and Burro Act (P. L. 92-195) and Title 43 of the Code of Federal Regulations including, but not limited to the following:

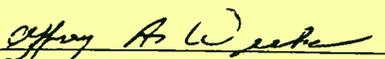
4700.0-6(a): "Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

4700.0-6(b): "In administering these regulations, the authorized officer shall consult with Federal and State wildlife agencies and all other affected interests, to involve them in planning for and management of wild horses and burros on the public lands."

APPEAL: In accordance with 43 CFR 4770.3 (a) "Any person adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. Appeals and petitions for stay of a decision of the authorized officer must be filed within 30 days of receipt of the decision in accordance with 43 CFR part 4." Appeals and petitions for stay shall be filed with Jeffrey A. Weeks, Assistant Field Manager, Renewable Resources, 50 Bastian Road, Battle Mountain, Nevada 89820. The appeal shall state the reasons, clearly and concisely, why the appellant believes this decision was issued in error. All grounds of error not stated will be considered waived.

Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties, if they stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.


Jeffrey A. Weeks
Assistant Field Manager,
Renewable Resources



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State NV
Office LLNVB01000
Preference Code 03
AUTHORIZATION: 2700239

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

RECEIVED - MAILROOM
 2017 APR 21 P 1:49
 BUREAU OF LAND MANAGEMENT
 BATTLE MOUNTAIN
 DISTRICT OFFICE

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD BEGIN END	%PL USE TYPE USE	AUMS
NV10048	RUBY HILL	50 CATTLE	03/16 08/29	100 ACTIVE	275

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GRAZING WILL BE IN ACCORDANCE WITH THE FISH CREEK COMPLEX FINAL MULTIPLE USE DECISION DATED SEPTEMBER 27, 2004

IN ACCORDANCE WITH 43 CFR 4130.8-1(F): FAILURE TO PAY GRAZING BILLS WITHIN 15 DAYS OF THE DUE DATE SPECIFIED IN 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. PAYMENT MADE LATER THAN 15 DAYS AFTER THE DUE DATE, SHALL INCLUDE THE APPROPRIATE LATE FEE ASSESSMENT. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS MAY BE A VIOLATION OF 43 CFR SEC. 4140.1(B)(1) AND SHALL RESULT IN ACTION BY THE AUTHORIZED OFFICER UNDER 43 CFR SECTIONS 4150.1 AND 4160.1-2.

IN ACCORDANCE WITH 43 CFR 4130.3-2(D): ACTUAL USE INFORMATION, FOR EACH PASTURE/USE AREA, WILL BE SUBMITTED TO THE AUTHORIZED OFFICER WITHIN 15 DAYS OF COMPLETING GRAZING USE AS SPECIFIED ON THE GRAZING PERMIT AND/OR GRAZING LICENSES.

IN ACCORDANCE WITH 43 CFR 4120.3-1(A): ALL RANGE IMPROVEMENTS SHALL BE INSTALLED, USED, MAINTAINED, AND/OR MODIFIED ON THE PUBLIC LANDS, OR REMOVED FROM THESE LANDS, IN A MANNER CONSISTENT WITH MULTIPLE-USE MANAGEMENT.

IN ACCORDANCE WITH 43 CFR 4130.3-2(C): IN ORDER TO IMPROVE LIVESTOCK AND RANGELAND MANAGEMENT ON THE PUBLIC LANDS, ALL SALT AND/OR MINERAL SUPPLEMENTS WILL NOT BE PLACED WITHIN 1/4 MILE OF ANY RIPARIAN AREA, WET MEADOW, OR WATERING FACILITY (EITHER PERMANENT OR TEMPORARY) UNLESS STIPULATED THROUGH A WRITTEN AGREEMENT OR DECISION.

IN ACCORDANCE WITH 43 CFR 4130.3-2(H): ALL GRAZING PERMITTEES SHALL PROVIDE REASONABLE ACCESS ACROSS PRIVATE AND/OR LEASED LANDS TO THE BUREAU OF LAND MANAGEMENT FOR THE ORDERLY MANAGEMENT AND PROTECTION OF THE PUBLIC LANDS.

IN ACCORDANCE WITH 43 CFR 4130.3-3: THE AUTHORIZED OFFICER MAY MODIFY TERMS AND CONDITIONS OF THE PERMIT OR LEASE

WHEN THE ACTIVE USE OR RELATED MANAGEMENT PRACTICES ARE NOT MEETING THE LAND USE PLAN, ALLOTMENT MANAGEMENT PLAN OR OTHER ACTIVITY PLAN, OR MANAGEMENT OBJECTIVES, OR IS NOT IN CONFORMANCE WITH THE PROVISIONS OF SUBPART 4180 RAC STANDARDS AND GUIDELINES

PURSUANT TO 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 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 BY THE AUTHORIZED OFFICER.

IN ACCORDANCE WITH 43 CFR 4130.3-1 (B) - ALL PERMITS AND LEASES SHALL BE MADE SUBJECT TO CANCELLATION, SUSPENSION, OR MODIFICATION FOR ANY VIOLATION OF THESE REGULATIONS OR OF ANY TERM OR CONDITION OF THE PERMIT OR LEASE.

PERMITTED USE SUMMARY

ALLOTMENT	ACTIVE AUMS	SUSPENDED AUMS	SUSPENDED AUMS	TEMP AUMS	PERMITTED USE
NV10048 RUBY HILL	275	0	0	0	275

TERMS AND CONDITIONS APPLICABLE TO ALL PERMITS AND LEASES

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
 2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
 3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits or leases when completed.
 4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
 5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
 6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
 7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
 8. Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
 9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
 10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of the discovery and make a reasonable effort to protect the remains and/or cultural items.
 11. Grazing fee payments are due on the date specified on the billing notice and **MUST** be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
 12. Members of Congress may not enter into a grazing permit or lease. 41 USC 6306 (2014). Further, no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (42 U.S.C. 1701 et. seq.) shall be admitted to any share or part in a permit or lease for grazing or derive any benefit to arise from a permit or lease for grazing.
-

THIS GRAZING PERMIT:

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- 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS REQUIRED BY LAND PLANS AND APPLICABLE LAW; (B) ANNUAL REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED BY:

<u>Chad Bliss</u>	<u>Rosie Bliss</u>	<u>4-17-2017</u>
OPERATOR SIGNATURE		DATE
<u>Chad Bliss / manager</u>	<u>Rosie Bliss</u>	
PRINTED NAME AND TITLE		

APPROVED BY:

<u>Jon D. Sherve</u>	<u>4/24/2017</u>
BLM AUTHORIZED OFFICER SIGNATURE	DATE
<u>Jon D. Sherve</u>	
PRINTED NAME AND TITLE	

AUMS: Animal Unit Months. Animal unit month means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month. For fee calculation purposes, an AUM is one month's use and occupancy of the range by one cow, bull, steer, heifer, horse, burro, mule, 5 sheep or 5 goats that: (1) are over the age of 6 months at the time of entering lands administered by the BLM; (2) are weaned regardless of age; (3) will become 12 months of age during the authorized period of use.

%PL Use: Percent forage from public land use.

Type Use: Categories with specific rules that govern AUM and grazing fee calculation and input on grazing authorizations and bills.



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2700241

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD BEGIN END	%PL USE TYPE USE	AUMS
NV10048	RUBY HILL	1,005 SHEEP	05/01 09/30	100 ACTIVE	1,011

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PERMITTED USE SUMMARY

ALLOTMENT		ACTIVE AUMS	SUSPENDED AUMS	TEMP SUSPENDED AUMS	PERMITTED USE
NV10048	RUBY HILL	1,011	0	0	1,011

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ACCEPTED BY:

<u>Chad Bliss</u>	<u>Resie Bliss</u>	<u>4-17-2017</u>
OPERATOR SIGNATURE		DATE
<u>Chad Bliss / manager</u>	<u>Resie Bliss</u>	
PRINTED NAME AND TITLE		

APPROVED BY:

<u>Jon D. Sherve</u>	<u>4/24/2017</u>
BLM AUTHORIZED OFFICER SIGNATURE	DATE
<u>Jon D. Sherve</u>	
PRINTED NAME AND TITLE	

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%PL Use: Percent forage from public land use.

Type Use: Categories with specific rules that govern AUM and grazing fee calculation and input on grazing authorizations and bills.



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2700238

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD		%PL USE TYPE USE	AUMS
			BEGIN	END		
NV10061	WILLOW RACE TRACK	62 CATTLE	06/01	09/30	100 ACTIVE	249
NV10061	WILLOW RACE TRACK	3 CATTLE	06/01	06/30	100 ACTIVE	3

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GRAZING ON THE WILLOW RACETRACK ALLOTMENT WILL BE IN ACCORDANCE WITH THE WILLOW RACETRACK FINAL EVALUATION DATED JUNE 23, 1992.

STIPULATIONS ARE AS FOLLOWS:

1. THE CURRENT AUTHORIZED LIVESTOCK ACTIVE USE SHALL REMAIN AT 250 AUMS AND THE SEASON OF USE HAS BEEN CHANGED FROM 05/01-09/30 TO 06/01 TO 09/29.
2. LIVESTOCK GRAZING WILL BE MANAGED ACCORDING TO THE THREE YEAR REST ROTATION SYSTEM OUTLINED IN THE FINAL EVALUATION.

IN ACCORDANCE WITH THE RANGELAND PROGRAM SUMMARY (RPS), UTILIZATION OF KEY SPECIES WILL NOT EXCEED 50% BY SEED DISSEMINATION, AND 70% BY THE END OF THE GRAZING YEAR.

THIS PERMIT REFLECTS YOUR ADJUSTED PERMITTED GRAZING USE BASED ON THE "ALLOTMENT EVALUATION" FOR THE WILLOW RACETRACK ALLOTMENT. THE TERM OF THIS PERMIT SHALL BE FOR 10 YEARS. THE TERMS AND/OR CONDITIONS OF THIS PERMIT SHALL BE AMMENDED OR CHANGED WHEN ADDITIONAL AND/OR NEW MONITORING DATA REFLECTS THE NEED TO DO SO.

LIVESTOCK GRAZING WILL BE ROTATED BETWEEN THE EAST AND WEST PASTURE IN ACCORDANCE WITH THE RPS UTILIZATION PERCENTAGES. GRAZING WILL BEGIN ON 06/01 IN THE EAST PASTURE AND ROTATE TO THE WEST PASTURE AND WILL BE ALTERNATED EACH YEAR. LIVESTOCK WILL NOT BE IN BOTH THE EAST AND WEST PASTURES AT THE SAME TIME.

IN ACCORDANCE WITH 43 CFR 4130.8-1(F): FAILURE TO PAY GRAZING BILLS WITHIN 15 DAYS OF THE DUE DATE SPECIFIED IN 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. PAYMENT MADE LATER THAN 15 DAYS AFTER THE DUE DATE, SHALL INCLUDE THE APPROPRIATE LATE FEE ASSESSMENT. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS MAY BE A VIOLATION OF 43 CFR SEC. 4140.1(B)(1) AND SHALL RESULT IN ACTION BY THE AUTHORIZED OFFICER UNDER 43 CFR SECTIONS 4150.1 AND 4160.1-2.

IN ACCORDANCE WITH 43 CFR 4130.3-2(D): ACTUAL USE INFORMATION, FOR EACH PASTURE/USE AREA, WILL BE SUBMITTED TO THE AUTHORIZED OFFICER WITHIN 15 DAYS OF COMPLETING GRAZING USE AS SPECIFIED ON THE GRAZING PERMIT AND/OR GRAZING LICENSES.

IN ACCORDANCE WITH 43 CFR 4120.3-1(A): ALL RANGE IMPROVEMENTS SHALL BE INSTALLED, USED, MAINTAINED, AND/OR MODIFIED ON THE PUBLIC LANDS, OR REMOVED FROM THESE LANDS, IN A MANNER CONSISTENT WITH MULTIPLE-USE MANAGEMENT.

IN ACCORDANCE WITH 43 CFR 4130.3-2(C): IN ORDER TO IMPROVE LIVESTOCK AND RANGELAND MANAGEMENT ON THE PUBLIC LANDS, ALL SALT AND/OR MINERAL SUPPLEMENTS WILL NOT BE PLACED WITHIN 1/4 MILE OF ANY RIPARIAN AREA, WET MEADOW, OR WATERING FACILITY (EITHER PERMANENT OR TEMPORARY) UNLESS STIPULATED THROUGH A WRITTEN AGREEMENT OR DECISION.

IN ACCORDANCE WITH 43 CFR 4130.3-2(H): ALL GRAZING PERMITTEES SHALL PROVIDE REASONABLE ACCESS ACROSS PRIVATE AND/OR LEASED LANDS TO THE BUREAU OF LAND MANAGEMENT FOR THE ORDERLY MANAGEMENT AND PROTECTION OF THE PUBLIC LANDS.

IN ACCORDANCE WITH 43 CFR 4130.3-3: THE AUTHORIZED OFFICER MAY MODIFY TERMS AND CONDITIONS OF THE PERMIT OR LEASE WHEN THE ACTIVE USE OR RELATED MANAGEMENT PRACTICES ARE NOT MEETING THE LAND USE PLAN, ALLOTMENT MANAGEMENT PLAN OR OTHER ACTIVITY PLAN, OR MANAGEMENT OBJECTIVES, OR IS NOT IN CONFORMANCE WITH THE PROVISIONS OF SUBPART 4180 RAC STANDARDS AND GUIDELINES.

PURSUANT TO 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 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 BY THE AUTHORIZED OFFICER.

IN ACCORDANCE WITH 43 CFR 4130.3-1 (B) - ALL PERMITS AND LEASES SHALL BE MADE SUBJECT TO CANCELLATION, SUSPENSION, OR MODIFICATION FOR ANY VIOLATION OF THESE REGULATIONS OR OF ANY TERM OR CONDITION OF THE PERMIT OR LEASE.

PERMITTED USE SUMMARY

ALLOTMENT		ACTIVE AUMS	SUSPENDED AUMS	TEMP SUSPENDED AUMS	PERMITTED USE
NV10061	WILLOW RACE TRACK	252	0		252

TERMS AND CONDITIONS APPLICABLE TO ALL PERMITS AND LEASES

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
 2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
 3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits or leases when completed.
 4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
 5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
 6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
 7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
 8. Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
 9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
 10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of the discovery and make a reasonable effort to protect the remains and/or cultural items.
 11. Grazing fee payments are due on the date specified on the billing notice and **MUST** be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
 12. Members of Congress may not enter into a grazing permit or lease. 41 USC 6306 (2014). Further, no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (42 U.S.C. 1701 et. seq.) shall be admitted to any share or part in a permit or lease for grazing or derive any benefit to arise from a permit or lease for grazing.
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ACCEPTED BY:

<u>Chad Bliss</u>	<u>Rosie Bliss</u>	<u>4-17-2017</u>
OPERATOR SIGNATURE		DATE
<u>Chad Bliss / manager</u>	<u>Rosie Bliss</u>	
PRINTED NAME AND TITLE		

APPROVED BY:

<u>Jon D. Sherve</u>	<u>4/24/2017</u>
BLM AUTHORIZED OFFICER SIGNATURE	DATE
<u>Jon D. Sherve</u>	
PRINTED NAME AND TITLE	

AUMS: Animal Unit Months. Animal unit month means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month. For fee calculation purposes, an AUM is one month's use and occupancy of the range by one cow, bull, steer, heifer, horse, burro, mule, 5 sheep or 5 goats that: (1) are over the age of 6 months at the time of entering lands administered by the BLM; (2) are weaned regardless of age; (3) will become 12 months of age during the authorized period of use.

%PL Use: Percent forage from public land use.

Type Use: Categories with specific rules that govern AUM and grazing fee calculation and input on grazing authorizations and bills.



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2700240

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

UNDER 43 CFR PART 4100, THE BUREAU OF LAND MANAGEMENT (BLM) OFFERS YOU THIS GRAZING PERMIT BASED ON YOUR RECOGNIZED QUALIFICATIONS. UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE, YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS UNDER THE JURISDICTION OF THE BLM THAT ARE COVERED BY THIS GRAZING PERMIT. IF YOU HAVE QUESTIONS CONCERNING THIS GRAZING PERMIT, CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000.

TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD		%PL USE TYPE USE	AUMS
			BEGIN	END		
NV10051	SHANNON STATION/SPANISH GULCH	643 SHEEP	05/01	09/30	100 ACTIVE	647

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 402(C)(2) OF FLPMA, 1976 AS AMENDED, AND CONTAINS THE SAME TERMS AND CONDITIONS AS THE PREVIOUS PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELLED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

GRAZING USE WILL BE IN ACCORDANCE WITH THE DIAMOND MOUNTAINS FINAL MULTIPLE USE DECISION DATED JANUARY 1, 2000. (EA TITLED DIAMOND MOUNTAIN COMPLEX FINAL EVALUATION; THE DECISION TITLED THE FINAL MULTIPLE USE DECISION FOR THE SHANNON STATION AND SPANISH GULCH ALLOTMENTS.)

IN ACCORDANCE WITH 43 CFR 4130.8-1(F): FAILURE TO PAY GRAZING BILLS WITHIN 15 DAYS OF THE DUE DATE SPECIFIED IN 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. PAYMENT MADE LATER THAN 15 DAYS AFTER THE DUE DATE, SHALL INCLUDE THE APPROPRIATE LATE FEE ASSESSMENT. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS MAY BE A VIOLATION OF 43 CFR SEC. 4140.1(B)(1) AND SHALL RESULT IN ACTION BY THE AUTHORIZED OFFICER UNDER 43 CFR SECTIONS 4150.1 AND 4160.1-2.

IN ACCORDANCE WITH 43 CFR 4130.3-2(D): ACTUAL USE INFORMATION, FOR EACH PASTURE/USE AREA, WILL BE SUBMITTED TO THE AUTHORIZED OFFICER WITHIN 15 DAYS OF COMPLETING GRAZING USE AS SPECIFIED ON THE GRAZING PERMIT AND/OR GRAZING LICENSES.

IN ACCORDANCE WITH 43 CFR 4120.3-1(A): ALL RANGE IMPROVEMENTS SHALL BE INSTALLED, USED, MAINTAINED, AND/OR MODIFIED ON THE PUBLIC LANDS, OR REMOVED FROM THESE LANDS, IN A MANNER CONSISTENT WITH MULTIPLE-USE MANAGEMENT.

IN ACCORDANCE WITH 43 CFR 4130.3-2(C): IN ORDER TO IMPROVE LIVESTOCK AND RANGELAND MANAGEMENT ON THE PUBLIC LANDS, ALL SALT AND/OR MINERAL SUPPLEMENTS WILL NOT BE PLACED WITHIN 1/4 MILE OF ANY RIPARIAN AREA, WET MEADOW, OR WATERING FACILITY (EITHER PERMANENT OR TEMPORARY) UNLESS STIPULATED THROUGH A WRITTEN AGREEMENT OR DECISION.

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PERMITTED USE SUMMARY

ALLOTMENT	ACTIVE AUMS	SUSPENDED AUMS	TEMP SUSPENDED AUMS	PERMITTED USE
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ACCEPTED BY:

OPERATOR SIGNATURE

DATE

PRINTED NAME AND TITLE

APPROVED BY:

BLM AUTHORIZED OFFICER SIGNATURE

DATE

PRINTED NAME AND TITLE

AUMS: Animal Unit Months. Animal unit month means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month. For fee calculation purposes, an AUM is one month's use and occupancy of the range by one cow, bull, steer, heifer, horse, burro, mule, 5 sheep or 5 goats that: (1) are over the age of 6 months at the time of entering lands administered by the BLM; (2) are weaned regardless of age; (3) will become 12 months of age during the authorized period of use.

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Type Use: Categories with specific rules that govern AUM and grazing fee calculation and input on grazing authorizations and bills.



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2700240

GRAZING PERMIT

EFFECTIVE: 04/11/2017 TO 04/10/2027

ISSUED BY:

BUREAU OF LAND MANAGEMENT
MOUNT LEWIS FO
50 BASTIAN RD
BATTLE MOUNTAIN NV 89820

ISSUED TO:

ATTN CHAD AND ROSIE BLISS
2 BIT RANCH LLC
PO BOX 585
EUREKA NV 89316

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TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	PERIOD		%PL USE TYPE USE	AUMS
			BEGIN	END		
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PERMITTED USE SUMMARY

ALLOTMENT	ACTIVE AUMS	SUSPENDED AUMS	TEMP SUSPENDED AUMS	PERMITTED USE
NV10051 SHANNON STATION/SPANISH GULCH	647	0	0	647

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ACCEPTED BY:

OPERATOR SIGNATURE

DATE

PRINTED NAME AND TITLE

APPROVED BY:

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PRINTED NAME AND TITLE

AUMS: Animal Unit Months. Animal unit month means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month. For fee calculation purposes, an AUM is one month's use and occupancy of the range by one cow, bull, steer, heifer, horse, burro, mule, 5 sheep or 5 goats that: (1) are over the age of 6 months at the time of entering lands administered by the BLM; (2) are weaned regardless of age; (3) will become 12 months of age during the authorized period of use.

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GRAZING SUMMARY SHEET

GRAZER ITHURRALDE, JAMES Total ^{ACTIVE} Class, Qualifications 275 AUM's

Lotment	Qualified Fed Range Demand	Fed Range Susp Non-use	Allowable Fed Range Active	Exchange of use	% Fed Range	Total AUM's Active	Action Date
<u>ANTELOPE UNIT</u> ITHURRALDE LOTMENT	* 275	0	275	—	100	275	Letter dated Dec. 31, 1969 page 6 of Case File & & letter dated Jan. 14, 1970 page 3 Case File Adjudications Oct. 1, 1965 page 2 of Case File
<p>* James Ithurralde leased to M & N Sheep Co. 94% of his base properties and all of his privileges in the Diamond, Land Springs, and Antelope Units except 275 A.U.M.'s of cattle use the Antelope Unit.</p> <p>Antelope Unit - cattle and sheep A.U.M.'s: 1425 - 275 = 1150 A.U.M.'s Diamond Unit - sheep A.U.M.'s 677 A.U.M.'s Land Springs Unit - sheep A.U.M.'s 2261 A.U.M.'s 4087</p> <p>Cannot find where authorization by D.M. was given to increase time for cattle in Antelope Unit. The D.M. decision dated 12-Jan.-1965 was 50 cattle June 1 1965 to Aug. 31, 1965 = 250 A.U.M.'s. In 1968 time was increased APRIL-15 to SEPT.-30 = 275 A.U.M.'s as per lease agreement.</p>							

CURRENT BASE PROPERTY AND ADJUDICATION RECORD

OPERATOR James Ithurralde		DATE 3/12/65		DISTRICT N-6							
PROPERTY	NO.	OWNED OR LEASED	BASE PROPERTY RATING		FED. RANGE DEMAND & SATISFIED PRIV.		REMARKS				
			TOTAL BASE	UNFENCED BASE	Diamond	Antelope		Sand Springs			
	AC.	AUMS.	AC.	AUMS.	CL. 1 DEMAND	STATUS PRIV.	CL. 1 DEMAND	STATUS PRIV.	CL. 1 DEMAND	STATUS PRIV.	
Home Ranch (Diamond DLE)	297	1600	-	-	647	Antelope	1424	1424	647	2221	7b transf from Pinto Cr. Arambel & Pete Etcheverry

