

BLM-034

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT

DEPENDENT PROPERTY AND ADJUDICATION SUMMARY

Unit(s) Diamond & Pancake
 Allotment(s) Hunter
 Base Property Requirement 2 months
 Operator John Hunter
 Address Eureka, Nevada

Compiled by K.A. Satterfield Date 12-6-65
 Approved by Date

NAME OF PROPERTY	MAP REF. NO.	ACRES		PRIORITY		PRESENT COM- MENSURABILITY OR PRODUCTION		QUALIFICATIONS FOR FEDERAL RANGE		QUALIFICATIONS		UNIT OR ALLOTMENT
		OWNED	LEASED	AU's	AUM's	CLASS 1 AU's	ADD'L. AUM's	CLASS 1 AU's	ALLOCATION OF CLASS 2 AU's	ACTIVE PRIV. LEDGES AUM's	SUS- PENDED AUM's	
Hunter Ranch	1	640										
Scattered 40's	2	393.48		425	3551	850	699	425	3551			
										2492	719	3211
										336	340	
												Hunter Allotment Diamond Unit Hunter-Arambel Allotment N-4

CURRENT BASE PROPERTY AND ADJUDICATION RECORD

Operator John Hunter & Sons

Date 12-6-57

District 6

Property	No.	Owned	Leased	Base Property Rating		Fed. Range Demand & Satisfied Priv.			Remarks						
				Total Base Ac.	Aums	Unfenced Base Ac.	Aums	Unit or Allot.		M-6 Pl. 1 Demand	N-4 Satisf. Cl. 1 Demand	Satisf. Cl. 1 Demand			
Hunter Ranch	1			640	1488	456	46	Diamond							
Scattered 40's	2			393.43	61	350.43	34	Diamond	3211	2492	340	350			
				103343	1549				Suspended Non Use						
															Reduction in Diamond over 3 yr period. See analysis

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Battle Mountain District
Shoshone/Eureka Resource Area

Environmental Assessment
for the
Alpha Peak Fence

Office: Battle Mountain District
Resource Area: Shoshone/Eureka
EA Title: Alpha Peak Fence
EA Number: NV-060-EA0-~~52~~ 53

RECORD OF DECISION

Decision

The environmental assessment has indicated that there will be no significant impact to the human environment. Therefore, the proposed action is accepted as written.

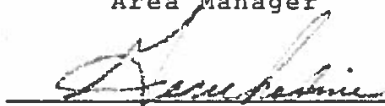
Rationale

The decision is the same as the proposed action and involves construction of 8.3 miles of fence between Shannon Station and Black Point allotments.

All resource values have been analyzed and impacts mitigated where necessary.

No impact statement is required and the State Clearinghouse has not been contacted.

Approved by  Date 9/26/80
Colin P. Christensen
Area Manager

Approved by  Date 9/26/80
Gene Nodine
District Manager

PURPOSE OF AND NEED FOR ACTION

The purpose of this project is to prevent the drifting of livestock between Black Point and Shannon Station Allotments. The project will provide the permittees with better control of their livestock. The project will provide the Bureau of Land Management with better livestock supervision and a means of better managing the natural resources of the two allotments.

I. ALTERNATIVES INCLUDING THE PROPOSED ACTION

A. Proposed Action

The proposed action, the Bureau's preferred alternative, is the construction of approximately 8.3 miles of fence located in T. 20 N., R. 54 E., Sec. 19; SW $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$, Sec. 30; NE $\frac{1}{4}$, Sec. 32; NE $\frac{1}{4}$, Sec. 33; NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$, Sec. 36; SE $\frac{1}{4}$ and T. 19 N., R. 54 E., Sec. 1; E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; N $\frac{1}{2}$, Sec. 3; N $\frac{1}{2}$, Sec. 12; NW $\frac{1}{4}$ (see Appendix I). The fence will be constructed to Bureau specifications and will be a standard "Type D" Antelope fence.

The proposed fence will separate the Shannon Station and Black Point allotments.

B. Alternative Action

The only alternative is that no action be taken.

II. AFFECTED ENVIRONMENT

A. Vegetation

Vegetation in the area consists of the desert shrub and Pinyon-juniper types. The major species present are listed below:

Shrubs:

<u>Artemisia tridentata</u>	Big sagebrush
<u>Chrysothamnus viscidiflorus</u>	Green Rabbitbrush
<u>Artemisia arbuscula</u>	Low sagebrush
<u>Atriplex confertifolia</u>	Shadscale
<u>Cercocarpus ledifolius</u>	Mountain mahogany

Trees:

<u>Juniperus osteosperma</u>	Utah Juniper
<u>Pinus monophylla</u>	Singleleaf pinyon

Forbs:

<u>Sphaeralcea</u> spp.	Globemallow
<u>Eriogonum</u> spp.	Eriogonum
<u>Cryptantha</u> spp.	Cryptantha
<u>Delphinium</u> spp.	Larkspur
<u>Hydrophyllum</u> spp.	Water leaf

Grasses:

<u>Oryzopsis hymenoides</u>	Indian ricegrass
<u>Sitanion hystrix</u>	Bottlebrush squirreltail
<u>Stipa comata</u>	Needle-and-thread
<u>Poa secunda</u>	Sandberg bluegrass
<u>Carex</u> spp.	Carex

B. Soils

Soils are gently to strongly sloping, well drained, gravelly to very stony, medium textured on hills and mountains.

C. Wildlife

The primary wildlife species are listed below:

<u>Lepus californicus</u>	Blacktail jackrabbits
<u>Canis latrans</u>	Coyotes
<u>Odocoileus hemionus</u>	Mule deer
<u>Centrocercus urophasianus</u>	Sagegrouse
<u>Alectoris graeca</u>	Chukar

Also present are various species of raptors, song birds, small mammals, and reptiles.

D. Livestock

Shannon Station: Mr. Baumann runs cattle from April 1 to December 15 with a maximum number of 300 cattle from May to September.

Black Point: M&N Livestock runs approximately 2300 sheep from May 1 to October 10. Held's Quarter runs cattle from May 10 to the end of October with a maximum number of 500 cattle from May 10 to the end of September.

E. Wild Horses

Present in this area are several bands of wild horses and an undetermined number of branded trespass horses. An aerial inventory conducted in January, 1978 identified a total of 272 horses within five miles of the proposed fence line.

F. Visual Resources

A visual resources report is included in Appendix II.

G. Cultural Resources

See attached Cultural Resources Report in Appendix III.

H. Wilderness Potential

The area involving the proposed action has been inventoried and has been dismissed from further study as a possible wilderness study area.

I. Threatened or Endangered Plants and Animals

According to Holmgren, et.al., 1977, there are no threatened and endangered plants in the area of proposed action. Also, no threatened and endangered animals are known to exist in the area.

III. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

1. Environmental Impacts

The short-term impacts should be minimal due to the fact that the proposed fence will follow an existing bladed trail. The construction of the fence will temporarily disturb the soil and vegetative cover beginning to grow along the bladed trail.

Long-term impacts would be some trampling of vegetation, as livestock will naturally trail along the fence line. The fence line will have a visual impact, however, since the fence line has already been bladed the visual impact will remain about the same. Customary movements of wild horses and wildlife will be somewhat restrained.

2. Mitigating Measures

In order to prevent unnecessary disturbance to the soil surface, construction should take place in the summer or early fall months, when soil moisture is at a minimum.

The fence will be flagged with white and florescent plastic flagging as it is constructed to prevent deer and wild horses from hitting the fence and becoming entangled or cut.

3. Unavoidable Impacts

Unavoidable impacts include a temporary loss of natural vegetation. Trampling of vegetation and soil by livestock trailing along the fenceline will also occur to some extent.

4. Short-and Long-Term Effects on Productivity

The short-term effects of construction will be minimal. The long-term productivity should increase through better livestock management brought about by this type of range improvement. Also, there will be less work needed by the permittees to keep livestock in their proper allotments. As a result, the Bureau of Land Management will have better control over the allotments and livestock supervision.

5. Irreversible or Irretrievable Commitment of Resources

There will be no irreversible or irretrievable commitment of resources.

B. Alternative - No Action

1. Environmental Impacts

No short-term impacts are present. Long term effects may be more severe, in terms of range deterioration, due to a lack of proper livestock management practices.

2. Mitigating Measures

Mitigation of the "No Action" alternative would require a impractical degree of livestock supervision, due to the natural amount of drift of livestock from one allotment to another.

3. Unavoidable Impacts

At least some degree of continued range deterioration will occur due to livestock grazing.

4. Short-and Long-Term Effects on Productivity

There will be little or no short-term effects on productivity. The long-term effects on range productivity may be more evident, due to the resulting conflict with present range management objectives.

5. Irreversible or Irretrievable Commitment of Resources

There will be no irretrievable or irreversible commitment of resources.

IV. LIST OF PREPARERS AND REVIEWERS

Mark Littlefield	Range Conservationist
Alan Steinbeck	Outdoor Recreation Planner
Dwayne Sykes	Wildlife Biologist
Kelly M. Madigan (review)	Environmental Protection Specialist
Colin P. Christensen (review)	Shoshone/Eureka Resource Area Manager
Randy Cornett	Wild Horse Specialist

V. PERSONS, GROUPS, AND GOVERNMENT AGENCIES CONSULTED

Paul Held
Jim Baumann

Permittee
Permittee

VI. APPENDICES

Appendix I:

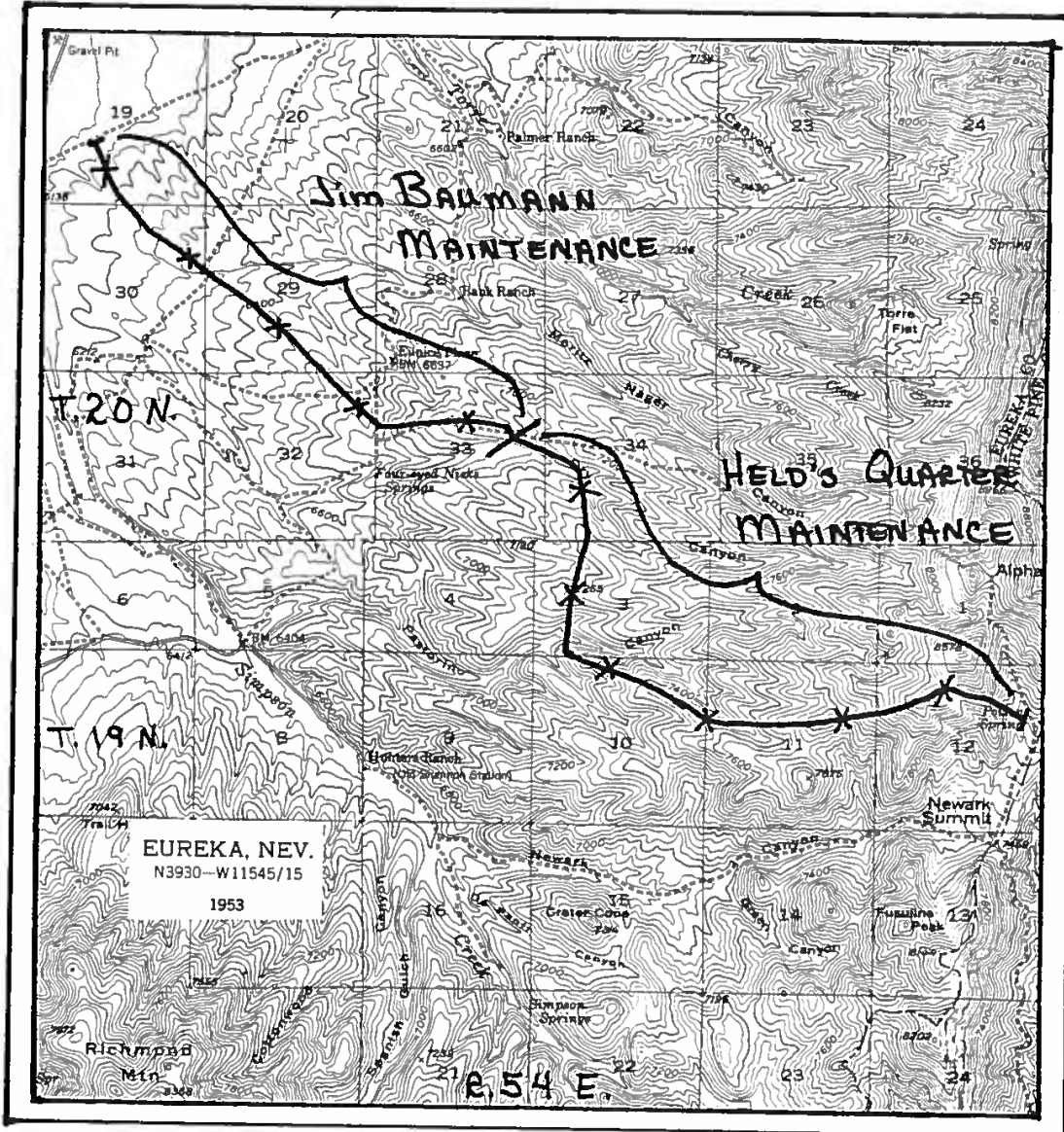
Location Map

Appendix II:

Visual Resources Report

Appendix III:

Cultural Resources Report



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

VISUAL CONTRAST RATING WORKSHEET

Date	Sept. 23 1980
District	Butte Mountain
Planning unit	
Activity	

SECTION A. PROJECT INFORMATION

1. Project name			2. Critical viewpoint number	3. MFP Step III VRM class
Alpha Peak Fence				
4a. LOCATION			b. LOCATION MAP	
TOWNSHIP	RANGE	SECTION	See project location on map attached to E.A.	
See project location on page one of the E.A.				

SECTION B. CHARACTERISTIC LANDSCAPE DESCRIPTION

1. LAND/WATER	FORM	Mountain
	LINE	Triangular
	COLOR	Brown to tan
	TEXTURE	course
2. VEGETATION	FORM	Rough Blanket
	LINE	irregular, patchy
	COLOR	Greens and Grays
	TEXTURE	Fine to medium
3. STRUCTURES	FORM	None
	LINE	None
	COLOR	None
	TEXTURE	None

(Continued on page 2)

SECTION C. PROPOSED ACTIVITY DESCRIPTION
 (Refer to BLM Manual Section 8131 for proposed descriptions and requirements)

1. LAND/WATER	FORM	Mountain
	LINE	Triangular
	COLOR	Brown to tan
	TEXTURE	Course
2. VEGETATION	FORM	Rough Blanket
	LINE	Irregular, patchy
	COLOR	Greens and grays
	TEXTURE	fine to medium
3. STRUCTURES	FORM	None
	LINE	line horizontal to plane of landscape
	COLOR	green w/ white top
	TEXTURE	smooth

SECTION D. CONTRAST RATING SHORT TERM LONG TERM

DEGREE OF CONTRAST	FEATURES												1a. Maximum element contrast	
	LAND/WATER BODY (1)				VEGETATION (2)				STRUCTURES (3)					1b. Maximum feature contrast
	Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)	Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)	Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)		
Form (4x)	12	8	4	0	12	8	4	0	12	8	4	0	Moderate	
Line (3x)	9	6	3	0	9	6	3	0	9	6	3	0		16
Color (2x)	6	4	2	0	6	4	2	0	6	4	2	0	2. Does project design meet visual resource management requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No If "no," (or if rating is over maximum allowable) redesign project in section E, concentrating on feature/element of greatest contrast. If contrast is acceptable, this does not preclude additional mitigating measures; propose as stipulations, and list in section E.	
Texture (1x)	3	2	1	0	3	2	1	0	3	2	1	0		
TOTALS	0				0				6					

Evaluator (signature) M. Paul R. Lutzfield Date Sept. 23, 1980

SECTION E. REDESIGN, STIPULATIONS, MITIGATING MEASURES

SECTION F. DESCRIPTION OF ACTIVITY (*Redesigned*)

	1. LAND/WATER		
	TEXTURE	COLOR	LINE FORM
	2. VEGETATION		
	TEXTURE	COLOR	LINE FORM
	3. STRUCTURES		
	TEXTURE	COLOR	LINE FORM

(Continued on page 4)

SECTION G. CONTRAST RATING (Redesign)

DEGREE OF CONTRAST		FEATURES												1a. Maximum element contrast	
		LAND/WATER BODY (1)				VEGETATION (2)				STRUCTURES (3)					b. Minimum feature contrast
		Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)	Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)	Strong (3x)	Moderate (2x)	Weak (1x)	None (0x)		
ELEMENTS	Form (4x)	12	8	4	0	12	8	4	0	12	8	4	0	2. Does project design meet visual resource management requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If "no," request services of district landscape architect, and describe amount of time and when required.</i>	
	Line (3x)	9	6	3	0	9	6	3	0	9	6	3	0		
	Color (2x)	6	4	2	0	6	4	2	0	6	4	2	0		
	Texture (1x)	3	2	1	0	3	2	1	0	3	2	1	0		
TOTALS															
3. Fiscal year		4. Which third? (check one)												5. TIME REQUIRED	
19		<input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third												DAYS	MAN-MONTHS

SECTION H. RECOMMENDATIONS

1. Recommendation of staff landscape architect if allowable contrast rating cannot be met

Signature _____ Date _____

2. Decision and justification of Area or District Manager

Signature _____ Date _____

3. Check appropriate box: Proceed with project/activity as mitigated Cancel project/activity as proposed

Signature _____ Date _____

Project: Alpha Peak Fence

Summary of Mitigation Recommendations:
None

This investigation was conducted with techniques considered adequate to evaluate any cultural resources that might be affected by this project. However, if during the course of any project activities, notable cultural resources are discovered, care must be taken not to disturb them and the Battle Mountain District Manager must be notified immediately.

Submitted by: Nora K. Harrington Date: 5/8/81
Reviewed by: Robert D. Cull Date: 5.8.81
Approved by: Neil D. Talbot Date: 6/4/81
Area Manager

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

CULTURAL RESOURCES REPORT FORMAT/FIELD WORKSHEET

1. CR Report No. 6-354 2. Date(s) of Field Ops April 30, 1981
3. Archeologist or BAP Nora Harrinton and R.H. Crabtree, Area Archaeologist
4. Project Name & Description/Description of Potential Impacts
Alpha Peak Fence Line
5. District Office Battle Mountain 6. County and State Eureka, Nevada
7. Planning Unit/Resource Area Eureka
8. BLM Status Bureau of Land Management
9. Legal Description T. 19 N., R. 54 E., Sections 1, 2, 3, 10, 11, 12
10. Relationship to Geodetic Markers Unknown
11. Relationship to Other Permanent Features East End of flagged line is 1 mile
Southwest of Alpha Peak
12. Map Reference Eureka 1953 USGS 15'
13. Purpose of Survey Inventory and Clearance
14. Consultations/Existing Data Review Negative
15. Vegetation Zones Mountain Brush. (Mt. Mahogany, Snow Berry, Service Berry,
Horse Brush, - Scattered Juniper - Forbs, Grasses.)

(Continued on reverse)

NV 3100-3 (Dec. 1980)

- 16. Soils, Topography Coarse Sandy Loam - A series of Ridges, sloping down to the West, and Pastorino Canyon. Elevation 6960' - 8780'.

- 17. Nearest Water Pastorino Canyon and Poison Spring
- 18. Field Techniques A swath 30 m. wide was observed on foot. Ground surface visibility was obscured by heavy brush in some locations.

- 19. Findings Negative

- 20. National Register Recommendations None
- 21. Summary and Avoidance/Mitigation Recommendations None

Note: "The techniques used in this survey were such that most cultural resources existing in the project area visible to surface examination should have been found. If, however, cultural resources are subsequently discovered that could be adversely affected by project-related activities, the latter should immediately cease and the Battle Mountain District Manager should be immediately informed."

- 22. Project Area/Length of Line 2 5/8 miles
Area Surveyed: _____ acres
Transect Interval/No./Type _____
- 23. Time Expenditure
Field (including travel): 12 hrs.
Office: 2 hrs.
Total: 14 hrs.
- 24. Submitted by: _____ : Date: _____
Title: _____ :
Reviewed by: Robert H. Crabtree : Date: May 8, 1981
(District or Area Archeologist)
- 25. Approved by: _____ : Date: _____

PROJECT COMPLETION AND MAINTENANCE RECORD

R.A. SHOSHONE-EUREKA

1. Project Name ALPHA PEAK FENCE 2. Date Completed AUGUST 16, 1981

3. Project No. NV-R-4667 4. New Construction Maintenance

5. Subactivity/Comp/JC _____

6. Legal Description: T. 19N. R. 54E. Sec. 1, 12, 11, 10, & 3

7. Labor Force 20N 54E 33, 34, 32, 29, 30, & 19

a. Force Account b. Contract

c. Permittee d. Contract No. _____

e. Contractor: _____

f. Address: _____ Phone: _____

8. Costs

a. Labor 13,000.00 WM @ _____

b. Materials 12,900.00

c. Contract _____

d. Misc. fees, permits, access cost, etc. _____

TOTAL _____

9. Coop. Agreement

Name: HELO'S QUARTER, & JIM BAUMANN

Agrees to: CONSTRUCTION AND MAINTENANCE

10. Brief Description of Work Accomplished: BUILD ALLOTMENT BOUNDARY FENCE

11. Problems With Project: HELO'S QUARTER PORTION NOT BUILT TO TYPE 'D' SPECIFICATIONS. HOWEVER, BOTH SIDES AGREED IT WOULD BE ALRIGHT.

12. Completion Information

		DATE	INITIALS
a. Progress Report	<input type="checkbox"/>	_____	_____
b. Master Title Plat Sent	<input checked="" type="checkbox"/>	<u>1/5/81</u>	<u>N</u>
c. Returned Project File to R.A. with a completed drawings, specs, stores issue etc. and JDR sent to DSC.	<input checked="" type="checkbox"/>	<u>12/29</u>	<u>N</u>
d. Project Recorded on URA overlay by R.A.	<input type="checkbox"/>	_____	_____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

COOPERATIVE AGREEMENT
FOR RANGE IMPROVEMENTS

FOR BLM USE ONLY			
State	N	V	
Office	0	6	0
Expires Indefinite	EXTENDED TO		
Job Number(s)			
4667			
Job Name(s) Alpha Peak Fence			

INSTRUCTIONS - Cooperator(s) to receive original, and one copy each to the District case or lease file and District job file.

1. I, (We) Held's Quarter of Eureka, Nevada ,
 Jim Baumann of Eureka, Nevada ,
 of ,
 and of ,

hereinafter called cooperator(s) and the United States of America, by the Bureau of Land Management, hereinafter called the Bureau, for and in consideration of the mutual benefits hereinder, and in accordance with the Taylor Grazing Act (43 U.S.C. 315, 315a-r), as amended, the National Soil Conservation Act (16 U.S.C. 590a-q(1)), as amended, the Federal Land Policy and Management Act (43 U.S.C. 1701, et. seq.), and the Public Rangelands Improvement Act (43 U.S.C. 1904) do enter into this cooperative agreement for the construction and/or maintenance of range improvements, installation of conservation works or establishment of conservation practices, hereinafter referred to collectively as improvements, for the benefit of the public lands and of the cooperator(s).

2. The improvements known as the Alpha Peak Fence

will be are located upon: Sections; 1, 12, 11, 10 & 3; T. 19 N., R. 54 E.; Sections
 Mt. Diablo Base Meridian, County of Eureka , State of Nevada .

3. IT IS MUTUALLY AGREED:

(a) The parties hereto will furnish labor, materials, and equipment as required, the total cost or value not to exceed the amount listed below for each of the parties respectively for the initial construction and/or installation of the improvements indicated in paragraph 2.

NAME(s) OF COOPERATOR(S)	ITEMS	TOTAL COST OR VALUE
Held's Quarter	Construction and Maintenance	\$ 8,450.00
Jim Baumann	Construction and Maintenance	4,550.00
Advisory Board	Materials	12,900.00
BUREAU OF LAND MANAGEMENT		
	AGGREGATE COST	\$25,900.00

(b) Upon notice from the authorized officer of the Bureau, cooperator(s) will promptly supply labor, materials, and equipment as specified in paragraph 3(a) as required. Contributed materials in excess of the amount required shall be returned to the contributor. Equipment contributed shall be returned promptly following completion of the work. Work will be conducted under the supervision and direction of the authorized officer and shall be pursued with diligence until completed.

4(a) The cooperator(s) shall be liable, jointly and severally, for the repair and maintenance of the improvements following completion, in good and serviceable condition. The cooperator(s), without further notice from the authorized officer shall do the necessary work promptly. If work is not performed as necessary, the authorized officer shall notify the cooperator(s) and specify a period within which to complete the work as required.

(b) In event the cooperator(s) default in the repair and maintenance of the improvements the authorized officer may do or cause such work to be done for and in behalf of the cooperator(s); and the necessary cost and expense thereof shall become a charge and obligation upon and shall be paid by the cooperator(s). It is further understood in case of default that any grazing permit or lease may be cancelled and may not be renewed or extended or any assignment thereof may not be approved unless and until all charges and costs owed by the cooperator(s) hereunder shall have been paid; and provided that the Bureau may pursue such other remedies, legal or administrative, as may be authorized.

(c) Repair and maintenance, as herein required, shall mean normal upkeep and maintenance necessary to preserve, protect, and prolong the useful life of the improvements, but shall not include major repairs where the damage is due to floods, earthquakes, or other acts of God, or fire not the result of fault or negligence of the cooperator(s) as determined by the authorized officer.

5. IT IS FURTHER AGREED:

(a) Title to the said improvements in place, together with all labor and materials furnished by either party and used in the construction and maintenance thereof, shall be in the United States of America. The improvements may be removed, in whole or in part, during the term of this agreement or any extension thereof, by mutual consent of the parties or by direction of the authorized officer; such removal shall be made by the cooperator(s), or by the Bureau at its option. Upon removal of the improvements, any salvageable materials, after deducting an amount to compensate for the actual cost of removal, shall be available for distribution to the parties then subject to this agree-

ment in proportion to the actual amount of their respective contributions to the initial construction of the improvements. The parties shall take possession and remove their portion of the salvaged materials within one hundred and eighty (180) days after first notification in writing that such material is available; upon failure to do so within the time allowed, the materials shall be deemed to have been abandoned and title thereto shall thereupon vest in the United States.

(b) During the course of salvaging material, the United States assumes no responsibility for the protection or preservation of said material.

6. If the cooperator(s) shall assign or transfer any grazing permit or lease embracing the lands upon which the improvements are constructed or in connection with which they are used, the cooperator(s) shall include in such assignment or transfer his interest in this Cooperative Agreement. Before the assignee or transferee will be recognized as successor to the cooperator(s)'s interest hereunder, such assignee or transferee will be required by the authorized officer to accept an assignment of this agreement and agree to be bound by the provisions respecting the use and maintenance of the improvements.

7. The cooperator(s) use of the improvements will be in conformance with any special conditions, the grazing permit(s) or lease(s), and regulations of the Secretary of the Interior.

8. This agreement shall not accord to cooperator(s) any preference, privilege, or consideration with respect to any grazing permit or lease not expressly provided herein or in the rules and regulations governing such grazing permit or lease.

9. Items 2, 3, and 4(a) of this agreement may be modified or cancelled by written agreement of the parties, which agreement shall become a part hereof.

10. This contract is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the nondiscrimination clauses. A copy of this order may be obtained from the authorized officer.

11. This agreement shall remain in effect indefinitely from date of signature unless (1) sooner terminated by mutual written consent of parties, or (2) is terminated by the authorized officer after notice in writing because of the cooperator(s) default or violation, or (3) is terminated by the authorized officer after notice in writing because the improvements are not compatible with adopted land use plans or classification under the public land laws.

12. Special conditions

Held's Quarter will be responsible for maintenance of that portion of the fence from where the fence crosses the road at the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T. 20 N., R. 54 E. to the end of the fence at Poison Spring, T. 19 N., R. 54 E., Section 12 SE $\frac{1}{4}$ NE $\frac{1}{4}$ for approximately 5.4 miles of fence.

Jim Baumann will be responsible for the maintenance for that portion of the fence from the gate where the fence crosses the road in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T. 20 N., R. 54 E., then north and west to the end of the fence in the SW $\frac{1}{4}$ of Section 19, T. 20 N., R. 54 E., for approximately 2.9 miles of fence.

Fence will be built to BLM Specifications for a type 'D' fence.

COOPERATOR(S)

THE UNITED STATES OF AMERICA

Don Eldridge May 12-81 State of Nevada
(Signature) (Date)

James E. Baumann May 12-81 District Battle Mountain
(Signature) (Date)

(Signature) (Date) By Richard Depaoli
(Signature)

(Signature) (Date) Acting Area Manager
(Title)

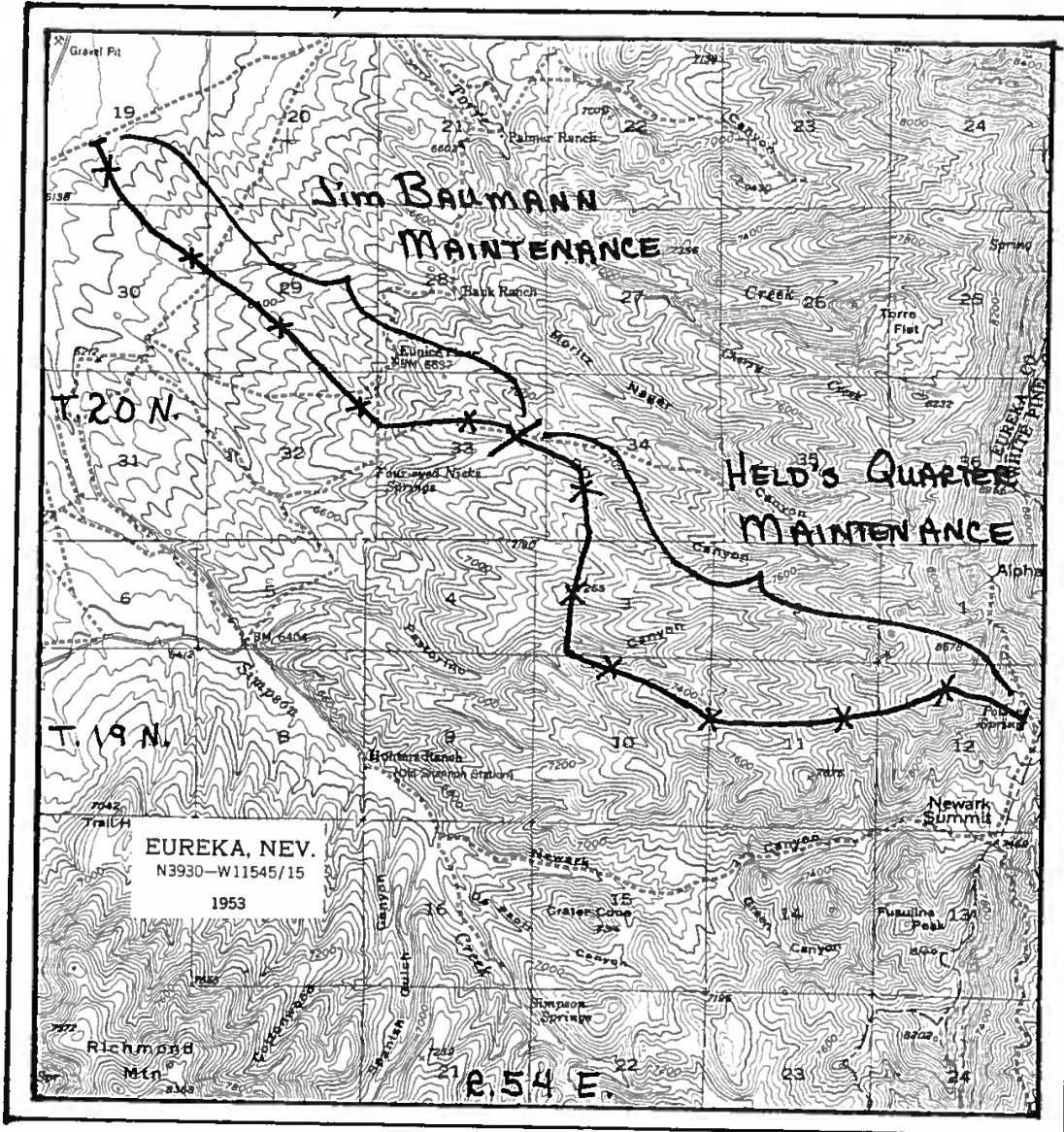
(Signature) (Date) 5/20/81
(Date)

LOCATION PLAT



Scale: 1 inch equals one mile

GPO 854-213



Form 4120-6
(January 1982)

FORM APPROVED
OMB NO. 1004-0068
Expires: January 31, 1983

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

COOPERATIVE AGREEMENT
FOR RANGE IMPROVEMENTS

FOR BLM USE ONLY

State	N	V	
Office	0	6	4

Expires Indefinite	EXTENDED TO
Job Number(s) N- 8 4708 N6-R-4708	

INSTRUCTIONS - Cooperator(s) to receive original, and one copy each to the District case or lease file and District job file.

Job Name(s)
Arden's Fence

1. I, (We) Held's Quarter of Eureka, Nevada ,
of ,
of ,
and of ,

hereinafter called cooperator(s) and the United States of America, by the Bureau of Land Management, hereinafter called the Bureau, for and in consideration of the mutual benefits hereinder, and in accordance with the Taylor Grazing Act (43 U.S.C. 315, 315a-r), as amended, the National Soil Conservation Act (16 U.S.C. 590a-q(1)), as amended, the Federal Land Policy and Management Act (43 U.S.C. 1701, et. seq.), and the Public Rangelands Improvement Act (43 U.S.C. 1904) do enter into this cooperative agreement for the construction and/or maintenance of range improvements, installation of conservation works or establishment of conservation practices, hereinafter referred to collectively as improvements, for the benefit of the public lands and of the cooperator(s).

2. The improvements known as the Arden Fence

will be are located upon: ¼, Sec(s). 27, 34 , T. 20 N. , R. 54 E. ,
Mt. Diablo Meridian, County of Eureka , State of Nevada .

3. IT IS MUTUALLY AGREED:

(a) The parties hereto will furnish labor, materials, and equipment as required, the total cost or value not to exceed the amount listed below for each of the parties respectively for the initial construction and/or installation of the improvements indicated in paragraph 2.

NAME(s) OF COOPERATOR(S)	ITEMS	TOTAL COST OR VALUE
Held's Quarter	Construction and Materials	\$ 6,620.70
	Maintenance	
BUREAU OF LAND MANAGEMENT		
	AGGREGATE COST	\$ 6,620.70

12. Special conditions

Held's Quarter will maintain the full length of the Arden Fence.

The cooperator hereby agrees that required maintenance shall include the following:

1. Replacement and/or repair of loose, down, or broken wire to insure that proper tension and/or spacing is maintained.
2. Replacement and/or repair of bent, loose, down or broken steel and/or wooden fence post, stress panels, braces, and corners required to insure that the fence is maintained to Bureau specifications.
3. Repair and maintenance as described in Section 4(c) of this agreement.
4. The fence will be built to Antelope Type "D" specifications.
5. Gates will be left open when area is not in use to allow for freer movement of wildlife and wild horses.

COOPERATOR(S)

THE UNITED STATES OF AMERICA

 (Signature) (Date) State of Nevada

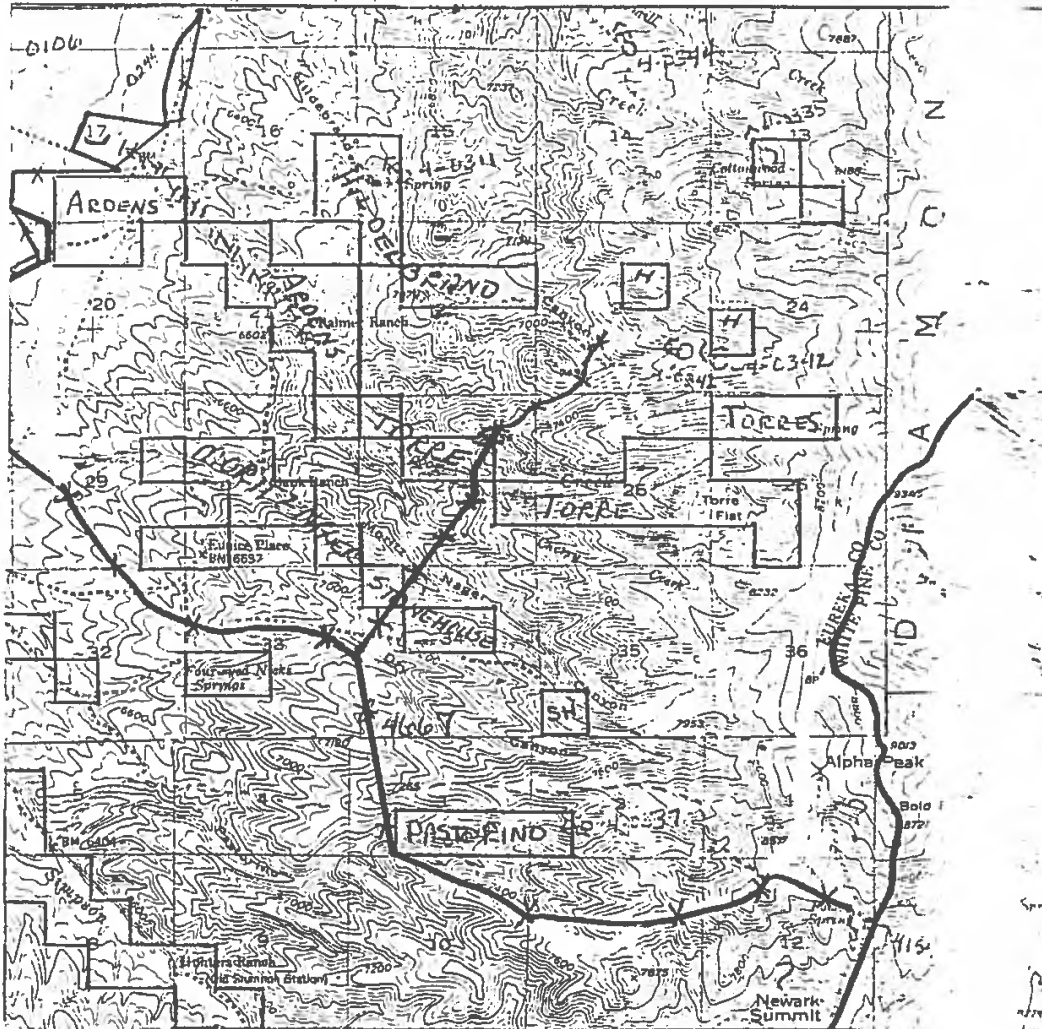
 (Signature) (Date) District Battle Mountain

By Don Elling
Held's 4 Ranch (Signature) (Date) By *Richard Alvarado* (Signature)

 (Signature) (Date) *acting* Area Manager (Title)

 (Signature) (Date) *4/28/82* (Date)

LOCATION PLAT



Scale: *R. 54 E*
inches equals one mile

- . Information is collected to document the specific participation of each cooperator in the range improvement plished. This information includes the location by legal description, and the kind and amount of particp materials, maintenance, or funds.
- . The information is used in the form of an agreement to participate. By signature, each cooperator agrees manner specifically described on the cooperative agreement form.
- . Participation in cooperative agreements is voluntary and are focused on range improvement projects desig conditions or facilitate the use of rangeland resources by livestock. Once the agreement is signed, the agr is required.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RANGE LINE AGREEMENT

State Office	Nevada
District Office	Battle Mountain
Date	July 9, 1981

In accordance with the provisions of Grazing Regulations (43 CFR 4120.1), we, the undersigned, hereby agree to the establishment or adjustment of our respective range allotment boundaries as shown on the attached map and further described as follows:

Black Point

North Spring area: This area includes the high country above Maggini's Three Mile Canyon as follows:

Beginning at the high peak on the drainage divide of the Diamond Range in the NW $\frac{1}{4}$ of Section 32, T. 23 N., R. 55 E., thence north down the ridge through the SE corner of Section 30, T. 23 N., R. 55 E., thence near the NE corner of Section 30, T. 23 N., R. 55 E., thence up the ridge to the top of the drainage divide between Dry Canyon and Three Springs Canyon to a point near the center of Section 18, T. 23 N., R. 55 E., thence eastward about one (1) mile to the high peak on the unit and district line, being the drainage divide of the Diamond Range, in the north half of Section 17, T. 23 N., R. 55 E., thence south along this drainage divide about three (3) miles to the point in the NW $\frac{1}{4}$ of Section 32, T. 23 N., R. 55 E., the point of beginning for the North Spring area.

It is further agreed that the above-described allotment boundary constitutes a fair, equitable, and practical range division, based on the respective qualifications of our dependent base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

<u>James E. Baumann</u> (Signature of Permittee/Lessee)	<u>July 14, 81</u> (Date)
<u>Don Eldridge</u> (Signature of Permittee/Lessee)	<u>July 16, 81</u> (Date)
<u>Larry Phelps</u> (Signature of Permittee/Lessee)	<u>July 16, 81</u> (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
APPROVED: <u>Neil D. Talbot</u> (Signature of Authorized Officer)	<u>12/12/84</u> (Date)

(Continued on reverse)

Black Point

Beginning at the high peak on the drainage divide of the Diamond Range near the NE corner of section 6, T. 22 N., R. 55 E., thence south along the drainage divide which is the unit and district boundary, a distance of about nineteen (19) miles to the fence around Poison Spring in the NE corner of section 12, T. 19 N., R. 54 E., thence in a north-westerly direction up the canyon on the SW side of the road along the fence to the saddle south of Alpha Peak in the center of T. 19 N., R. 54 E., section 12, NENW, thence in a south westerly direction following the high ridges, old bladed line, and fence to a point near the center of section 11, T. 19 N., R. 54 E., thence west and northwest along the ridge south of Pastorino Canyon, thence across Pastorino and around the west side of the private ground in Pastorino Canyon, thence in a northerly direction to the east quarter corner of section 33, T. 20 N., R. 54 E., thence in a northwesterly direction across Dry Canyon going halfway between the patented lands containing Four-Eyed Nick's Springs and the Eunice Place, thence in a north and westerly direction along the Alpha fence to a point in section 19, T. 20 N., R. 54 E., where the Alpha fence meets the fence around the crested wheatgrass seeding used by Edward Melka, thence northeast about three quarters (3/4) mile to where the fence corners in section 20, T. 20 N., R. 54 E., thence north and west along the fence around Melka's Seeding between it and the Cottonwood Seeding to the Hunter Seeding fence, thence along this fence to a point where it corners in the SE $\frac{1}{4}$ of section 12, T. 20 N., R. 53 E., thence northwesterly in a straight line to the NW corner of Section 12, T. 20 N., R. 53 E., thence northerly along the edge of the desert land entries as follows: North seven-tenths (0.7) mile, east one (1) mile, north one and one-half (1-1/2) miles, west one (1) mile, north one (1) mile, east one-half (1/2) mile, north one quarter (1/4) mile, east one-half (1/2) mile, north three and three quarters (3-3/4) miles to the northwest corner of section 6, T. 21 N., R. 54 E., thence east one (1) mile to the Desert Land entries then following the boundary fence north two (2) miles, east one (1) mile, north one (1) mile, thence west about seven-tenths (0.7) miles to a point on the county road on the south border of section 20, T. 22 N., R. 54 E., thence north east direction along the road a distance of about two and one quarter (2.25) miles to a point on the road near the W $\frac{1}{2}$ corner of section 16, T. 22 N., R. 54 E., thence northeasterly in a straight line, a distance of about two and one half (2-1/2) miles to the base of the ridge between Walters and Homestead Canyons at a point near the SW corner of section 2, T. 22 N., R. 54 E., thence eastward up the ridge between Walters and Homestead Canyons, a distance of three (3) miles to the unit and district line at the high peak near the NE corner of section 6, T. 22 N., R. 55 E., the point of beginning.

Water will be available from Poison Springs to the troughs on both sides of the boundary fence. Excess water from Held's tank will go to the trough in Shannon Station.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RANGE LINE AGREEMENT

State Office	Nevada
District Office	Battle Mountain
Date	July 9, 1981

In accordance with the provisions of Grazing Regulations (43 CFR 4120.1), we, the undersigned, hereby agree to the establishment or adjustment of our respective range allotment boundaries as shown on the attached map and further described as follows:

Shannon Station Allotment

Beginning at the narrows of Devils Gate on U.S. Highway 50 near the SW corner of section 24, T. 20 N., R. 52 E., M.D.M., thence in an easterly and southerly direction along U.S. Highway 50 which is the Diamond Valley Unit boundary, a distance of about eighteen (18) miles to the district line near the SE corner of section 32, T. 18 N., R. 54 E., M.D.M., thence due north along the section line, a distance of five and three quarters (5-3/4) miles to a point on the drainage divide near the NE corner of section 5, T. 18 N., R. 54 E., M.D.M., thence continuing along the district line east and north along the drainage divide of the Diamond Range to Poison Spring in the NE corner of section 12, T. 19 N., R. 54 E., thence in a north-westerly direction up the canyon on the SW side of the road along the fence to the saddle south of Alpha Peak in the center of T. 19 N., R. 54 E., section 12, NENW, thence in a southwesterly direction following the high ridges, old bladed line and fence to a point near the center of section 11, T. 19 N., R. 54 E., thence west and northwest along the ridge south of Pastorino Canyon, thence across Pastorino Canyon and around the west side of the private ground in Pastorino Canyon, thence in a northerly direction to the east

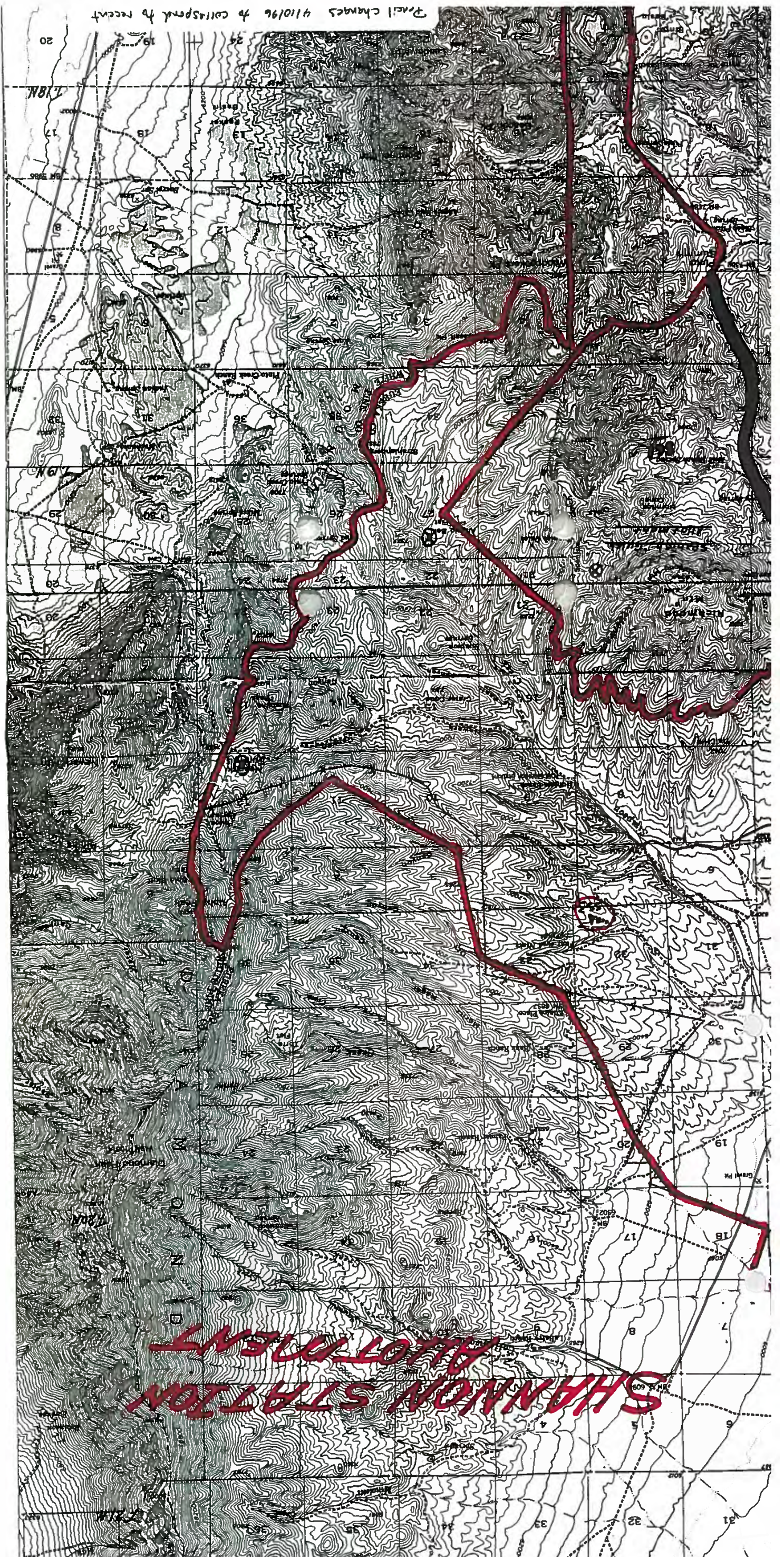
It is further agreed that the above-described allotment boundary constitutes a fair, equitable, and practical range division, based on the respective qualifications of our dependent base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

<u>James E. Bauman</u> (Signature of Permittee/Lessee)	<u>July 14, 81</u> (Date)
<u>Don Edrild</u> (Signature of Permittee/Lessee)	<u>July 13/81</u> (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
APPROVED: <u>Neil D. Talbot</u> (Signature of Authorized Officer)	<u>12/12/84</u> (Date)

(Continued on reverse)

quarter corner of section 33, T. 20 N., R. 54 E., M.D.M., thence in a north-westerly direction across Dry Canyon going halfway between the patented lands containing Four-eyed Nick's Spring and the Eunice Place, thence in a north and westerly direction along the Alpha fence to a point in section 19, T. 20 N., R. 54 E., where the Alpha fence meets the fence around the crested wheat grass seeding used by Edward Melka, thence southwesterly around this seeding and Melka's patented ground and northerly around the Desert Land Entry and north along the fence dividing Melka's seeding from Hunter's seeding to the fence corner along the fence dividing Hunters seeding from Cottonwood seeding, thence in a straight line, a distance of about one (1) mile to the SW corner of section 1, T. 20 N., R. 53 E., M.D.M., thence north one and one quarter (1-1/4) miles to the NW corner of this same section, thence westward along the section line through the Desert Land Entries and excluding the Desert Land Entries from the allotment to the NW corner of section 4, T. 20 N., R. 53 E., M.D.M., thence in a straight line in a westerly direction, a distance of four (4) miles to the top of Whistler Mountain at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ section 3, T. 20 N., R. 52 E., M.D.M., thence in a southerly direction along the drainage divide, a distance of about four (4) miles to the Narrows at Devils Gate, the point of beginning.

Water will be available from Poison Spring to the troughs on both sides of the boundary fence. Excess water from Held's tank will go to the trough in Shannon Station.

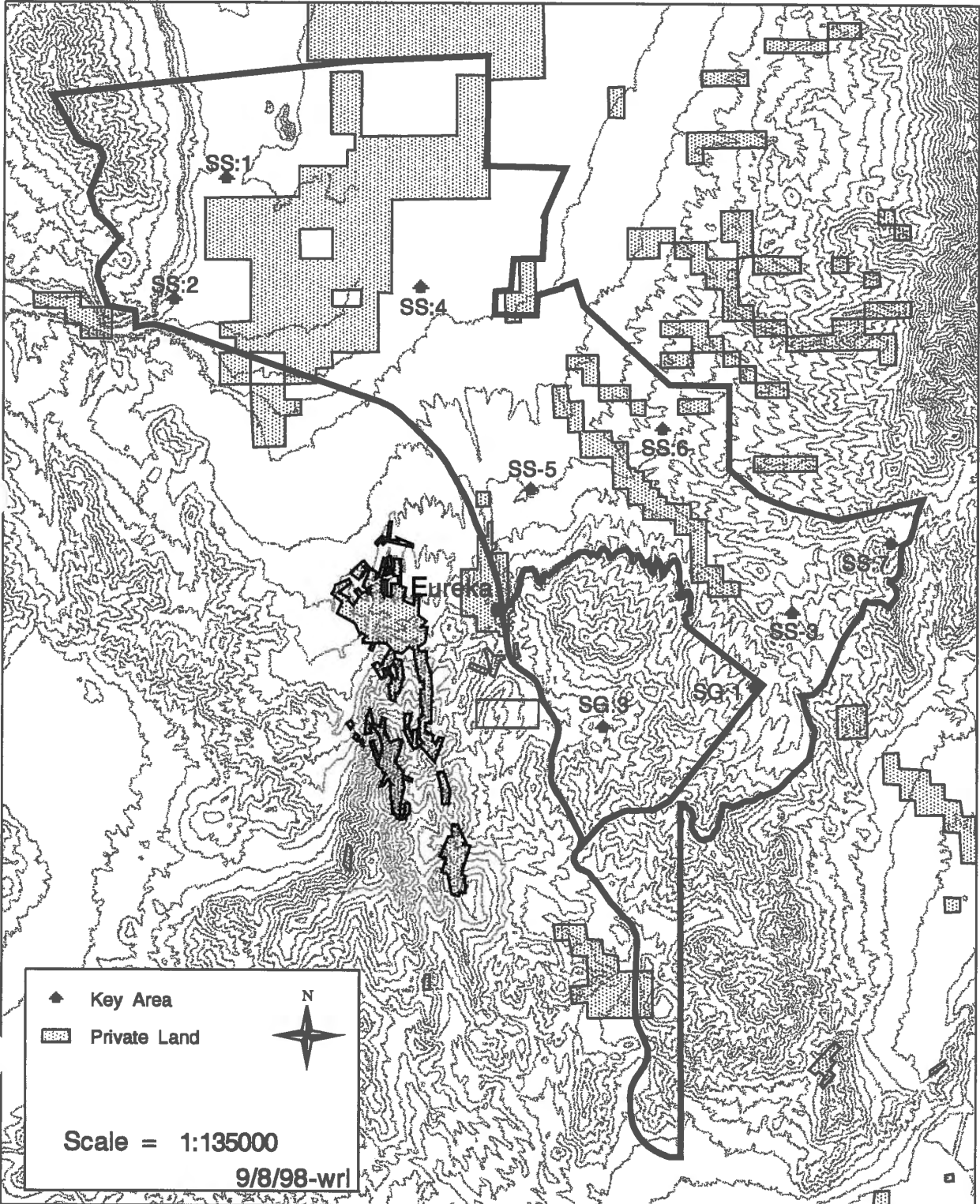


Parcel changes 4/10/96 to correspond to recent

SHANNON STATION
ALLOTMENT

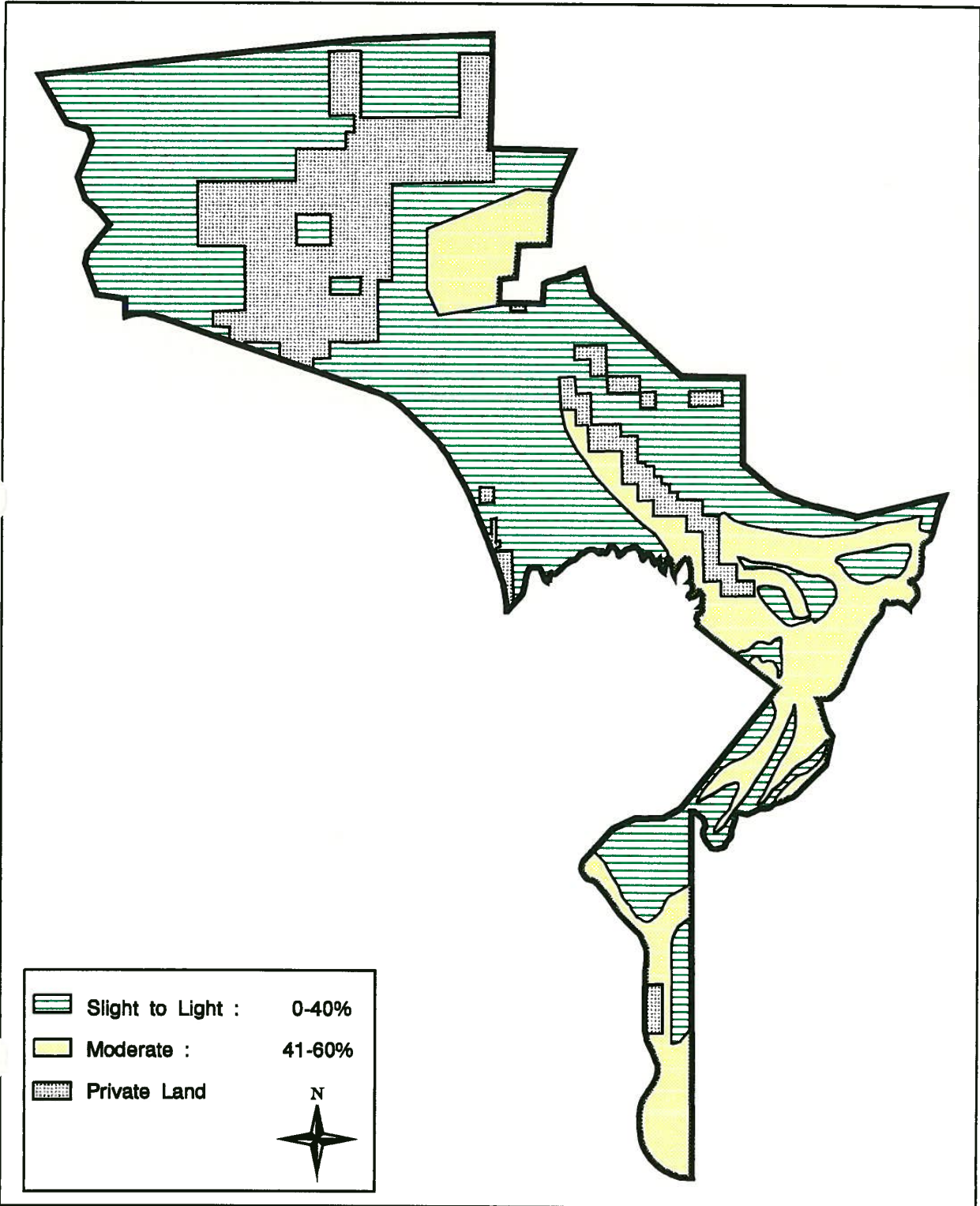
Shannon Station / Spanish Gulch Key Area Locations

Map 2E



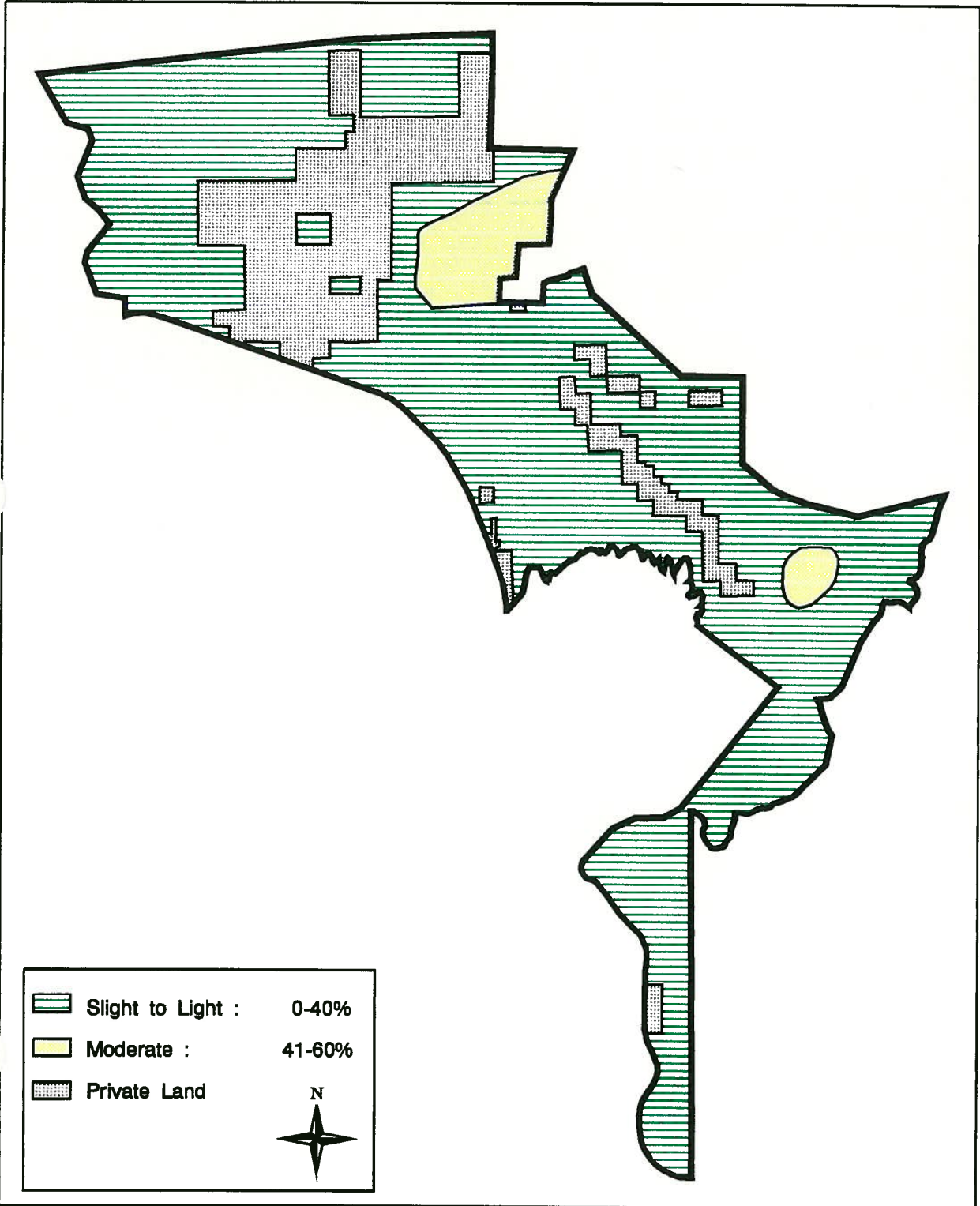
Shannon Station Allotment 1988 Use Pattern Map

Map 7a



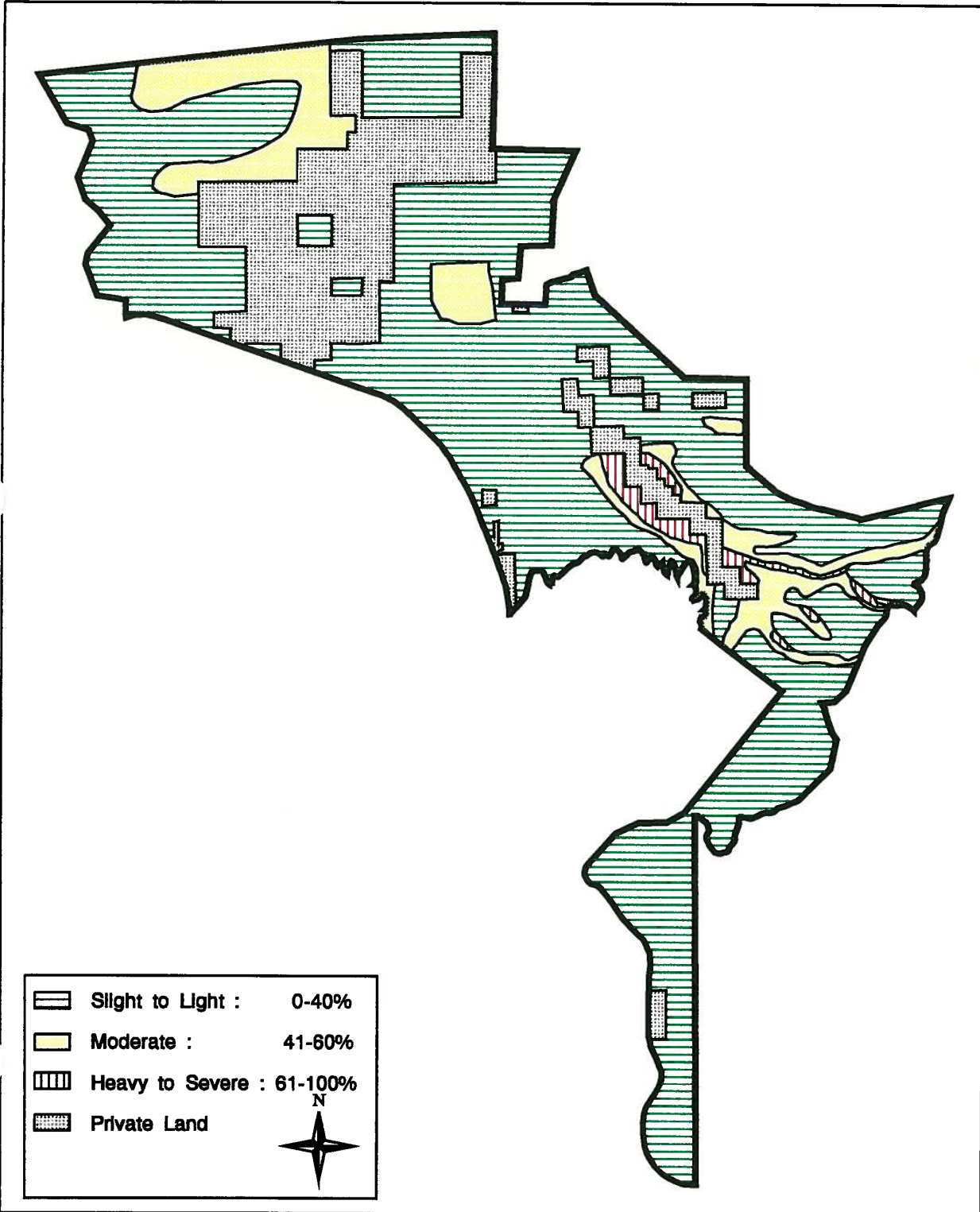
Shannon Station Allotment 1989 Use Pattern Map

Map 7b



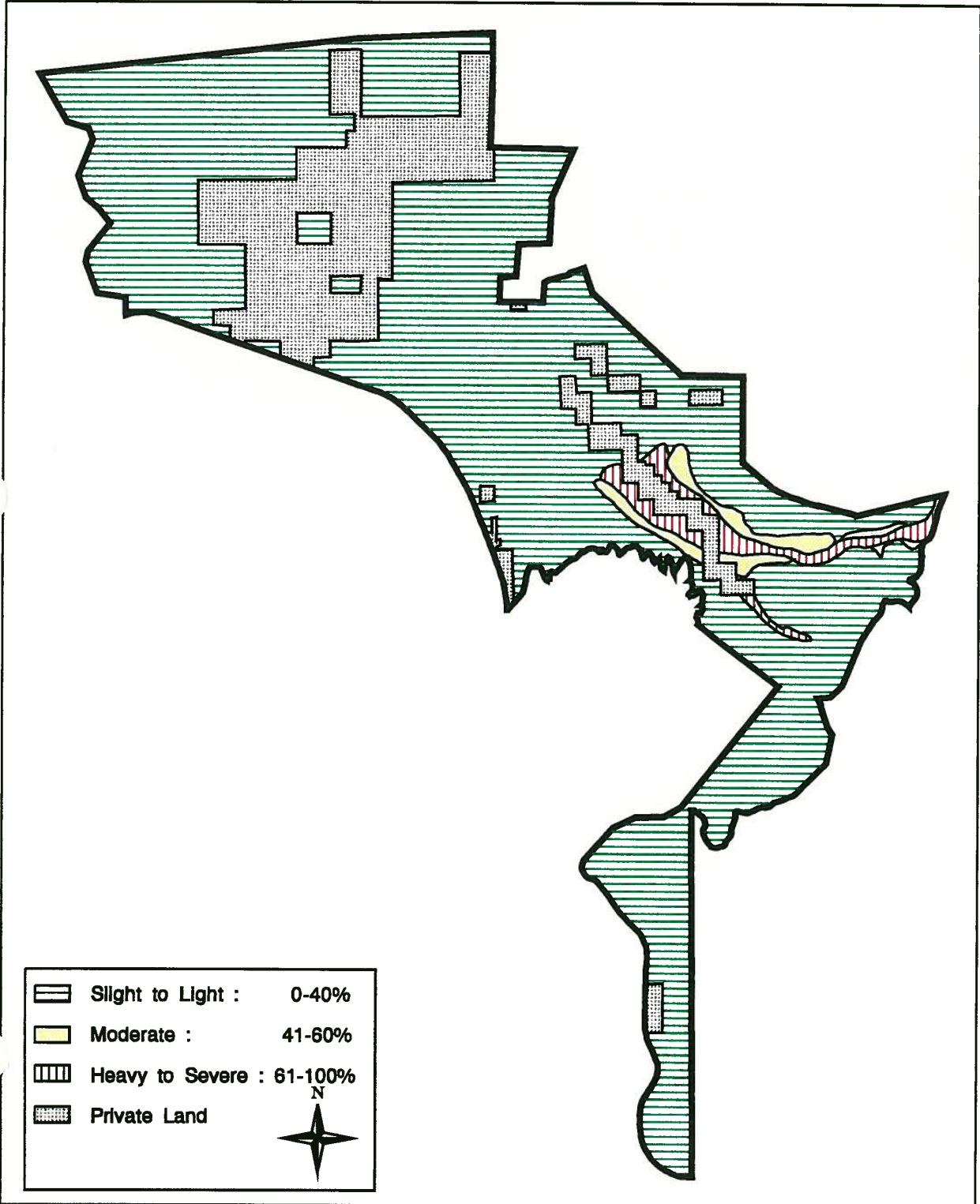
Shannon Station Allotment 1990 Use Pattern Map

Map 7c



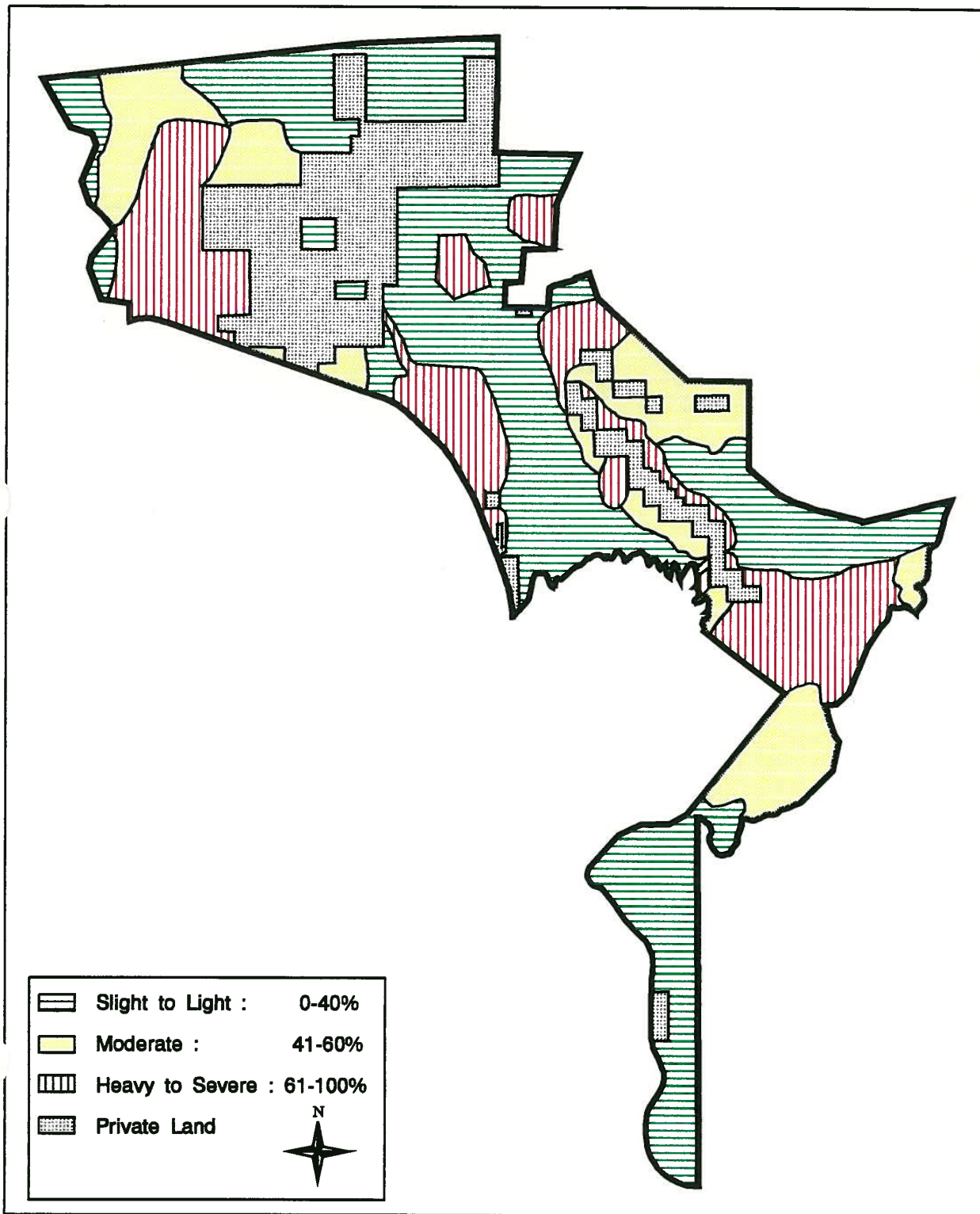
Shannon Station Allotment 1991 Use Pattern Map

Map 7d



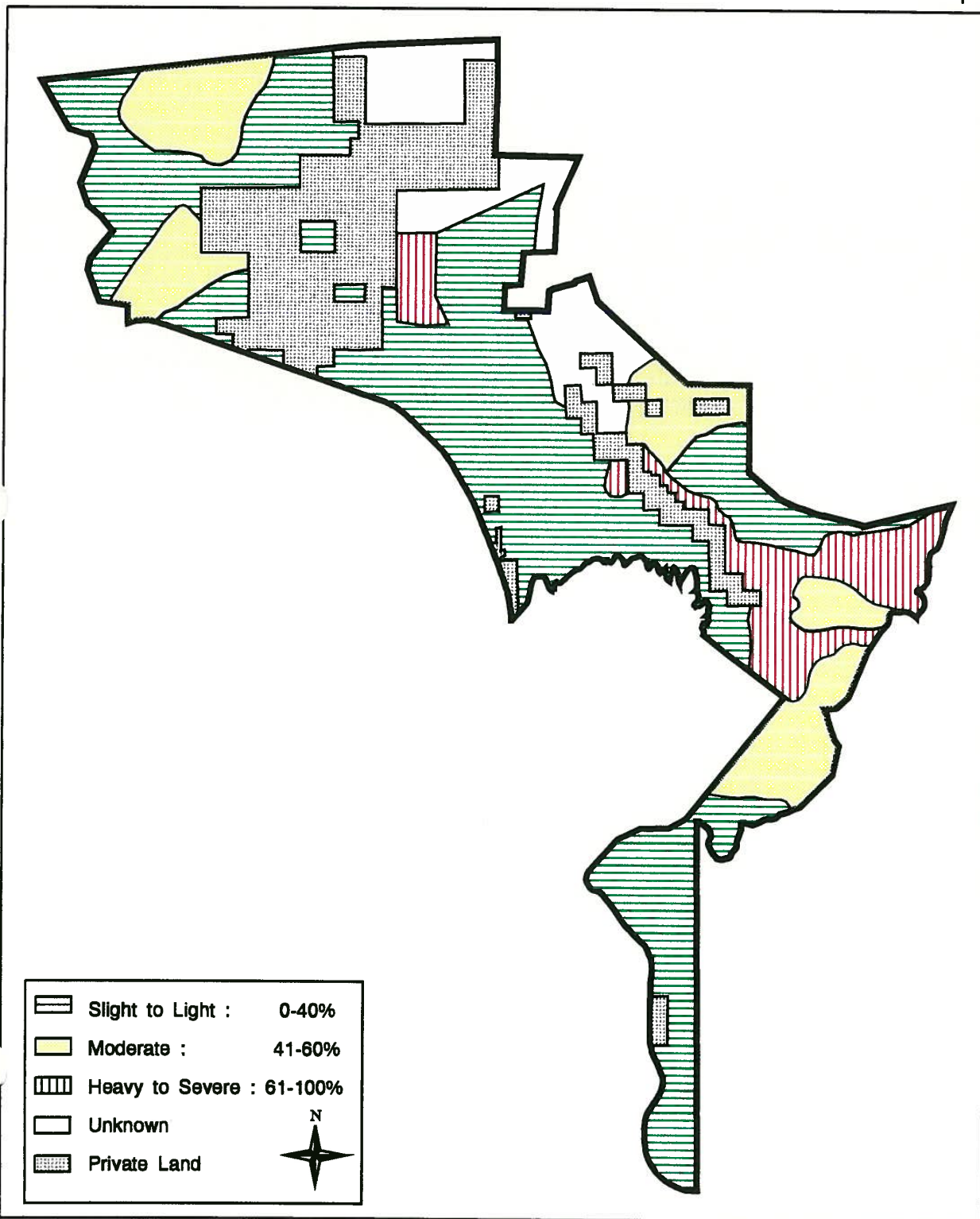
Shannon Station Allotment 1992 Use Pattern Map

Map 7e



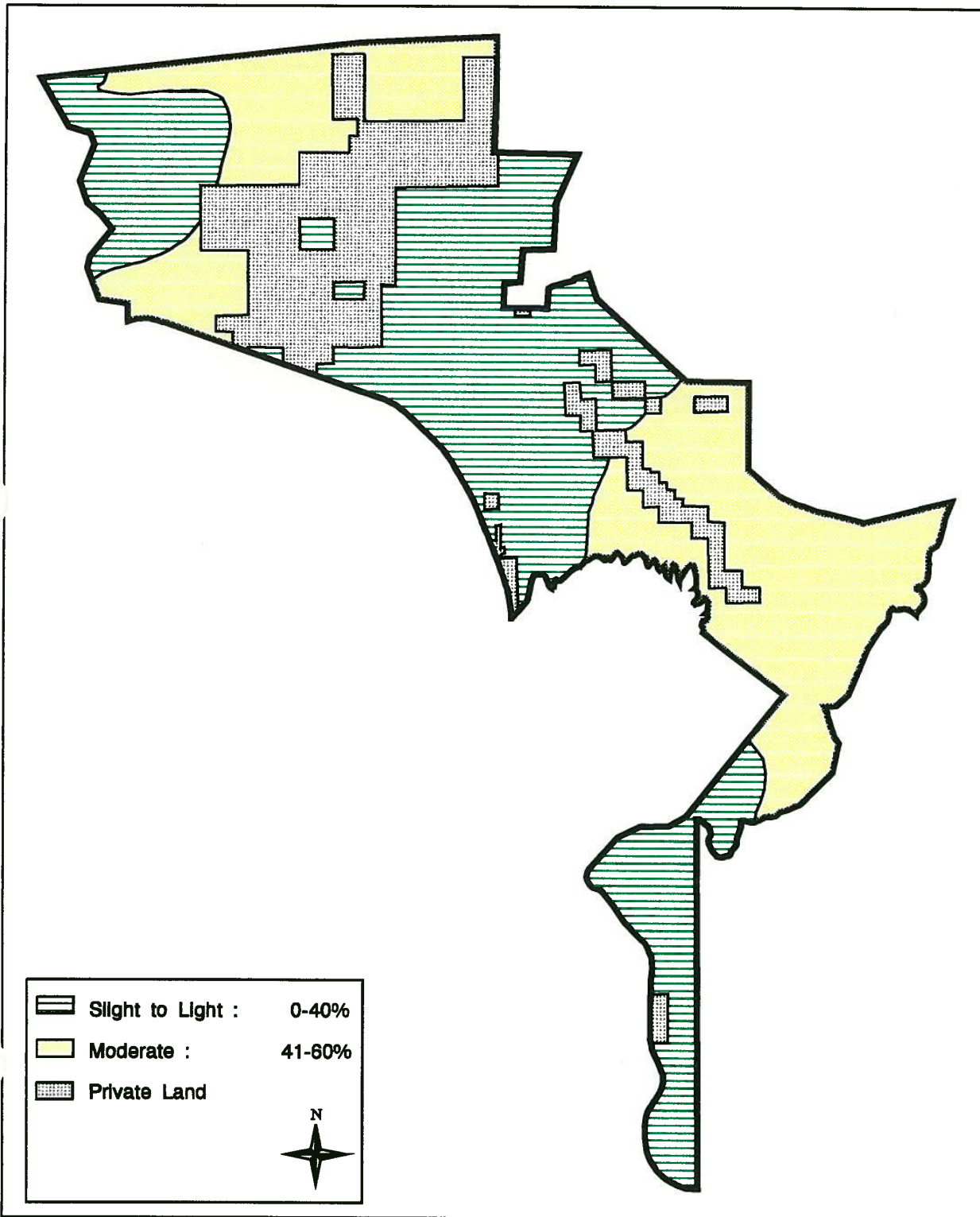
Shannon Station Allotment 1993 Use Pattern Map

Map 7f



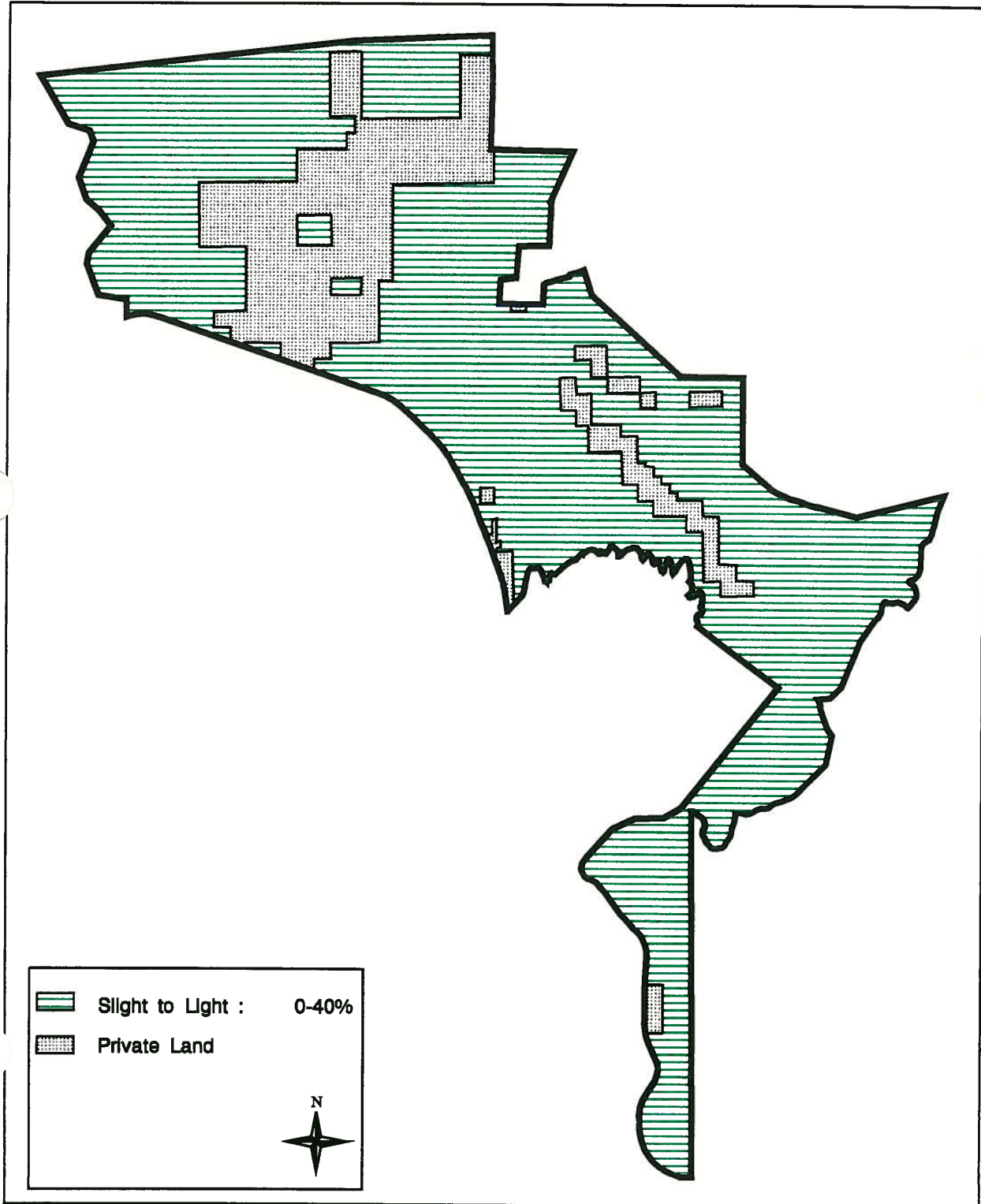
Shannon Station Allotment 1994 Use Pattern Map

Map 7g



Shannon Station Allotment 1995 Use Pattern Map

Map 7h





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
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)

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Return Receipt Requested

JAN 05 2000

James Baumann
P. O. Box 308
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.

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
Ithurrealde	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
Ithurrealde	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>	<u>Treatment A</u>	<u>Treatment B</u>
		<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.

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.

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.

	Average	
	<u>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:

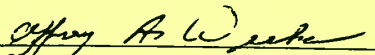
4700.0-6(a): "Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

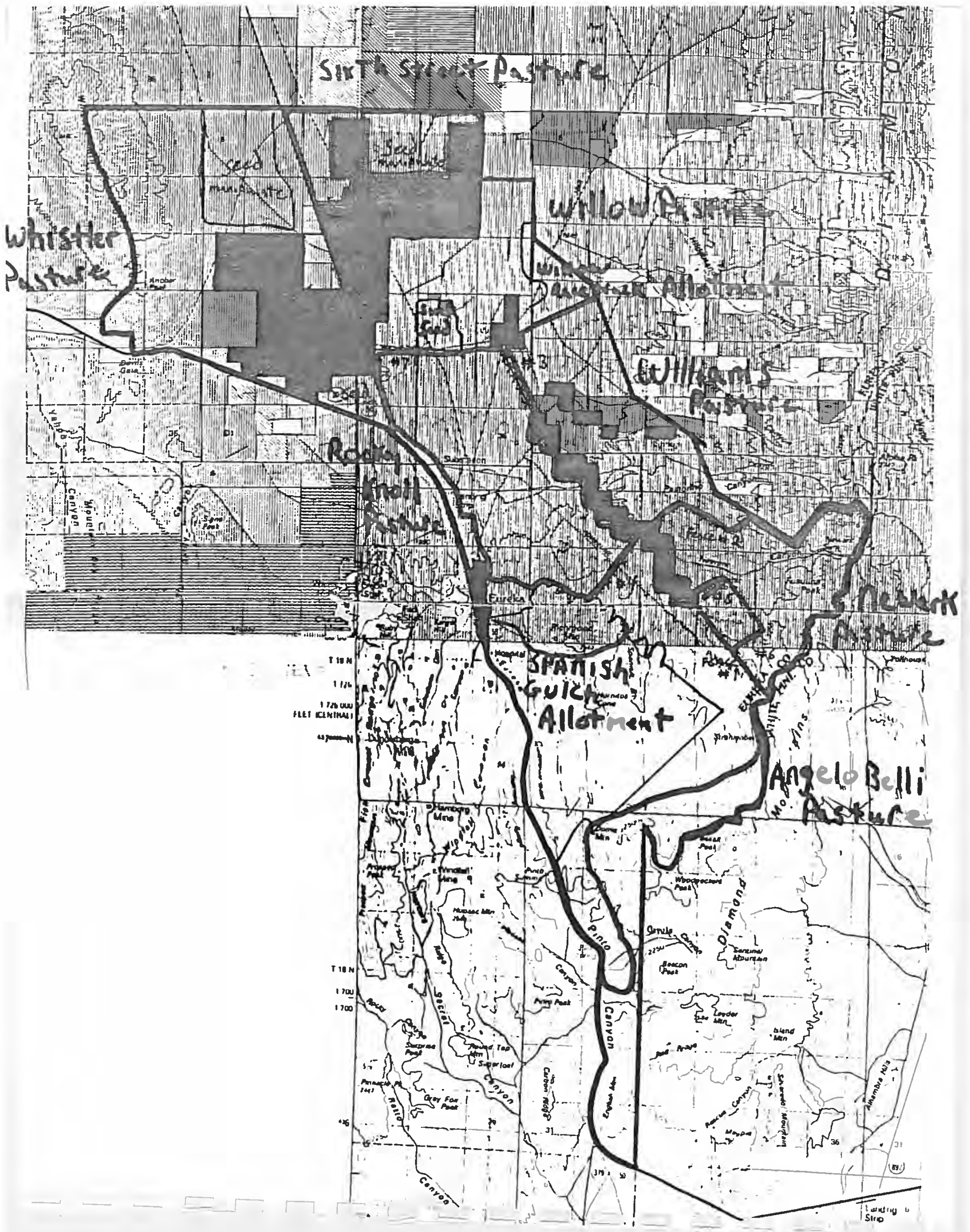
4700.0-6(b): "In administering these regulations, the authorized officer shall consult with Federal and State wildlife agencies and all other affected interests, to involve them in planning for and management of wild horses and burros on the public lands."

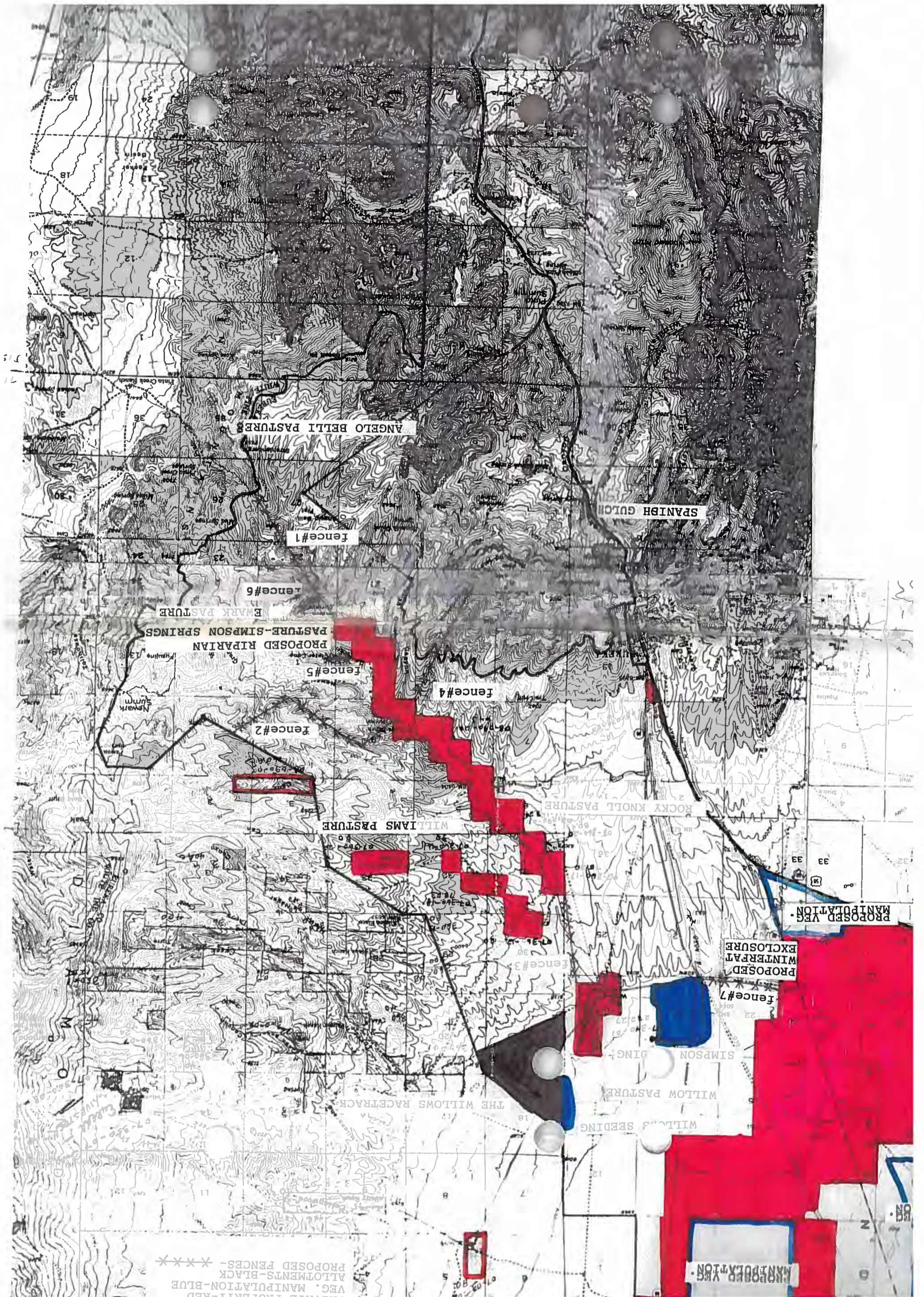
APPEAL: In accordance with 43 CFR 4770.3 (a) "Any person adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. Appeals and petitions for stay of a decision of the authorized officer must be filed within 30 days of receipt of the decision 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





SHANNON STATION/SPANISH GULCH
ALLOTMENT

TECHNICAL RECOMMENDATIONS

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**SHANNON STATION/SPANISH GULCH
TECHNICAL RECOMMENDATION
DIAMOND COMPLEX EVALUATION**

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Introduction

Concerning the Diamond Mountains Evaluation Mr. James Bauman wishes to submit this technical recommendation pertaining to the future management of the Shannon Station/Spanish Gulch Allotments. Mr. Bauman recognizes his current livestock use agreement and will adhere to the terms of the agreement until a long term multiple use management plan is adopted.

The problems associated with Mr. Bauman's Livestock Allotment could easily be remedied with different management practices. Mr. Bauman is concerned about the condition of the riparian areas, wildlife issues as well as overall range condition. Mr. Bauman wishes to recommend seven fences for construction which together would equal approximately 8 miles. Also three possible areas for vegetation manipulation which no longer possess an understory as a component of the plant community. Water developments with possible haul sites. And a grazing system with a herd management scheme that could be both beneficial as well as economically feasible.

Fences. 1B

Proposal: Seven fences are constructed effectively dividing the allotment into 5 pastures east of State Route 278 and one riparian pasture at Simpson Springs. Two more pastures already exist due to private property ownership and the right-of-way of State Route 278. Mr. Bauman expresses his willingness to provide the labor for the construction of these fences and maintenance if approved.

Fence #1: 1.5 miles running from Mr. Baumans property to the allotment boundary fence above Pinto Creek. Effectively separating Angelo Belli Pasture from Newark Pasture.

Fence #2: 2 miles running from Mr. Baumans property along the ridgeline to the allotment boundary with Black Point. Effectively separating Newark Pasture from Williams Pasture. This route is proposed because it evenly divides the range types occurring within these pastures, as well as makes water availability more evenly distributed.

Fence #3: 1 mile running from Mr. Baumans property to the Willows Ranch. Effectively separating the Rocky Knolls Pasture from the Williams Pasture.

Fence #4: 1 mile of drift fence running from Mr. Baumans property along the ridge above Cottonwood Canyon. Effectively separating Angelo Belli Pasture from Rocky Knoll Pasture. The unfenced portion of the pasture is effectively separated by steepness of the slope. This drift fence would effectively keep livestock from moving between pastures.

Fences #5 and #6: Both drift fences a quarter mile. Fence #5 runs from Mr. Baumans property to Crater Cone. Fence #6 runs from fence #1 to top of high knoll above Simpson Springs effectively creating a riparian pasture. Mr. Bauman expresses his willingness to pipe the water out of Simpson Springs Riparian Pasture if approved.

Fence #7: 3/4 mile running from Simpson Seeding to private lands, effectively separating Rocky Knoll Pasture from Willow Pasture while protecting winterfat stand from wrong season of use as well as controlling livestock drift.

Vegetation Manipulation. 2A

Proposal: Areas lacking understory as a component of the plant community be manipulated to provide a viable resource for wildlife and livestock in order to realize the lost potential and resources that exist within these areas. The Rangeland Program Summary for the Shoshone/Eureka Resource Area recognizes a 525 acre seeding as a long term management goal on the Shannon Station Allotment. This goal should be realized in order to provide an area for livestock to go to in order to get off of critical Terrestrial Big Game Habitat earlier in the grazing season before heavy utilization occurs on key browse plant species. Mr. Bauman expresses his willingness to keep livestock off of any area that is vegetatively manipulated for the prescribed 2-3 years if mechanical means are used. Since grazing potential doesn't currently exist this shouldn't pose any problems.

Whistler Pasture vegetative manipulation: 800 candidate acres of Wyoming Big Sagebrush (*Artemisia tridentata wyomingensis*) monoculture that could be mechanically manipulated in a mosaic pattern to provide a replacement of the grass component as well as provide areas of cover for wildlife. Provide an area for livestock to go in order to get off of Terrestrial Big Game Habitat earlier in the grazing system.

Sixth Street Pasture vegetative manipulation: 660 candidate acres of Wyoming Big Sagebrush (*Artemisia tridentata wyomingensis*) monoculture be mechanically manipulated in order to replace the understory component in the plant community. Or permit broadcast seeding of native as well as introduced species in conjunction with supplemental feeding during the winter from Jan. 1st to Feb 28th creating a feedlot situation where the brush is trampled and Mr. Bauman is permitted to broadcast seed prior and during livestock movements allowing the hoof action of the cattle to work the seed into the ground along with the winter and subsequent spring snowstorms. Allow subsequent treatments until a grass component is returned to the community.

U.S. 50 and State Route 278 vegetative manipulation: 200 acres of Wyoming Big Sagebrush (*Artemisia tridentata wyomingensis*) monoculture that potentially could be vegetatively manipulated as a place for livestock to go in order to get off of Terrestrial Big Game habitat prior to heavy utilization of key browse species. This area would prove difficult to incorporate in a grazing management plan.

Mr. Bauman expresses support of any method of vegetation manipulation in order to replace the grass component that is absent in these plant communities. This would create a place to take livestock in order to get off of Terrestrial Big Game habitat prior to the heavy utilization of key browse plant species.

Grazing System 3A

Proposal: If pasture fences are constructed a Deferred Rest-Rotation Grazing System be implemented in the mountain areas of Shannon Station/Spanish Gulch Allotment. If vegetation manipulation is applied and successful in replacing the grass component a Seasonal-Suitability Grazing System be applied to the low lying areas of the Shannon Station Allotment.

Example: Deferred Rest-Rotation Grazing System.

<u>Pastures:</u>	<u>Newark</u>	<u>Angelo Belli</u>	<u>Williams</u>	<u>Rocky Knoll</u>
Year 1				
-early summer	rest	graze	defer	graze
-late summer	rest	graze	graze	defer
Year 2				
-early summer	defer	rest	graze	graze
-late summer	graze	rest	defer	graze
Year 3				
-early summer	graze	defer	graze	rest
-late summer	defer	graze	graze	rest
Year 4				
-early summer	graze	graze	rest	defer
-late summer	graze	defer	rest	graze

Example: Deferred Seasonal-Suitability Grazing System

<u>Pastures:</u>	<u>Simpson Seeding</u>	<u>Whistler</u>	<u>Willow</u>	<u>Seeding2</u>
early spring	defer	graze	graze	defer
late summer/early fall	graze	defer	defer	graze
late fall	defer	graze	graze	defer

Mr. Bauman expresses interest in a deferred rest-rotational grazing system in the mountainous areas and a seasonal suitability grazing system in the valley locations of the Shannon Station Allotment. He recognizes the need for a change in management in order to rectify the riparian associated issues as well as wildlife concerns. Further Mr. Bauman believes a deferred rest-rotational system can easily be employed with minimal fencing while creating maximum benefits for wildlife, riparian, and livestock. Also the vegetative manipulation of areas in Diamond Valley would allow Mr. Bauman the flexibility to stay off the mountain areas until later in the season and/or get off the mountain earlier in the season prior to heavy livestock utilization on key wildlife browse species. The continuous grazing system currently employed is the only option available for livestock use in this area due to lack of range improvements associated with Shannon Station/Spanish Gulch Allotment. Riding, herd movement, salt placement and alternating turn out points are the alternatives available at the present time. With a deferred rest-rotation grazing system areas currently utilized every year would be able to be rested, deferred at least part of the season every two out of four years, while having complete rest one out of four years, and only one full season of use one year out of four. With the proper implementation every pasture would have two continuous full growing seasons of rest out of the four year rotation. It is recognized that a deferred rest-rotation can be beneficial in mountainous areas; especially in locations where nearly all problems are associated with riparian zones. A seasonal suitability grazing system is suggested for the lowlands because a rest-rotation is rarely successful on lower terrain due to the lower precipitation zone which isn't conducive for plant response to this treatment. A seasonal suitability grazing system for the lowlands would allow for greater flexibility when tying a grazing schedule into a deferred rest-rotation system in the mountains, thus both systems could easily be complementary to one another. Grazing the native range very early in the spring and then taking livestock off while adequate soil moisture remains would allow grasses to grow to full seed maturity yearly. Also returning livestock to the same native range in late fall/early winter would allow the same range to be used twice without having any detriment to the growth cycle of the native grasses, allowing for seed dissemination yearly and allowing hoof action to work the seed into the ground. The implementation of vegetative manipulated sites would allow the flexibility for livestock to be moved prior to heavy key wildlife browse utilization in early fall.

If this grazing system could be employed, better herd management could also be applied. A moderate stocking rate is essential to successfully implementing a rest-rotation grazing system. Livestock could easily be divided into two herds thus effectively producing a moderate stocking rate. One herd would be situated in the pasture that is designated full season of use, while the other herd would be moved between pastures that are in deferment. In the lowlands the same concept of herd management would be applied between the two native pastures, each herd on its own pasture. The only time of herd overlap would be if there is one vegetation manipulation or seeded area to graze. This system could allow for better breed-back due the closeness of the livestock to one another, possibly producing higher calving and weaning rates while providing easier access to the livestock for movement and monitoring. Employing herd management tools such as salt placement on ridgetops would pull animals off of riparian zones, riding and

pushing livestock into areas otherwise under-utilized would be made easier, and livestock distribution could be increased. This proposed system would make access to the livestock easier, giving the operator and the Resource Manager a better understanding of livestock use patterns, wildlife use patterns, and plant community dynamics.

Riparian and Water Development 5A

Proposal: Allow water to be piped out of Simpson Springs if a riparian pasture is implemented. Keep livestock out of the pasture during full season of use if a rest rotation is implemented. Use the pasture in the late grazing season after early deferment. Allow maintenance on current water improvements and development of all water sources. Establish salting areas on ridgetops off of the riparian zones. Ride regularly to move animals off of riparian zones.

If Willow Pasture is developed allow water from the well in Simpson Seeding to be piped to a watering site within T20N R53E section 14. And/or allow a water haul site within this pasture in section T20N R53E section 12 in conjunction with the prior watering site proposed. If Whistler Seeding is put in develop a well within the seeding or pipe the water from the spring and troughs on Whistler to the seeding. If water cannot be obtained from the surrounding farms in the Sixth Street Pasture allow water haul sites within the enclosed BLM parcel. Allow possible water haul site within Rocky Knoll Pasture To ensure against drift and improve distribution T10N R53E section 12 or 13. All salting would occur at least 1/4 mile from watering sites on flat terrain.

Philosophy 5B

Mr. Bauman recognizes most problems on the Shannon Station/Spanish Gulch Allotment are within close proximity of riparian zones. Distribution from watering points is the main problem. Management changes need to be implemented in order to rectify current problems. Nearly all hedging of Terrestrial Big Game Key Browse Species occurs within a quarter mile of Riparian Zones. Most problems with hedging of key browse species are isolated and usually not associated with the entire landscape. A sizable mule deer herd winters in this area and a large herd resides year round. Sole use of the Key Browse Species is not limited to livestock. Wildlife numbers and seasons of use should be analyzed to determine the amount of key browse utilization occurring by wildlife. Thus, livestock stocking rate reductions won't rectify any problems or concerns that are taking place within the Shannon Station/Spanish Gulch Allotment since the problems are distributions from water. A new grazing management system needs to be implemented in order to rectify the problems associated with this allotment.

Allowance for an ammendment to the grazing permit or grazing agreement should be kept open once a long term grazing plan is adopted in order to work out the kinks or fine tune the system. A limited amount of flexibility needs to be exercised in order to rectify any problems that should arise from unforeseen flaws in the long-term grazing plan or any other changes such as climatic factors, wildlife increases, and any other uncontrollable forces.

Mr. James Bauman expresses his desire to adhere to the conditions of the Livestock Use Agreement for the Shannon Station/Spanish Gulch Allotments. Mr. Bauman further recognizes the current Livestock Use Agreement is a short term management objective and therefore has submitted this technical recommendation concerning a long term management objective of the Shannon Station/Spanish Gulch Allotments.

James Bauman

Date: _____

Permitee, Shannon Station/Spanish Gulch Allotments
In Cooperation With Eureka County Dept. of Natural Resources
Prepared By Jared Bybee Eureka County Rangeland Specialist.

APPENDIX
Proposed Long Term Grazing Plan

Preferred Option: Fences are constructed, springs are developed, Whistler Seeding is put in, and broadcast seeding in conjunction with supplemental feeding is permitted in the sixth street pasture between the private property boundaries during the end of the grazing season to replace the lost grass component. A four pasture two herd deferred rest-rotational grazing system is implemented in Rocky Knoll, Williams, Angelo Belli, and Newark Pastures. Also implement a seasonal suitability grazing system in Whistler, Willow, Sixth Street pastures, Simpson seeding and a new Whistler seeding.

Proposed Preferred Long Term Grazing Plan

Season of use	Pasture	Animal Units	AUM's
4/1-5/15	Whistler	75	112.5
	Willow	75	112.5
5/15-8/15	Newark	0	0
5/15-8/15	Angelo Belli	150	450
5/15-7/1	Rocky Knoll	150	225
7/1-8/15	Williams	150	225
8/15-10/31	Simpson Seeding	150	375
8/15-10/31	Whistler Seeding	150	375
11/1-12/31	Whistler	150	300
	Willow	150	300
1/1-2/28	Sixth Street	115	226
Total AUM's			2701

*This plan diagram represents year one of a four year rotational plan as exemplified on page 3 of the technical recommendation.

**The AUM's are within the Rangeland Program Summary.

***Seasons of use are within the Grazing Permit

Second Preferred Option: This option refers to the construction of pasture fences without a seeding. Also, this is a plan if fences are constructed and the Permittee is waiting for a new seeding to be opened to livestock grazing.

Second Proposed Long Term Grazing Plan(Temporary Plan waiting for Seeding)

Season of Use	Pasture	Animal Units	AUM's
4/1-5/15	Whistler	75	112.5
	Willow	75	112.5
4/1-2/28	Newark	0	0
5/15-9/15	Angelo Belli	150	600
5/15-7/1	Rocky Knoll	150	300
7/1-9/15	Williams	150	300
9/15-10/31	Simpson Seeding	300	450
11/1-12/31	Whistler	150	300
	Willow	150	300
1/1-2/28	Sixth Street	115	226
Total AUM's			2701

*This plan diagram represents year one of a four year rotational grazing plan, as exemplified on page 3 of the technical recommendation.

**The AUM's are within the Rangeland Program Summary.

***The seasons of use are within the Grazing Permit.

Third Preferred Option: This plan refers to the implementation of a new seeding without pasture fences. Or this could be a short term plan if a seeding is established and the fences are not yet constructed.

Third Proposed Long Term Grazing Plan(Temporary waiting for cross fences)

<u>Season of Use</u>	<u>Pasture</u>	<u>Animal Units</u>	<u>AUM's</u>
4/1-5/15	Whistler	150	225
5/15-6/15	Whistler Seeding	300	300
6/15-7/15	Angelo Belli	300	300
7/15-9/15	Angelo Belli	100	200
7/15-8/15	Newark	200	200
8/15-9/30	Williams	200	300
9/15-10/31	Rocky Knoll	100	150
10/1-10/15	Simpson Seeding	200	100
10/15-12/1	Simpson Seeding	300	450
1/1-2/28	Sixth Street	115	226
Total AUM's			2451

*This system is very similar to the current short term grazing agreement in effect.

**New seeding could be used to leave the mountain earlier.

Least Preferred Option: This is the Current system under the Short Term Grazing Agreement, except for two season of use lengths shortened. This option is better than past management, but could easily be improved upon.

Current Proposed Long Term Grazing Plan.

Season of Use	Pasture	Animal Units	AUM's
4/1-4/15	Whistler	50	25
4/15-5/1		100	50
5/1-5/15		300	150
5/15-7/1	Angelo Belli	300	450
7/1-9/15	Angelo Belli	100	250
7/1-8/15	Newark	200	300
8/15-9/30	Williams	200	300
9/15-10/31	Rocky Knoll	100	150
10/1-10/31	Simpson Seeding	200	200
10/31-12/1	Simpson Seeding	300	450
12/1-1/1	Rocky Knoll	125	125
1/1-2/28	Sixth Street	115	226
Total AUM's			2676

*This system is nearly identical to the current system in place.

APPENDIX 2
PROPOSED PRIORITY of IMPROVEMENTS WITH TIMELINE

Priority 1-Fence #1 running from Mr. Bauman's private to the district boundary fence at the top of Pinto Creek Summit.

Fence #2 running from Mr. Bauman's private near the Hunter Ranch ,(with a cattle guard) along the ridge above Pastorino Canyon connecting to the allotment boundary fence with Black Point.

Spring developments on all water associated with the four mountain pastures (Newark, Angelo Belli, Rocky Knoll, and Williams) implementation of spring boxes pipelines, and troughs. With trough placement away from the spring and when possible in an upland site. Water haul site on Whiskey Flat in Rocky Knoll Pasture.

Priority 2-Fence #4 running from Mr. Bauman's private near Hunter Ranch along the ridge separating Spanish Gulch from Cottonwood Canyon. Creating a drift fence denying cattle access to Rocky Knoll Pasture yet allowing sheep movement into Cottonwood Canyon and Richmond Mountain.

Seeding in Whistler Pasture of 800 acres with at least a 525 acres of seeding as per the Rangeland Program Summary.

Priority 3-Fence #3 running from Mr. Bauman's private to Willows Racetrack Allotment boundary fence. Fence #7 Running from Simpson Seeding fence to private farms.

Permanent Water haul sites established in Willow Pasture, Sixth Street Pasture, Rocky Knoll Pasture if another is needed, and Whistler pasture.

Priority 4-Non-Renewable Issuance to broadcast seed within the Sixth Street Pasture in conjunction with winter feeding of livestock taking advantage of the winter precipitation knocking down the brush as well as establishing an understory in denuded range.

Fence #5 running from Mr. Bauman's private to Crater Cone. Fence #6 from fence #1 to high ridge creating a riparian pasture at Simpson springs.

TIMELINE

- 1999:** Winter/Spring...Planning and needed work for all improvements
Summer/Fall....Springs/water improvements and fences #1 and #2 installed.
- 2000:** Winter/Spring...Planning and needed work for all improvements
Summer/Fall....Whistler Seeding(fall) and Fence #4 installed
- 2001:** Winter/Spring...Planning and needed work for all improvements
Summer/Fall....Water haul sites established and Fences #3 and #7 installed
- 2002:** Winter/Spring...Planning and needed work for all improvements
Summer/Fall....Sixth Street Pasture treatment and Riparian Pasture installed

ASSESSMENT

Priority levels and timeline was established for proposed improvements based upon the assessment of which area's and resources within the Shannon Station Allotment are in the most immediate need of improvement, most logical order for implementation, and the minimum improvements need for a change in management in order to work towards the RAC standards. The primary purpose of the improvements is to enhance the natural resources within the Shannon Station Allotment for all users. Probably no significant improvement or upward trend will occur without these improvements. These improvements are assessed to be vital in order to work towards the RAC standards.



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:
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(NV-062.8)

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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.



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JAN 05 2000

James Baumann
P. O. Box 308
Eureka, NV 89316

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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
Ithurrealde	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
Ithurrealde	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>	<u>Treatment A</u>	<u>Treatment B</u>
		<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.

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.

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.

	Average	
	<u>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:

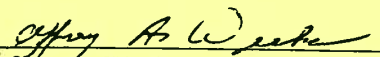
4700.0-6(a): "Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

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

Serial No. 09759

STATE OF NEVADA

Stockwater ~~Water~~

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E. & Vera L. Baumann P.O. Box 308 of Eureka Nevada 89316

(2) Source of water Spanish Gulch Spring

(3) The water is diverted by Dam

(4) The water is diverted at the following point(s) SE 1/4 NE 1/4 Sec: 29 Twp: 19N Rng: 54E G.P.S. Long: 39° 30.79N Lat: 115° 54.45W

(5) The water is impounded in Reservoir

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

(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 Located in the Shannon Station and Spanish Gulch allotments.

(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).

BS3.EW

(9) The approximate number of animals watered by the claimant during the first year 1866
Date
 was 100 cattle horses sheep or wildlife (describe)
 The watering was conducted during each of the following months January 1st thru
December 31st
Other

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
About 200 hd of Cattle more or less over
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.
the years; but this spring has been used
continuously since 1866; or thereabouts.

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

Letter dated 5/24/16 (12) The works are located at SE 1/4 of NE 1/4 Sec: 29 Twp: 19N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
Range: 54 E.
land, it should be stated.
G.P.S. Lat: 39° 30.79N Lon: 115° 54.45W

Remarks Support documents for Chain of title for
Simpson Creek Ranch / James E. & Vera L.
Baumann provided in Water Rights documents
Vol I filed with Nevada Division of Water
Resources.
Support documents for Spanish Gulch
Spring filed in Vol II of Simpson Creek
Ranch / James E. & Vera L. Baumann. Water
Right Document filing with the Nevada Division
of Water Resources. (map also included)

Remarks Spanish Gulch also a tributary to Simpson Creek and has been used for irrigation for many years. (See affidavit written by James A. DePaoli IN 1951 Vol II Spanish Gulch)
ALSO REFER TO MAP FILED UNDER V01133 - SPANISH GULCH SPRING IS A TRIBUTARY TO SIMPSON CREEK -

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

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

James E. Baumann Vera R. Baumann
Claimant
Telephone No. (775) 237-5452

By _____
Street and No., or P.O. Box No. _____
City, State, Zip Code No. _____
Telephone No. (____) _____

Subscribed and sworn to before me this seventh day of September, 2008



Maryjo Castaneda
Notary Public in and for the County of Eureka
My commission expires June 25, 2009

\$50 FILING FEE MUST ACCOMPANY PROOF

STATE ENGINEERS OFFICE
2008 SEP 11 PM 3:36
RECEIVED

Serial No. 09761

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E. & Vera L. Baumann P.O. Box 308 of Eureka Nevada 89316

(2) Source of water Big Rock Spring

(3) The water is diverted by Dam located directly below Spring.

(4) The water is diverted at the following point(s) S.W. 4: S.E. 4 Sec: 20 Twn: 19N Rng: 54E. Long. 39° 29.96N. Lat. 115° 54.78W.

(5) The water is impounded in Reservoir

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

(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 located in the Shannon station and Spanish Gulch allotments.

(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).

(9) The approximate number of animals watered by the claimant during the first year 1866
Date
was 100 cattle _____ horses _____ sheep or wildlife (describe) _____

The watering was conducted during each of the following months January 1st
Other
thru December 31st

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

about 100 head of Cattle more or less over
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.
the years; but this Spring has been
used continuously since 1866.

(11) The amount of water which has been necessary to be diverted for this purpose has been

1/20 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at ctr-ctr; SW. 1/4 of SE 1/4 Sec: 20
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

TWN: 19N. Rng: 54E.
land, it should be stated.

G.P.S. Lat: 39° 29.96 N Lon: 115° 54.78 W.

Remarks Support documents for chain of title
for SIMPSON Creek Ranch / James & Vera
Baumann provided in Water Rights documents
Vol I Filed with Nevada Division of Water
Resources.

Support documents for Big Rock Spring filed
in Vol II also filed in this Division
(map also provided)

Remarks _____

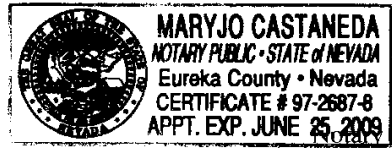
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by James E. & Vera L. Baumann are full and correct to the best of his knowledge and belief.

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

James E. Bauman Vera L. Baumann
Claimant
Telephone No. (775) 237-5452

By _____
Street and No., or P.O. Box No. _____
City, State, Zip Code No. _____
Telephone No. (____) _____

Subscribed and sworn to before me this seventh day of September, 2008



Maryjo Castaneda
Notary Public in and for the County of Eureka

My commission expires June 25, 2009

\$50 FILING FEE MUST ACCOMPANY PROOF

2008 SEP 11 PM 3:36



Serial No. 09760

STATE OF NEVADA

Stock Water ~~Water Right~~

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E. & Vera L. Baumann
PO Box 308 of Eureka
Nevada 89316
Street and No. or P.O. Box No. City or town
State and Zip Code No.

(2) Source of water Poison Spring
Name of natural water source.

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

(4) The water is diverted at the following point(s)
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 be stated.
SE 1/4 NE 1/4 Section 12, T12N, R5E, N12E + 13
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.

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

(6) The construction of the ditch or other works was begun
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.
Located in Shannon Station allotment

(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).

(9) The approximate number of animals watered by the claimant during the first year 1866
Date
was 300 cattle _____ horses _____ sheep or wildlife (describe) _____

The watering was conducted during each of the following months January 1st
^{Other}
thru December 31st

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

about 300 hd more or less over the years;
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
but this spring has been used CONTINUOUSLY
~~since 1866~~ by Simpson Creek Ranch since
1866.

(11) The amount of water which has been necessary to be diverted for this purpose has been

1 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SE 1/4 of NE 1/4 Sec: 12 Twn: 19N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

Rng: 54E.
land, it should be stated.

G.P.S. Lat: 39° 32.06N Lon: 115° 50.19W

Remarks Support documents for the Chain of title
for Simpson Creek Ranch James E. & Vera Baumann
are provided in Water Rights/Simpson Creek Ranch
Vol I filed with the Nevada Division of Water
Resources.

Specific support documents for poison
spring are in Water Rights/Simpson Creek Ranch
Vol II filed with the Nevada Division of Water
Resources.

Remarks Water from this spring also used
for irrigation by SIMPSON Creek RANCH
This drainage is a tributary to SIMPSON
Creek. ALSO Refer to Map Filled
under V0433

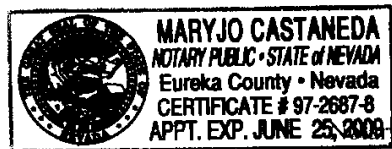
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by _____ are full and correct to the best of his knowledge and belief.

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

James E. Baumann Lera R. Baumann
Claimant
Telephone No. (775) 237-5452

By _____
Street and No., or P.O. Box No. _____
City, State, Zip Code No. _____
Telephone No. (____) _____

Subscribed and sworn to before me this seventh day of September, 2008



Maryjo Castaneda
Public in and for the County of Eureka

My commission expires June 25, 2009

\$50 FILING FEE MUST ACCOMPANY PROOF

2008 SEP 11 PM 3:36

Serial No. 09760

STATE OF NEVADA

Stock Water ~~Water Right~~

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E. & Vera L. Baumann
PO Box 308 of Eureka
Nevada 89316
Street and No. or P.O. Box No. City or town
State and Zip Code No.

(2) Source of water Poison Spring
Name of natural water source.

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

(4) The water is diverted at the following point(s)
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 be stated.
SE 1/4 NE 1/4 Section 12, T12N, R5E, N10E + 13
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.

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

(6) The construction of the ditch or other works was begun
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.
Located in Shannon Station allotment

(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).

(9) The approximate number of animals watered by the claimant during the first year 1866
Date
was 300 cattle _____ horses _____ sheep or wildlife (describe) _____

The watering was conducted during each of the following months January 1st
^{Other}
thru December 31st

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

about 300 hd more or less over the years;
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
but this spring has been used CONTINUOUSLY
~~since 1866~~ by Simpson Creek Ranch since
1866.

(11) The amount of water which has been necessary to be diverted for this purpose has been

1 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SE 1/4 of NE 1/4 Sec: 12 Twn: 19N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

Rng: 54E.
land, it should be stated.

G.P.S. Lat: 39° 32.06N Lon: 115° 50.19W

Remarks Support documents for the Chain of title
for Simpson Creek Ranch James E. & Vera Baumann
are provided in Water Rights/Simpson Creek Ranch
Vol I filed with the Nevada Division of Water
Resources.

Specific support documents for Poison
Spring are in Water Rights/Simpson Creek Ranch
Vol II filed with the Nevada Division of Water
Resources.

Remarks Water from this spring also used
for irrigation by SIMPSON Creek RANCH
This drainage is a tributary to SIMPSON
Creek. ALSO Refer to Map Filled
under V01133

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

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

James E. Baumann Lera R. Baumann
Claimant
Telephone No. (775) 237-5452

By _____
Street and No., or P.O. Box No. _____
City, State, Zip Code No. _____
Telephone No. (____) _____

Subscribed and sworn to before me this seventh day of September, 2008



Maryjo Castaneda
Public in and for the County of Eureka

My commission expires June 25, 2009

\$50 FILING FEE MUST ACCOMPANY PROOF

2008 SEP 11 PM 3:36

February 13, 2013

Christopher Cook, Field Manager
Mount Lewis Field Office
Bureau of Land Management
50 Bastian Road
Battle Mountain, Nevada 89820

RECEIVED-MAILROOM

2013 FEB 19 PM 2: 32

BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN
DISTRICT OFFICE



Certified Mail #7011 2970 0002 4292 0332

RE: Shannon Station and Spanish Gulch Allotments grazing under January, 2000 FMUD

Dear Mr. Cook:

We are in receipt of your letter dated December 19, 2012 in which you assert that “[u]pon reviewing the case file and FMUD it was determined that the Plan B grazing schedule will be implemented at the start of the next grazing year March 2013, as the required range improvement projects have been completed.” We disagree with this assertion based on the following reasons.

1. The FMUD clearly identifies when BLM will determine that Plan B be implemented. The FMUD states:

“[t]he 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....”

The range improvement recommendations summarized in the FMUD and which includes, as stated in the FMUD, those proposed in *Shannon Station/Spanish Gulch Allotment- Technical Recommendations* have not been fully implemented and therefore Plan B cannot yet be implemented. Page 7 of *Shannon Station/Spanish Gulch Allotment- Technical Recommendations* which outlines Plan B made it very clear that this option would only work and be accepted if **all** range improvements were **successfully** developed—fences, springs, and seedings.

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The goals and objectives of the vegetation manipulations have not been realized. BLM must keep in mind that we proposed Plan B and were willing to make it work only if the forage became available to offset the AUMs "lost" on the upper pastures when we transition to Plan B.

The vegetation manipulations and seeding were not successful and did not result in established seedings or replacement of grass for our cattle. Although some areas do exhibit better herbaceous components, including grass, than before, most of the mowing strips are full of small rabbit brush, broom snakeweed, and noxious weeds such as poisonous halogeton, mustard, Russian thistle, and cheatgrass. These areas are far from being adequate to replace the current forage in the upper pastures and cannot sustain the ranching operation.

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Until BLM establishes seedings and replacement forage as outlined in the technical recommendations and FMUD for livestock grazing, as opposed to fuels reduction, Plan B is unworkable and cannot be implemented.

3. Cattle movement between pastures- pastures are of all different sizes and under Plan B, livestock are to be moved simply by rigid dates rather than utilization triggers. This will cause severe problems for our operation because we may be forced to leave pastures when there is plenty of forage still available or may have to enter pastures that could use more rest from grazing because we have no other place to go where there is forage.
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To emphasize, the FMUD states that springs "will be developed." On one hand, BLM states that springs will be developed, but on the other hand, BLM seeks to limit use of areas containing springs. We have many times requested development of springs and piping of the water away from the riparian areas and BLM has not allowed this. Until BLM holds up their end of the FMUD and allows for development of water to improve distribution, we cannot transition to Plan B.

The Angelo Belli Pasture is the largest pasture on the allotment and is probably the most productive. This pasture must be used in early summer. There are very limited water sources available in the pasture and the water sources, especially in the southeast portion, are intermittent and dry up before mid-summer. Water hauling is not an option here because the county is very rough and the roads are not conducive to water hauling. Under Plan B, the grazing pressure will be concentrated in the Angelo Belli pasture because the water sources that the cattle use to create distribution will be dry. This pasture is currently in good condition under Plan A.

The FMUD also specifically states that of the range improvements that "will be developed" includes "2d. Construct a pipeline from well in Simpson seeding." Also, the rangeland improvements in the technical recommendations called for a "well within the [Whistler] seeding or pipe the water from the spring and troughs on Whistler to the seeding" (p. 5). Also, the FMUD states that there will be establishment of "permanent water haul locations." While there have been some water haul locations authorized, BLM has not made formal decisions on many of our proposed sites including those identified in the technical recommendations. This exacerbates the difficulty in properly distributing cattle in Plan A and even more in Plan B. All of the range improvements have not been completed and until they are done, Plan B cannot be implemented.

5. Current management works for livestock management and rangeland health- the FMUD was put into place over 13 years ago on January 5, 2000. Much has changed since then and we have a better understanding of our operation and the rangeland responses due to our livestock management. Simply put, Plan B will not work and makes little sense given the improvements in rangeland health over the past 13 years under our current management. As stewards of the land and our cattle, we believe in the sustained health of the rangelands that we are permitted to graze and believe that healthy rangelands and prosperous livestock grazing are not exclusive of each other. We are responsible ranchers and have the common sense to make livestock management changes due to resource concerns and cow and calf conditions without compulsion by BLM and have proven this under Plan A of the FMUD.

We have been open and honest with BLM about our livestock and rangeland management. Since the 2000 FMUD, multiple BLM rangeland management specialists including rangeland management leads have toured our allotments and discussed any issues with us. Never has any of these BLM rangeland staff concluded that our current management is an issue in making progress towards meeting RAC Standards and Guidelines. We have also moved forward with Cooperative Permittee Monitoring even though BLM has yet to follow through with the commitment to enter into an agreement with us on this monitoring. Our monitoring shows that we are meeting or making progress towards the RAC Standards and Guidelines under Plan A. Why should we be required to move to Plan B if current management is sufficient?

We are frustrated with the lack of flexibility of BLM and the desired imposition of more inflexibility through Plan B. Our technical recommendations from over 13 years ago specifically noted the need for flexibility to accommodate unanticipated problems or concerns:

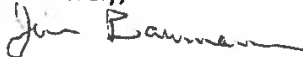
“[a]llowance for an amendment to the grazing permit or grazing agreement should be kept open once a long term grazing plan is adopted in order to work out the kinks or fine tune the system. A limited amount of flexibility needs to be exercised in order to rectify any problems that should arise from unforeseen flaws in the long-term grazing plan or any other changes....” (p. 7)

The FMUD specifically allows for 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.” Our data collected over the past 13 years does show that conditions have improved and that Plan A is working on meeting or making progress towards the Standards and Guidelines.

In conclusion, it is premature to implement Plan B because 1) not all of the requirements have been met to transition to Plan B; 2) monitoring data and current conditions do not warrant changes from current livestock management; and 3) Plan B makes little sense. If BLM believes otherwise and that Plan B should be implemented, we ask for specific documentation on how and when the necessary requirements were met, including establishment of replacement forage in vegetation manipulations, and the monitoring to show why Plan A is better replaced by Plan B.

We look forward to your response. Please include this letter in our grazing file.

Sincerely,



Jim Baumann
Baumann Family Trust

cc: Casey Johnson
Ashley Johnson



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mount Lewis Field Office

50 Bastian Road

Battle Mountain, Nevada 89820

Phone: 775-635-4000 Fax: 775-635-4034

http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html

A Johnson 12/4/12
C Johnson 12/12/12

In Reply Refer To:
4130(NVB0100)

DEC 19 2012

DEC 19 2012

CERTIFIED MAIL: (7007 0710 0004 4480 0398) RETURN RECEIPT REQUESTED

Baumann Family Trust
P.O. Box 308
Eureka, NV 89316

Dear Mr. Baumann:

On April 18, 2012, Ashley Johnson met with you to review Key Management Area (KMA) names and locations and tour the Shannon Station Allotment. I appreciate your willingness to work with BLM staff and commitment to engaged management of your livestock on the Shannon Station Allotment.

It became apparent through discussions held during your meeting with Mrs. Johnson that there are discrepancies in interpreting and implementing the Final Multiple Use Decision (FMUD) for the Shannon Station and Spanish Gulch Allotments dated January 5, 2000 (see attached). The FMUD is intended to ensure that livestock grazing, as well as other multiple uses in the Shannon Station and Spanish Gulch Allotments, meet the objectives established by the Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines as required by 43CFR §4180.2.

Upon reviewing the case file and FMUD it was determined that the Plan B grazing schedule will be implemented at the start of the next grazing year March 2013, as the required range improvement projects have been completed. Included with this letter is your grazing permit that reflects the terms and conditions of the Plan B grazing schedule please sign and return both copies to the Mount Lewis Field Office. Once signed by the authorized officer, the operator copy will be returned to you. Also enclosed with this letter is a map showing the pasture boundaries for the Shannon Station Allotment.

The terms and conditions of your grazing permit requires your grazing use to be in compliance with the FMUD. Failure to do so will be considered unauthorized and subject to appropriate action in accordance with 43CFR §§4140.1(b)(1), 4150.1.

If you would like to discuss this determination, please call Ashley Johnson, 775-635-4188.

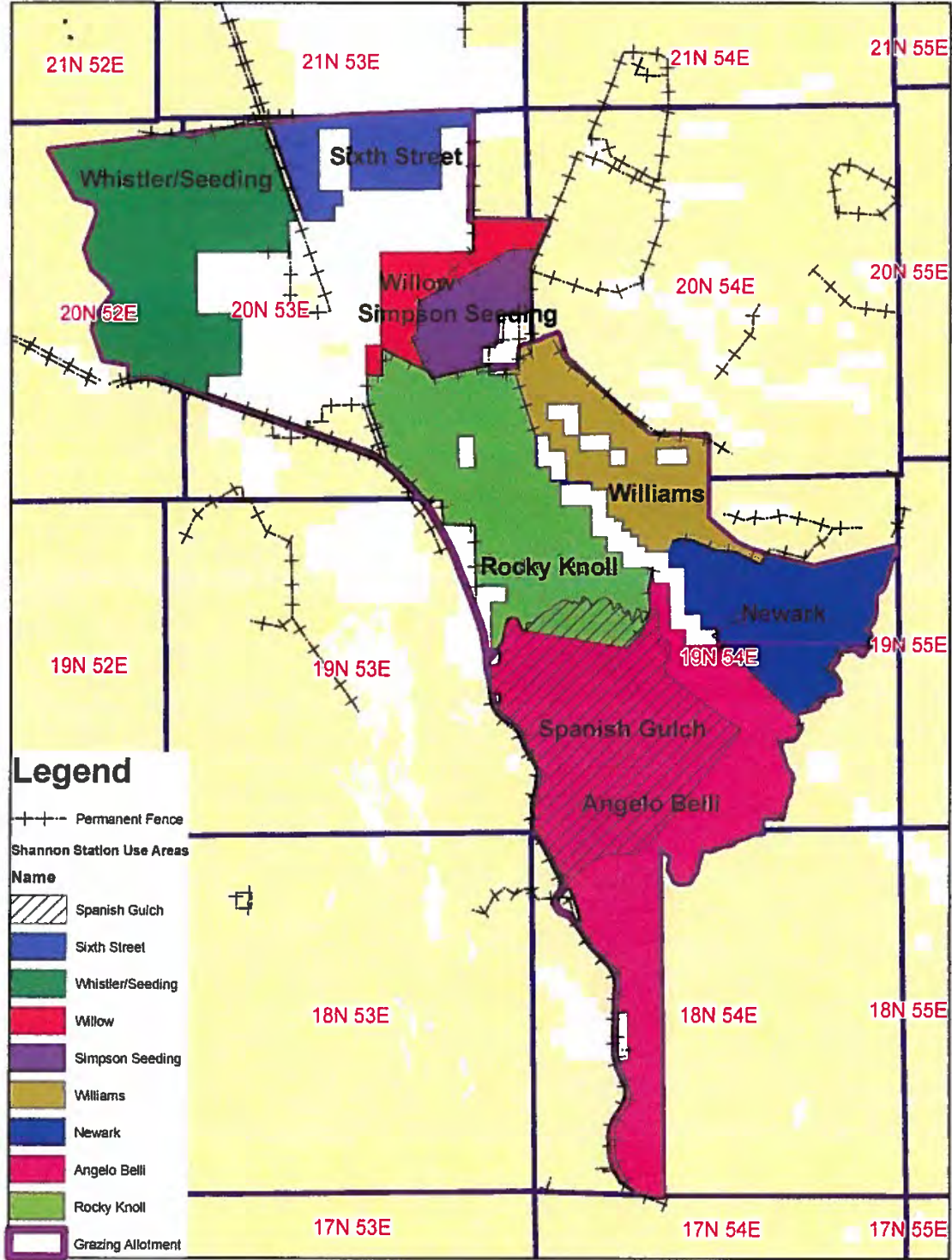
Sincerely,

Michael Young acting for:

Christopher Cook
Field Manager
Mount Lewis Field Office

Enclosures

Shannon Station Pasture



Legend

--- Permanent Fence

Shannon Station Use Areas

Name	Color/Pattern
Spanish Gulch	Hatched
Sixth Street	Blue
Whistler/Seeding	Green
Willow	Red
Simpson Seeding	Purple
Williams	Tan
Newark	Dark Blue
Angelo Belli	Pink
Rocky Knoll	Light Green
Grazing Allotment	Purple Outline

N

0 0.3 0.6 1.2 Miles

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.

Mount Lewis Field Office
December 7, 2012

CASE FILE COPY

AUTH NUMBER: 2703673
DATE PRINTED: 3/28/2013

Form 4130-2a
(February 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

STATE NV
OFFICE LLNVB01000
AUTH NUMBER 2703673
PREFERENCE CODE 03
DATE PRINTED 03/28/2013
TERM 03/01/2013 TO 02/28/2021

Handwritten: (initials) 4/2/13

GRAZING PERMIT

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

BAUMANN FAMILY TRUST
P.O. BOX 308
EUREKA NV 89316

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

MANDATORY TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK		GRAZING PERIOD		% PLTYPE USE	AUMS
		NUMBER	KIND	BEGIN	END		
10051 SHANNON STATION		130	CATTLE	04/01	05/14	97 ACTIVE	182
		300	CATTLE	05/15	12/31	97 ACTIVE	2210
		68	CATTLE	01/01	02/28	97 ACTIVE	128

OTHER TERMS AND CONDITIONS:

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 415, PUBLIC LAW 112-74 AND CONTAINS THE SAME TERMS AND CONDITIONS AS THE PREVIOUS PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

THE SPANISH GULCH ALLOTMENT WILL BE GRAZED IN CONJUNCTION WITH THE SHANNON STATION ALLOTMENT WHEN THE PERMITTEE'S LIVESTOCK ARE IN THE SOUTHERN END OF THE SHANNON STATION ALLOTMENT.

THIS PERMIT WILL BE SUBJECT TO CHANGE BASED UPON SPECIFIC MANAGEMENT PRACTICES IDENTIFIED IN THE FINAL MULTIPLE USE DECISION (FMUD) FOR THE SHANNON STATION/SPANISH GULCH ALLOTMENT.

THE TERMS AND CONDITIONS OF THIS PERMIT MUST BE CONSISTENT WITH THE STANDARDS AND GUIDELINES APPROVED FEBRUARY 12, 1997 FOR THE NORTHEASTERN RAC AREA.

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

CASE FILE COPY

AUTH NUMBER: 2703673
DATE PRINTED: 3/28/2013

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.

ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDED AUMS</u>	<u>TEMP SUSPENDED AUMS</u>	<u>GRAZING PREFERENCE</u>
10051 SHANNON STATION	2520	691	0	3,211

Standard Terms and Conditions

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. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and 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 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

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:
SIGNATURE OF PERMITTEE:



DATE: 3-29-13

APPROVED
BLM AUTHORIZED OFFICER:



DATE: 4/2/13

February 13, 2013

Christopher Cook, Field Manager
Mount Lewis Field Office
Bureau of Land Management
50 Bastian Road
Battle Mountain, Nevada 89820

RECEIVED-MAILROOM

2013 FEB 19 PM 2: 32

BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN
DISTRICT OFFICE



Certified Mail #7011 2970 0002 4292 0332

RE: Shannon Station and Spanish Gulch Allotments grazing under January, 2000 FMUD

Dear Mr. Cook:

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The Angelo Belli Pasture is the largest pasture on the allotment and is probably the most productive. This pasture must be used in early summer. There are very limited water sources available in the pasture and the water sources, especially in the southeast portion, are intermittent and dry up before mid-summer. Water hauling is not an option here because the county is very rough and the roads are not conducive to water hauling. Under Plan B, the grazing pressure will be concentrated in the Angelo Belli pasture because the water sources that the cattle use to create distribution will be dry. This pasture is currently in good condition under Plan A.

The FMUD also specifically states that of the range improvements that "will be developed" includes "2d. Construct a pipeline from well in Simpson seeding." Also, the rangeland improvements in the technical recommendations called for a "well within the [Whistler] seeding or pipe the water from the spring and troughs on Whistler to the seeding" (p. 5). Also, the FMUD states that there will be establishment of "permanent water haul locations." While there have been some water haul locations authorized, BLM has not made formal decisions on many of our proposed sites including those identified in the technical recommendations. This exacerbates the difficulty in properly distributing cattle in Plan A and even more in Plan B. All of the range improvements have not been completed and until they are done, Plan B cannot be implemented.

5. Current management works for livestock management and rangeland health- the FMUD was put into place over 13 years ago on January 5, 2000. Much has changed since then and we have a better understanding of our operation and the rangeland responses due to our livestock management. Simply put, Plan B will not work and makes little sense given the improvements in rangeland health over the past 13 years under our current management. As stewards of the land and our cattle, we believe in the sustained health of the rangelands that we are permitted to graze and believe that healthy rangelands and prosperous livestock grazing are not exclusive of each other. We are responsible ranchers and have the common sense to make livestock management changes due to resource concerns and cow and calf conditions without compulsion by BLM and have proven this under Plan A of the FMUD.

We have been open and honest with BLM about our livestock and rangeland management. Since the 2000 FMUD, multiple BLM rangeland management specialists including rangeland management leads have toured our allotments and discussed any issues with us. Never has any of these BLM rangeland staff concluded that our current management is an issue in making progress towards meeting RAC Standards and Guidelines. We have also moved forward with Cooperative Permittee Monitoring even though BLM has yet to follow through with the commitment to enter into an agreement with us on this monitoring. Our monitoring shows that we are meeting or making progress towards the RAC Standards and Guidelines under Plan A. Why should we be required to move to Plan B if current management is sufficient?

We are frustrated with the lack of flexibility of BLM and the desired imposition of more inflexibility through Plan B. Our technical recommendations from over 13 years ago specifically noted the need for flexibility to accommodate unanticipated problems or concerns:

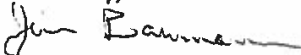
“[a]llowance for an amendment to the grazing permit or grazing agreement should be kept open once a long term grazing plan is adopted in order to work out the kinks or fine tune the system. A limited amount of flexibility needs to be exercised in order to rectify any problems that should arise from unforeseen flaws in the long-term grazing plan or any other changes...” (p. 7)

The FMUD specifically allows for 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.” Our data collected over the past 13 years does show that conditions have improved and that Plan A is working on meeting or making progress towards the Standards and Guidelines.

In conclusion, it is premature to implement Plan B because 1) not all of the requirements have been met to transition to Plan B; 2) monitoring data and current conditions do not warrant changes from current livestock management; and 3) Plan B makes little sense. If BLM believes otherwise and that Plan B should be implemented, we ask for specific documentation on how and when the necessary requirements were met, including establishment of replacement forage in vegetation manipulations, and the monitoring to show why Plan A is better replaced by Plan B.

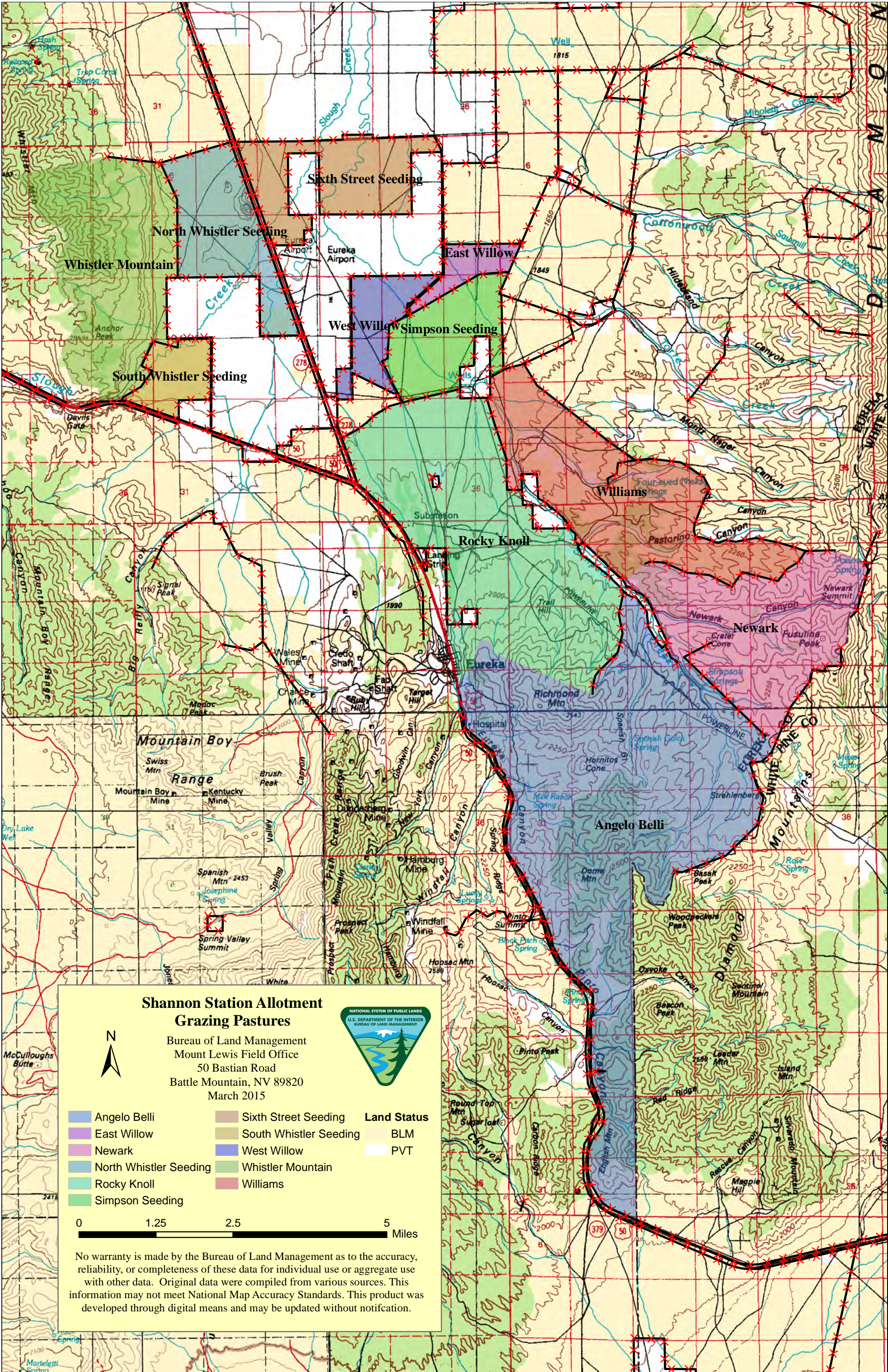
We look forward to your response. Please include this letter in our grazing file.

Sincerely,



Jim Baumann
Baumann Family Trust

cc: Casey Johnson
Ashley Johnson

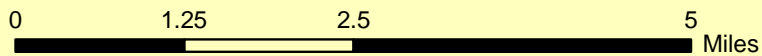


**Shannon Station Allotment
Grazing Pastures**

Bureau of Land Management
Mount Lewis Field Office
50 Bastian Road
Battle Mountain, NV 89820
March 2015



Angelo Belli	Sixth Street Seeding	Land Status
East Willow	South Whistler Seeding	
Newark	West Willow	BLM
North Whistler Seeding	Whistler Mountain	PVT
Rocky Knoll	Williams	
Simpson Seeding		



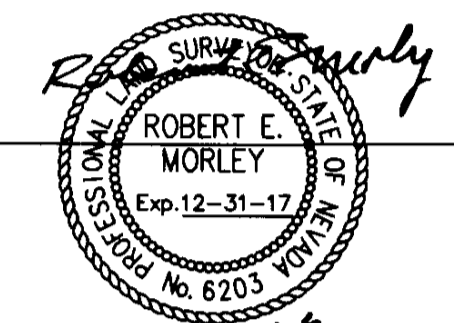
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

HIGH DESERT ENGINEERING & SURVEYING
 CONSULTING ENGINEERING & SURVEYING
 840 IDAHO STREET
 ELKO, NEVADA 89801
 (775) 738-4053

W216014

STATE OF NEVADA }
 COUNTY OF ELKO } SS.

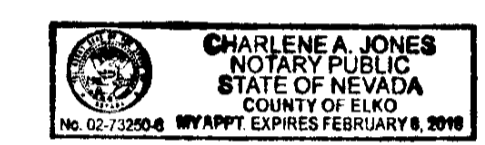
I, ROBERT E. MORLEY, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP, CONSISTING OF 1 SHEET, NUMBERED FROM 1 TO 1, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM SURVEYING CALCULATION NOTES PREPARED BY ME, OR UNDER MY SUPERVISION AND DIRECTION, RELYING UPON ANALYSIS OF BLM CADASTRAL SURVEY PLATS AND LATITUDE AND LONGITUDE OF SPRING LOCATIONS PROVIDED BY THE APPLICANT, BETWEEN THE 20TH DAY OF MAY, 2016 AND THE 25TH DAY OF MAY, 2016; THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS USED TO DIVERT WATER FROM SPRINGS, IN EUREKA COUNTY, NEVADA, BY JAMES E. BAUMANN AND VERA L. BAUMANN, FOR STOCK WATER PURPOSES; THAT THE PROPOSED POINT OF DIVERSION, THE APPROXIMATE LOCATION AND SIZE OF THE DIVERTING CHANNEL OR OTHER CONDUIT, THE PLACE AND MANNER OF USE, AND THE LOCATION AND NAMES OF ALL OTHER WORKS OR STREAMS WHICH ARE CROSSED BY, OR CONNECTED WITH THE SAID WORKS, ARE FULLY AND CORRECTLY DESIGNATED THEREON.



STATE WATER RIGHT SURVEYOR NO. 668

SUBSCRIBED AND SWORN TO BEFORE ME
 THIS 24th DAY OF May, 2016.

Charlene A. Jones
 NOTARY PUBLIC IN AND FOR
 MY COMMISSION EXPIRES Feb. 8, 2018



NOTES

- 1) LATITUDES AND LONGITUDES ARE EXPRESSED IN DECIMAL DEGREES.
- 2) LATITUDES AND LONGITUDES FURNISHED BY THE APPLICANT.
- 3) THE DATUM USED IS WGS84

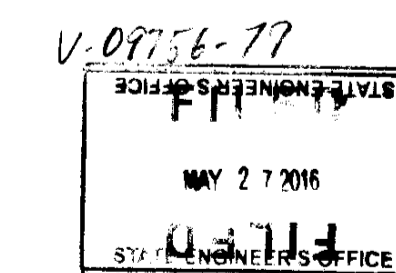
SPRING LOCATION TABLE

PROOF	SPRING NAME	SECTION	SUB-DIVISION	TOWN SHIP	RANGE	LATITUDE	LONGITUDE
V02324	WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N R54E	39.522369 N 115.862093 W		
V02325	GREEN SPRING	14	NE1/4 SW1/4	T19N R54E	39.451713 N 115.863875 W		
V02328	SIMPSON #1	23	NE1/4 SW1/4	T19N R54E	39.50033 N 115.863 W		
V09758	POISON CANYON SPRING	20	NE1/4 NW1/4	T19N R54E	39.509833 N 115.919297 W		
V09757	DEPAOLI CREEK SPRING	22	NE1/4 SE1/4	T19N R54E	39.501571 N 115.874839 W		
V09758	COTTONWOOD CREEK SPRING	20	SW1/4 NE1/4	T19N R54E	39.505255 N 115.917338 W		
V09759	SPANISH GULCH SPRING	29	NE1/4 NE1/4	T19N R54E	39.492274 N 115.908187 W		
V09760	SIGARINI SPRING	12	SE1/4 NE1/4	T19N R54E	39.53433 N 115.834 W		
V09761	BIG ROCK SPRING	20	SE1/4 SE1/4	T19N R54E	39.4974 N 115.913 W		
V09762	HOLE IN THE WALL SPRING	20	SE1/4 SE1/4	T19N R54E	39.498794 N 115.91215 W		
V09763	SHIRT CREEK SPRING	17	SW1/4 SW1/4	T19N R54E	39.509928 N 115.926263 W		
V09764	RICH CREEK SPRING	18	SE1/4 SE1/4	T19N R54E	39.51277 N 115.9257 W		
V09766	ROSE SPRING	33	SE1/4 SW1/4	T20N R54E	39.549832 N 115.898125 W		
V09768	MILK RANCH SPRING	30	SW1/4 SE1/4	T19N R54E	39.48362 N 115.93337 W		
V09769	UPPER MILK RANCH SPRING	30	SE1/4 SE1/4	T19N R54E	39.482789 N 115.9297569 W		
V09771	EUREKA CREEK	02	SE1/4 SE1/4	T19N R53E	39.539628 N 115.965614 W		
V09775	ANGELO BELLI FLAT SPRING	33	NE1/4 SE1/4	T19N R54E	39.472288 N 115.891017 W		
V09776	SOUTH REGLI 1-2-3	10	NE1/4 NE1/4	T19N R54E	39.537081 N 115.872301 W		
V09777	RHYOLITE SPRING	01	SW1/4 NW1/4	T20N R52E	39.626254 N 116.067534 W		
V09778	BULLWACKER SPRING	19	SW1/4 SW1/4	T19N R54E	39.498814 N 115.942826 W		
V09779	RICHMOND SPRING	19	NW1/4 SW1/4	T19N R54E	39.500847 N 115.943388 W		
V09779	SIMPSON #2	27	NW1/4 SE1/4	T19N R54E	39.486582 N 115.876004 W		
V09779	HORNITOS SPRING	29	NW1/4 NW1/4	T19N R54E	39.4922 N 115.921 W		
V09779	UPPER WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N R54E	39.524297 N 115.862967 W		
V09779	LANNIE SPRING	30	NW1/4 SW1/4	T19N R54E	39.484398 N 115.941172 W		
V09779	FRED SPRING	30	NW1/4 SW1/4	T19N R54E	39.484559 N 115.943679 W		
V09779	MIDDLE SPRING	36	SE1/4 NE1/4	T19N R53E	39.47521 N 115.944458 W		
V09779	PEDROLI SPRING	33	NW1/4 SW1/4	T20N R54E	39.553844 N 115.903179 W		
V09779	F.G. SPRINGS	09	SE1/4 SE1/4	T19N R54E	39.525102 N 115.891431 W		
V09779	LANDSLIDE SPRING	21	SW1/4 NW1/4	T19N R54E	39.50552 N 115.906959 W		
V09779	PINTO PASS SPRING	28	SW1/4 NW1/4	T19N R54E	39.490811 N 115.89688 W		
V09779	HIGH PASS SPRING	29	SE1/4 NE1/4	T19N R54E	39.490811 N 115.906959 W		

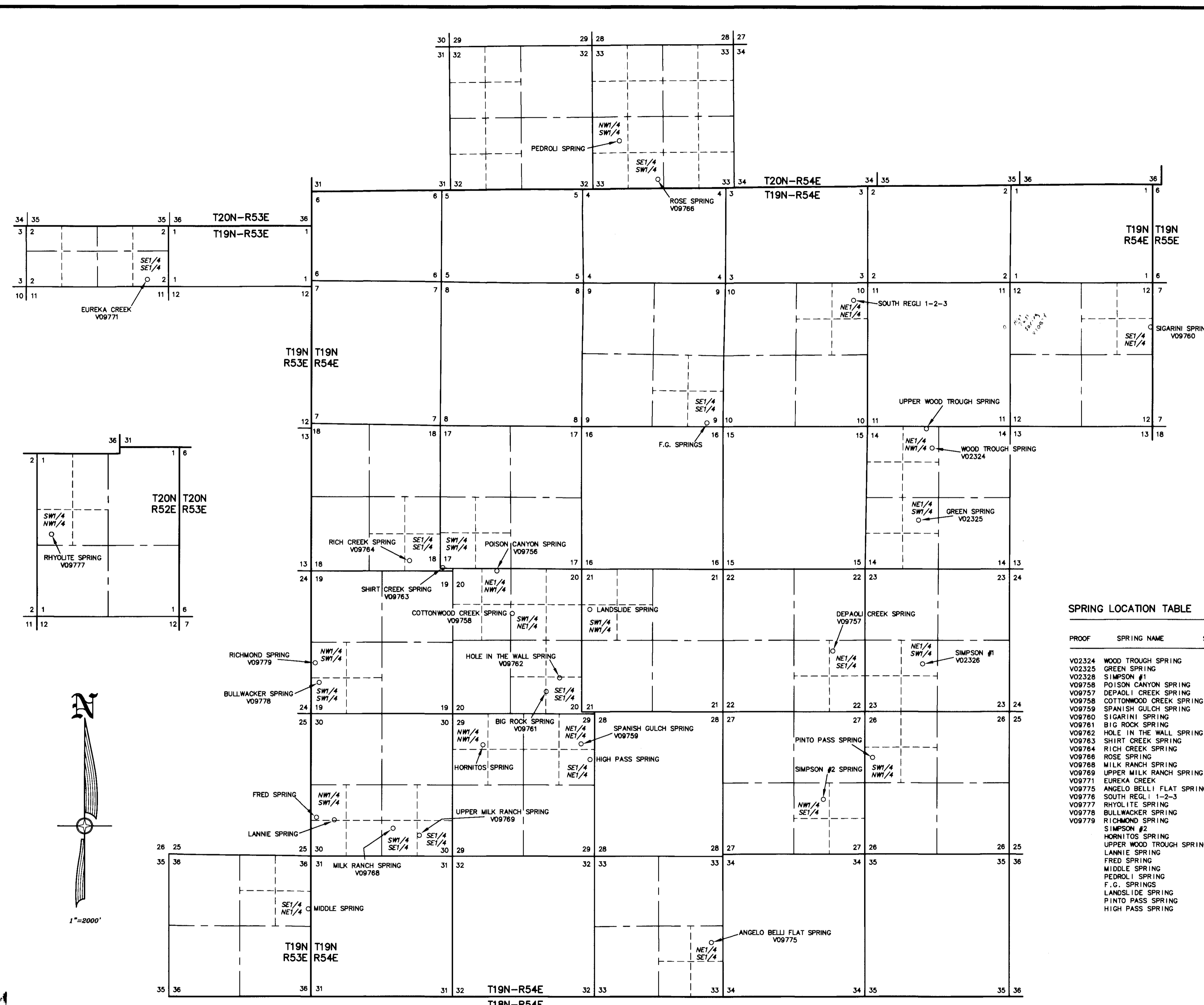


SCALE: 1"=2000'

STATE ENGINEERS USE



MAP TO ACCOMPANY PROOF OF APPROPRIATION
 FOR STOCKWATER USE
 BY JAMES E. & VERA L. BAUMANN
 FROM SPRINGS
 IN EUREKA COUNTY, NEVADA



- V10879
- V10878
- V10877
- V10876
- V10875
- V10873
- V10872
- V10871
- V10869
- V09779
- V09778
- V09777
- V09776
- V09775
- V09771
- V09769

- V09768 V09766 V09764 V09763 V09762 V09761 V09760 V09759 V09758 V09757 V09756 V02326 V02325 V02324

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input type="checkbox"/>	Domestic	<input checked="" type="checkbox"/>
-------------	--------------------------	----------	-------------------------------------

NAME OF CLAIMANT James E. & Vera L. Baumann

Address PO Box 308 City of Eureka County of Eureka

State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekranch@gmail.com

1. Source of water South Regl. No. 1, 2, 3
 Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural channel
 Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):
NE1/4 NE1/4 and NW1/4 NW1/4 of Sec. 10, T19N, R54E (note: spring complex extends across two 40 acre subdivisions)
 General GPS centroid of spring complex Longitude -115.872301, Latitude 39.537061

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____
 and completed _____

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:
Public domain with grazing permit. Located in Shannon Station allotment.
 Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was not recorded in the office of the County Recorder of
 (circle one)
 _____ County, at Page _____ of Book _____ of _____

7. The amount of water diverted for the claim's purpose has been measured at
1/20 cubic feet per second.
 448.83 gallons per minute equals 1 cubic feet per second

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MAY 27 2016
 STATE ENGINEER'S OFFICE

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Utilizing natural channel and pools in spring complex - upstream point NE1/4 NW1/4 of Sec. 10, T19N, R54E;
downstream point NW1/4 NW1/4 of Sec. 10, T19N, R54E

General GPS centroid of spring complex Longitude -115.872301, Latitude 39.537061

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

QUESTIONS REGARDING WATERING OF LIVESTOCK

9. The approximate number of animals watered by the claimant during the first year of 1866 was _____ was
Year
300 cattle _____ horses _____ sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

300 cattle _____ horses _____ sheep _____ other (describe in remarks)

11. The water is impounded in Pools and natural channel
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet,
width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement,
on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with
a type of pipe of _____ for _____ feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____
and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

This is filed to amend previously filed claim V-09776 to (1) clarify that the point of diversion/place of use extends across two 40 acre subdivisions; (2) add domestic as a secondary use; and (3) increase claimed amount of cattle watered .

This is a spring complex with three (3) distinct seeps contributing to the overall complex, hence Regl 1, 2, 3. The complex extends across two 40 acre subdivisions in Section 10 - NENW and NWNW.

All other previous remarks on claim V-09776 still apply.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature James E. Baumann
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of Nevada ZIP Code 89316

Telephone Number 775-237-5452 Email Address simpsoncreekranch@gmail.com

State of Nevada
County of Eureka

Subscribed and sworn to before me on 5-24-2016
(Date)

by James E. Baumann
Annelle D. Watts
Signature of Notary Public Required



Notary Stamp or Seal Required

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation Stock water Mining and Milling Domestic
Municipal Industrial Quasi-Municipal Commercial
Federal Reserved Right Other (OTH) _____

Secondary (Select all that may be applicable):

Stock water Domestic

NAME OF CLAIMANT James E. & Vera L. Baumann
Address PO Box 308 City of Eureka County of Eureka
State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekranch@gmail.com

1. Source of water Hornitos Spring
Name of natural water source (use separate proofs for each major sourcee such as a spring, creek, river or underground)

2. The means of diversion Dam
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):
NW1/4NW1/4 of Sec. 29, T.19N; R54E (Unsurveyed)
GPS Location in WGS 84: Long. -115.921000 Lat. 39.492200

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey; and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Pre 1900.
and completed Specific dates are unknown for work completed prior to 1905.

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:
Public Domain with Grazing Permit in the Spanish Gulch Allotment
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was not recorded in the office of the County Recorder of
(circle one)
_____ County, at Page _____ of Book _____ of _____

7. The amount of water diverted for the claim's purpose has been measured at
0.0044 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second

10-153
S.V.

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Within Sec. NW1/4NW1/4 of Sec. 29, T.19N, R.54E
GPS Location in WGS 84: Longitude -115.921000 Latitude 39.492200

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

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on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with
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Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____
and completed _____

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JULY 27 1966
BUREAU OF LAND MANAGEMENT

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

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(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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MAY 27 1980
STATE ENGINEERS OF CALIF.

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)

RECEIVED
 JUN 27 11:12 AM '09
 BUREAU OF LAND MANAGEMENT
 DENVER, COLORADO

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

This spring has been used continuously since 1866 to water the cattle owned by all of the previous owners and the current owners of this ranch.

Support documents for the chain of title and historic and current use of the range in which this spring is appurtenant for Simpson Creek Ranch/James E. & Vera L. Baumann are provided in the document, Volume #1 of the Water Filings for Simpson Creek Ranch/James & Vera L. Baumann, already filed with the Nevada Division of Water Resources.

No prior filings for this spring have been found.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature [Handwritten Signature]
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of Nevada ZIP Code 89316

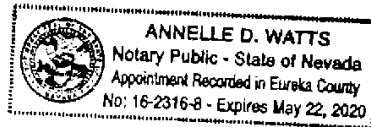
Telephone Number 775-237-5452 Email Address simpsoncreekranch@gmail.com

State of Nevada
County of Eureka

Subscribed and sworn to before me on 5/24/2016
(Date)

by [Handwritten Signature]
[Handwritten Signature]

Signature of Notary Public Required



Notary Stamp or Seal Required

RECEIVED
2016 MAY 27 PM 12:46
STATE ENGINEERS OFFICE

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation Stock water Mining and Milling Domestic
Municipal Industrial Quasi-Municipal Commercial
Federal Reserved Right Other (OTH) _____

Secondary (Select all that may be applicable):

Stock water Domestic

NAME OF CLAIMANT James E. & Vera L. Baumann
Address PO Box 308 City of Eureka County of Eureka
State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekbranch@gmail.com

1. Source of water High Pass Spring
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural Channel
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):
SE 1/4 NE 1/4 Sec 11, T19N, R54E
SW 1/4 NW 1/4 of Sec. 28, T.19N, R.54E (Unsurveyed)
GPS Location in WGS 84: Long: 115.906959 Lat: 39.490811

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Pre 1900.
and completed Specific dates are unknown for work completed prior to 1905.

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:
Public Domain with Grazing Permit in the Shannon Station Allotment
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was was not recorded in the office of the County Recorder of
(circle one)
_____ County, at Page _____ of Book _____ of _____

7. The amount of water diverted for the claim's purpose has been measured at
0.0044 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second

10-153
EW

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

SE 1/4 NE 1/4 Section 11, T19N, R54E
Within the ~~SW 1/4 NW 1/4~~ of Sec. 28, T.19N, R.54E
GPS Location in WGS 84: Longitude ~~-115.906959~~ Latitude ~~39.490811~~

*DTT
per email
8/11/2016*

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

QUESTIONS REGARDING WATERING OF LIVESTOCK

9. The approximate number of animals watered by the claimant during the first year of 1866 was
Year
300 cattle horses sheep other (describe in remarks)

The watering was conducted during each of the following months: January 1, through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:
300 cattle horses sheep other (describe in remarks)

11. The water is impounded in Pool
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom feet,
width on top feet, depth feet, for lineal feet of improvement,
on a grade of feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of inches with
a type of pipe of for feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced
and completed

*RECEIVED
MAY 27 2016
BUREAU OF LAND MANAGEMENT
SALT LAKE CITY*

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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LAND MANAGEMENT
SALT LAKE CITY, UTAH

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T. _____	(N./S.), R. _____	_____ E. (circle one)

RECEIVED
 BUREAU OF LAND MANAGEMENT
 DENVER, COLORADO
 JUN 15 1905

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

This spring has been used continuously since 1866 to water the cattle owned by all of the previous owners and the current owners of this ranch.

Support documents for the chain of title and historic and current use of the range in which this spring is appurtenant to the operation of Simpson Creek Ranch/James E. and Vera L. Baumann, are provided in the document of Volume #1 of the Water Filings for Simpson Creek Ranch/James E. & Vera L. Baumann, already filed with the Nevada Division of Water Resources.

No prior filings for this spring have been found.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature [Signature]
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of Nevada ZIP Code 89316

Telephone Number 775-237-5452 Email Address simpsoncreekranch@gmail.com

State of Nevada
County of Eureka

Subscribed and sworn to before me on 5/24/2016
(Date)

by [Signature]
[Signature]

Signature of Notary Public Required



Notary Stamp or Seal Required

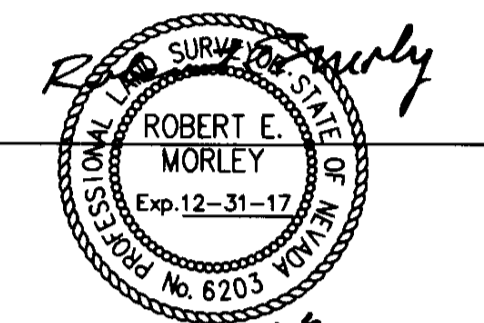
THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

HIGH DESERT ENGINEERING & SURVEYING
 CONSULTING ENGINEERING & SURVEYING
 840 IDAHO STREET
 ELKO, NEVADA 89801
 (775) 738-4053

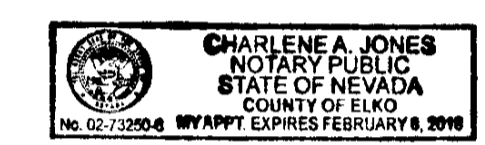
W216014

STATE OF NEVADA }
 COUNTY OF ELKO } SS.

I, ROBERT E. MORLEY, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP, CONSISTING OF 1 SHEET, NUMBERED FROM 1 TO 1, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM SURVEYING CALCULATION NOTES PREPARED BY ME, OR UNDER MY SUPERVISION AND DIRECTION, RELYING UPON ANALYSIS OF BLM CADASTRAL SURVEY PLATS AND LATITUDE AND LONGITUDE OF SPRING LOCATIONS PROVIDED BY THE APPLICANT, BETWEEN THE 20TH DAY OF MAY, 2016 AND THE 25TH DAY OF MAY, 2016; THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS USED TO DIVERT WATER FROM SPRINGS, IN EUREKA COUNTY, NEVADA, BY JAMES E. BAUMANN AND VERA L. BAUMANN, FOR STOCK WATER PURPOSES; THAT THE PROPOSED POINT OF DIVERSION, THE APPROXIMATE LOCATION AND SIZE OF THE DIVERTING CHANNEL OR OTHER CONDUIT, THE PLACE AND MANNER OF USE, AND THE LOCATION AND NAMES OF ALL OTHER WORKS OR STREAMS WHICH ARE CROSSED BY, OR CONNECTED WITH THE SAID WORKS, ARE FULLY AND CORRECTLY DESIGNATED THEREON.



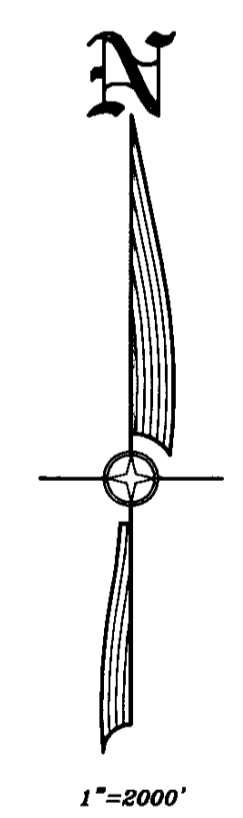
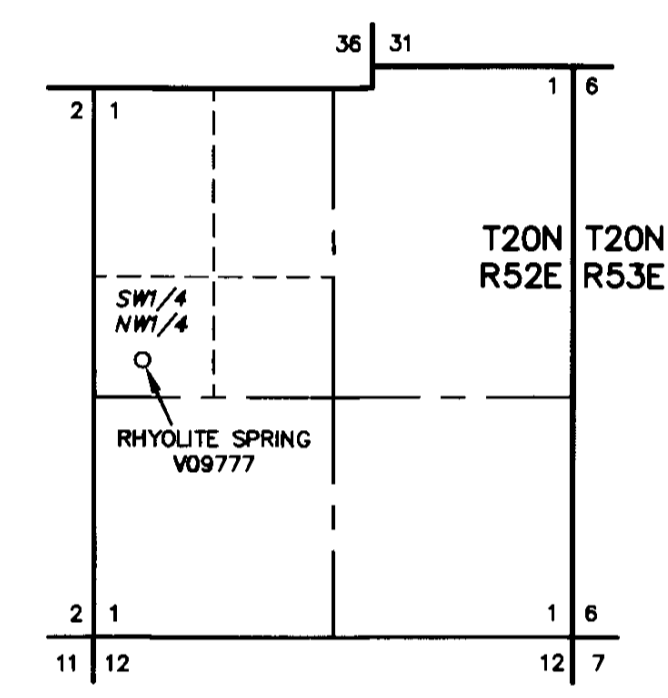
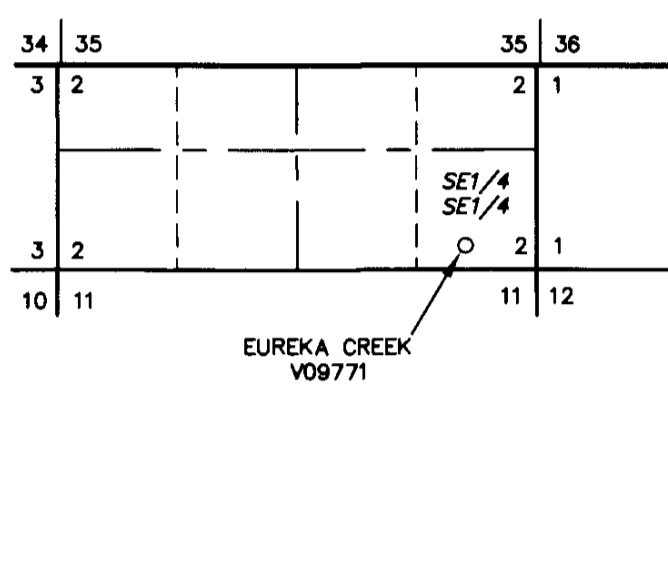
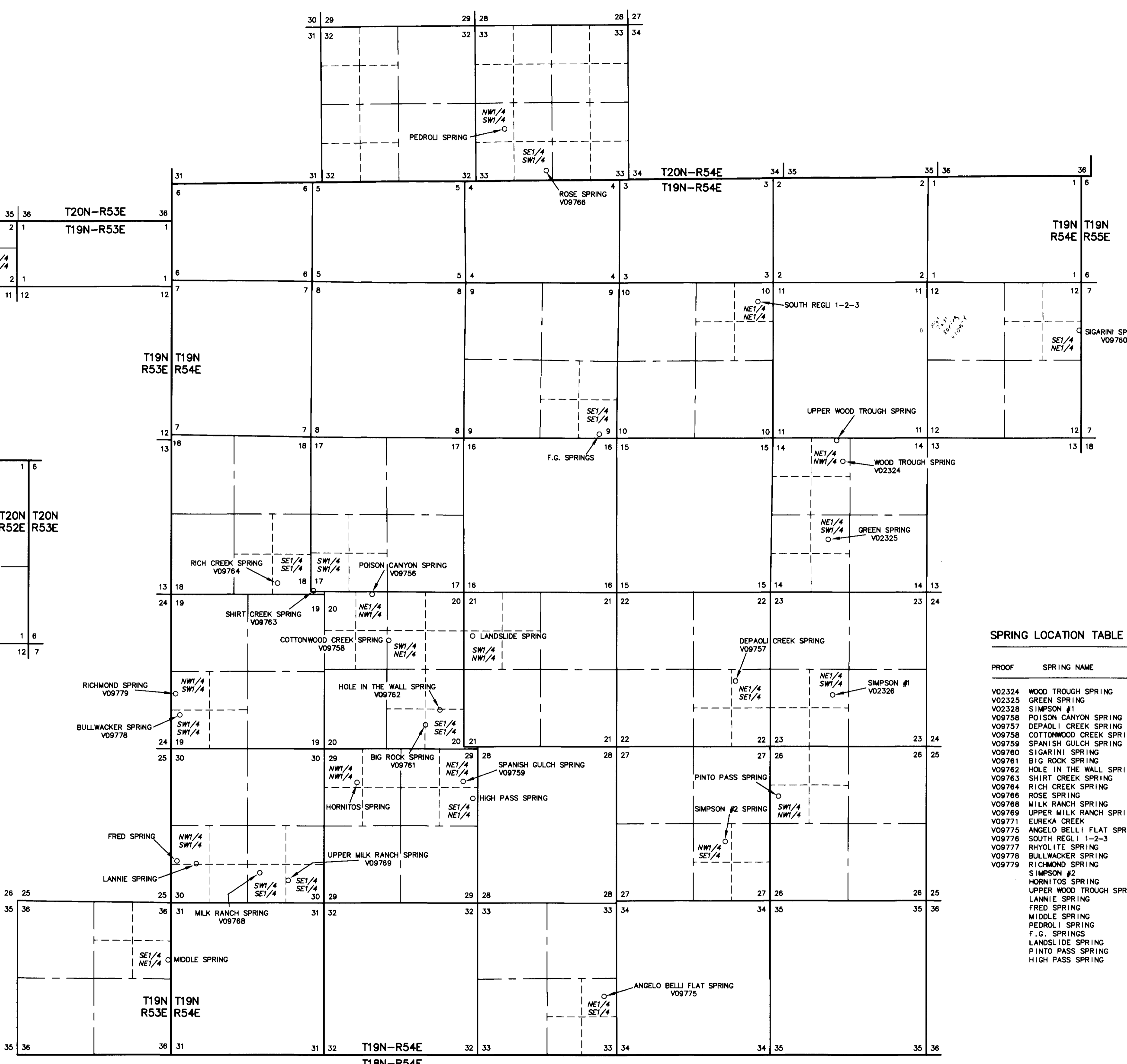
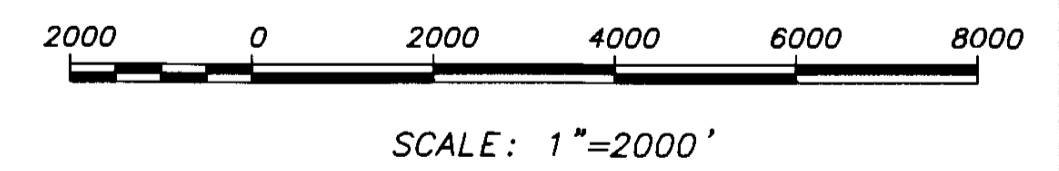
SUBSCRIBED AND SWORN TO BEFORE ME
 THIS 24th DAY OF May, 2016.
 CHARLENE A. JONES
 NOTARY PUBLIC IN AND FOR
 MY COMMISSION EXPIRES Feb. 8, 2018



- NOTES**
- 1) LATITUDES AND LONGITUDES ARE EXPRESSED IN DECIMAL DEGREES.
 - 2) LATITUDES AND LONGITUDES FURNISHED BY THE APPLICANT.
 - 3) THE DATUM USED IS WGS84

SPRING LOCATION TABLE

PROOF	SPRING NAME	SECTION	SUB-DIVISION	TOWN SHIP	RANGE	LATITUDE	LONGITUDE
V02324	WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N R54E	39.522369 N	115.862093 W	
V02325	GREEN SPRING	14	NE1/4 SW1/4	T19N R54E	39.515113 N	115.863875 W	
V02326	SIMPSON #1	23	NE1/4 SW1/4	T19N R54E	39.5003 N	115.863 N	
V09758	POISON CANYON SPRING	20	NE1/4 NW1/4	T19N R54E	39.509833 N	115.919297 W	
V09757	DEPAOLI CREEK SPRING	22	NE1/4 SE1/4	T19N R54E	39.501571 N	115.874839 W	
V09758	COTTONWOOD CREEK SPRING	20	SW1/4 NE1/4	T19N R54E	39.505255 N	115.917338 W	
V09759	SPANISH GULCH SPRING	29	NE1/4 NE1/4	T19N R54E	39.492274 N	115.908187 W	
V09760	SIGARINI SPRING	12	SE1/4 NE1/4	T19N R54E	39.5343 N	115.834 W	
V09761	BIG ROCK SPRING	20	SE1/4 SE1/4	T19N R54E	39.4974 N	115.913 W	
V09762	HOLE IN THE WALL SPRING	20	SE1/4 SE1/4	T19N R54E	39.498794 N	115.91215 W	
V09763	SHIRT CREEK SPRING	17	SW1/4 SW1/4	T19N R54E	39.509928 N	115.926263 W	
V09764	RICH CREEK SPRING	18	SE1/4 SE1/4	T19N R54E	39.5107 N	115.9257 W	
V09766	ROSE SPRING	33	SE1/4 SW1/4	T20N R54E	39.549832 N	115.898125 W	
V09768	MILK RANCH SPRING	30	SW1/4 SE1/4	T19N R54E	39.48362 N	115.93337 W	
V09769	UPPER MILK RANCH SPRING	30	SE1/4 SE1/4	T19N R54E	39.482789 N	115.9297569 W	
V09771	EUREKA CREEK	02	SE1/4 SE1/4	T19N R53E	39.539628 N	115.965614 W	
V09775	ANGELO BELLI FLAT SPRING	33	NE1/4 SE1/4	T19N R54E	39.472288 N	115.891017 W	
V09776	SOUTH REGL 1-2-3	10	NE1/4 NE1/4	T19N R54E	39.537081 N	115.872301 W	
V09777	RHYOLITE SPRING	01	SW1/4 NW1/4	T20N R52E	39.626254 N	116.067534 W	
V09778	BULLWACKER SPRING	19	SW1/4 SW1/4	T19N R54E	39.498814 N	115.942826 W	
V09779	RICHMOND SPRING	19	NW1/4 SW1/4	T19N R54E	39.500847 N	115.943388 W	
V09779	SIMPSON #2	27	NW1/4 SE1/4	T19N R54E	39.486582 N	115.876004 W	
V09779	HORNITOS SPRING	29	NW1/4 NW1/4	T19N R54E	39.4922 N	115.921 W	
V09779	UPPER WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N R54E	39.524297 N	115.862967 W	
V09779	LANNIE SPRING	30	NW1/4 SW1/4	T19N R54E	39.484398 N	115.941172 W	
V09779	FRED SPRING	30	NW1/4 SW1/4	T19N R54E	39.484559 N	115.943679 W	
V09779	MIDDLE SPRING	36	SE1/4 NE1/4	T19N R53E	39.47521 N	115.944458 W	
V09779	PEDROLI SPRING	33	NW1/4 SW1/4	T20N R54E	39.553844 N	115.903179 W	
V09779	F.G. SPRINGS	09	SE1/4 SE1/4	T19N R54E	39.525102 N	115.891431 W	
V09779	LANDSLIDE SPRING	21	SW1/4 NW1/4	T19N R54E	39.50552 N	115.906959 W	
V09779	PINTO PASS SPRING	28	SW1/4 NW1/4	T19N R54E	39.490811 N	115.89688 W	
V09779	HIGH PASS SPRING	29	SE1/4 NE1/4	T19N R54E	39.490811 N	115.906959 W	



- V10879
- V10878
- V10877
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- V09769

STATE ENGINEERS USE

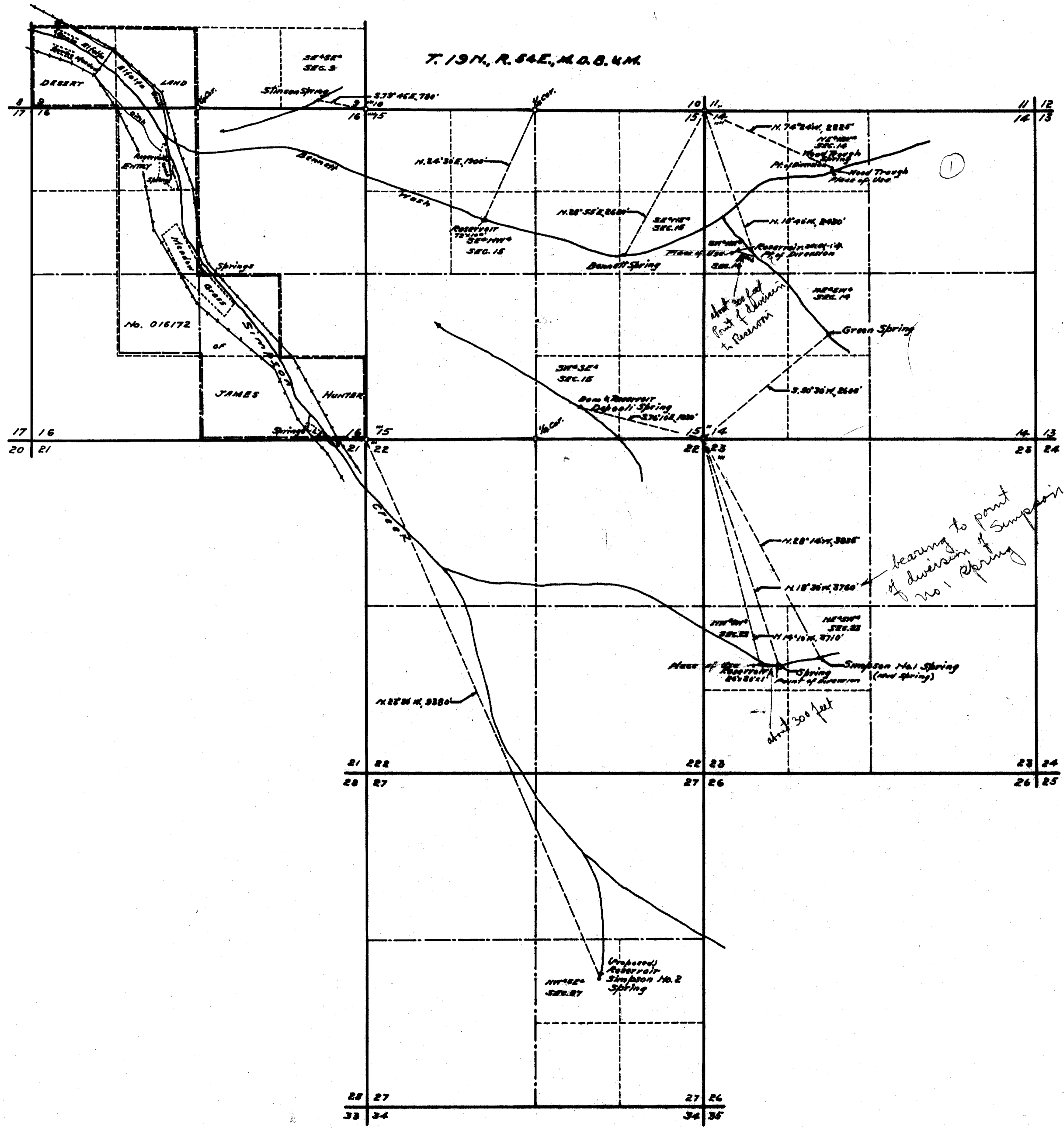
V-09776-77

MAY 27 2016

STATE ENGINEERS OFFICE

MAP TO ACCOMPANY PROOF OF APPROPRIATION
 FOR STOCKWATER USE
 BY JAMES E. & VERA L. BAUMANN
 FROM SPRINGS
 IN EUREKA COUNTY, NEVADA

- V09768 V09766 V09764 V09763 V09762 V09761 V09760 V09759 V09758 V09757 V09756 V02326 V02325 V02324

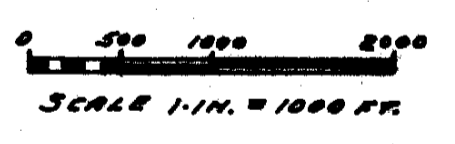


STATE OF NEVADA } ss.
 County of White Pine }
 I, F.M. Millard, being first duly sworn, depose and say that this map has been correctly drawn to the designated scale from field notes of a survey made by me between the 16th and 20th days of June, 1943; that it truly and correctly represents the location and extent of the works used to divert water from WOOD TROUGH, BENNETT, GREEN, DEPOALI and SIMPSON No. 1 SPRINGS in Eureka County by JAMES HUNTER for stockwatering purposes; that the points of diversion, the locations and sizes of the diverting channels or other conduits, the places and manner of use, and the location and names of all other works or streams which are crossed by or connected with the said works, are fully and correctly designated thereon.

F.M. Millard
 State Water Right Surveyor.

Subscribed and sworn to before me this 29th day of June, 1943.

W. G. ...
 Notary Public in and for White Pine County, Nevada.
 My Commission expires Jan 6, 1946



FILED
 June 7, 1944
 STATE WATER RIGHT SURVEYOR

MAP
 TO ACCOMPANY PROOFS OF APPROPRIATION
 FOR
 STOCKWATERING
 BY
 JAMES HUNTER
 FROM WOOD TROUGH, BENNETT,
 GREEN, DEPOALI & SIMPSON NO. 1
 SPRINGS.
 SURVEYED
 JUNE 17-19, 1943. - BY - F.M. MILLARD & SON,
 SURVEYORS,
 EUREKA, NEVADA.

02324-02325-02326

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

- Irrigation Stock water Mining and Milling Domestic
- Municipal Industrial Quasi-Municipal Commercial
- Federal Reserved Right Other (OTH) _____

Secondary (Select all that may be applicable):

- Stock water Domestic

NAME OF CLAIMANT James & Vera Baumann

Address PO Box 308 City of Eureka County of Eureka

State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekranch@gmail.com

1. Source of water Middle Spring
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Pipeline
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):
SE1/4NE1/4 of Sec. 36, T.19N; R. 53E
 GPS Location in WGS 84: Long. -115.944456 Lat. 39.475210

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Pre 1900.
 and completed Specific work dates are unknown for work completed prior to 1905.

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:
Public Domain with a Grazing Permit in the Spanish Gulch Allotment
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was ~~was not~~ recorded in the office of the County Recorder of
(circle one)
 _____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at
0.0066 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second

10-153
EW

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Within SE1/4NE1/4 of Sec. 36, T.19N; R.53E

GPS Location in WGS 84: Longitude -115.944456 Latitude 39.475210

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

QUESTIONS REGARDING WATERING OF LIVESTOCK

9. The approximate number of animals watered by the claimant during the first year of 1866 was
Year
300 cattle horses sheep other (describe in remarks)

The watering was conducted during each of the following months: January 1, through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:
300 cattle horses sheep other (describe in remarks)

11. The water is impounded in Troughs
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

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BLM RECORDS OFFICE

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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STATE ENGINEERS OFFICE

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E.
				(circle one)	

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 BUREAU OF LAND MANAGEMENT
 DENVER, COLORADO
 SEP 17 1907

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

This spring has been used continuously since 1866 to water the cattle owned by all of the previous owners and the current owners of this ranch.

Support documents for the chain of title and historic and current use of the range in which this spring is appurtenant to the operation of Simpson Creek Ranch/James E. & Vera L. Baumann, are provided in the document of Volume #1 of the Water Filings for Simpson Creek Ranch/James E. & Vera L. Baumann, already filed with the Nevada Division of Water Resources.

No prior filings found for this spring.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature [Signature]
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of NV ZIP Code 89316

Telephone Number 775-237-5452 Email Address simpsoncreekranch@gmail.com

State of Nevada
County of Eureka

Subscribed and sworn to before me on 5/24/2016
(Date)

by [Signature]
[Signature]



Signature of Notary Public Required

Notary Stamp or Seal Required

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

CONVERSATION RECORD

Baumann Family Trust

James Baumann (Jim)
Bill Baumann

Phone Call

In Person

Confrence

Date

2/14/2018

Time

12:30 PM

**Eureka County Natural Resource
Advisory Commission**

Jake Tibbitts

Mount Lewis Field Office - BLM

Amanda Holmes (Mandy)

SUBJECT: Shannon Station Seeding success field visit

SUMMARY:

The seedings were re-seeded in the Fall 2015. Baumanns' requested a field visit to observe the lack of success so far with new establishment of seeded species. They discussed that there is not enough forage to support grazing in these seedings (6th street and Whistler seeding). Both of the pastures have had WUI strip treatments. During field visit, I observed that the mowed sagebrush was coming back nicely (tender for GRSG), forb diversity increased, ryegrass (LECI4) was naturally increasing,

The Whistler and 6th street seeding, based on the field visit, is not suitable for grazing yet. Plan B implementation in the Shannon Station FMUD will need to be postponed for another 3-5 years in order to assure seeding success and establishment. Photos show the growth of seedlings thus far in the year and little evidence exists of any growth from last year. The rabbit evidence is very abundant in the Whistler pasture where they may be affecting seedling growth.

Baumanns would like to consider targeted grazing for cheatgrass in the Whistler Pasture this fall 2018 and in continuing years.

I requested that Jake Tibbitts send the BLM a copy of his signed copy of the Co-op agreement from 2015 as I cannot find the original.


ACTION REQUIRED:

- Memo to casefile about Plan B implementation
- Jake Tibbitts to look in his records for the signed co-op agreement for the Fall 2015 planting

PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

A. Holmes		2/20/2018
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U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT



State: NV
Office: LLNVB01000
Preference Code: 03
AUTHORIZATION: 2703673

GRAZING PERMIT

EFFECTIVE: 03/01/2013 TO 02/28/2021

ISSUED BY:

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

ISSUED TO:

BAUMANN FAMILY TRUST
P.O. BOX 308
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	130 CATTLE	04/01	05/14	97 ACTIVE	182
NV10051	SHANNON STATION/SPANISH GULCH	300 CATTLE	05/15	12/31	97 ACTIVE	2,210
NV10051	SHANNON STATION/SPANISH GULCH	68 CATTLE	01/01	02/28	97 ACTIVE	128

THIS PERMIT OR LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 415, PUBLIC LAW 112-74 AND CONTAINS THE SAME TERMS AND CONDITIONS AS THE PREVIOUS PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

THE SPANISH GULCH ALLOTMENT WILL BE GRAZED IN CONJUNCTION WITH THE SHANNON STATION ALLOTMENT WHEN THE PERMITTEE'S LIVESTOCK ARE IN THE SOUTHERN END OF THE SHANNON STATION ALLOTMENT.

THIS PERMIT WILL BE SUBJECT TO CHANGE BASED UPON SPECIFIC MANAGEMENT PRACTICES IDENTIFIED IN THE FINAL MULTIPLE USE DECISION (FMUD) FOR THE SHANNON STATION/SPANISH GULCH ALLOTMENT.

THE TERMS AND CONDITIONS OF THIS PERMIT MUST BE CONSISTENT WITH THE STANDARDS AND GUIDELINES APPROVED FEBRUARY 12, 1997 FOR THE NORTHEASTERN RAC AREA.

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.

DATE PRINTED: 10/04/2018

PAGE 1 OF 5

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
NV10051 SHANNON STATION/SPANISH GULCH	2,520	691	0	3,211

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:

- 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:

James E. Baumann
 OPERATOR SIGNATURE
James E. Baumann
 PRINTED NAME AND TITLE

10-7-18
 DATE

APPROVED BY:

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

10/22/2018
 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.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Battle Mountain District Office
50 Bastian Road

Battle Mountain, Nevada 89820

Phone: 775-635-4000

Fax: 775-635-4034

<https://www.blm.gov/nevada>

J. Hene 11/14/2018

NOV 14 2018

Baumann Family Trust
P.O. Box 308
Eureka, NV 89316

Dear Bill and Jim Baumann:

You contacted the Battle Mountain District Office (BMDO) on October 3, 2018 in regard to a misunderstanding with the Nevada Division of Water Resources about the beneficial use of your stock water rights within the Spanish Gulch Allotment. As discussed in our conversation, the Nevada Division of Water Resources does not have record of your grazing preference and permit within the Spanish Gulch Allotment.

This letter is intended to address any misunderstanding by providing you with written confirmation of your grazing preference and permit in the Spanish Gulch Allotment. The Final Multiple Use Decision (FMUD) for the Shannon Station and Spanish Gulch Allotments (2000) states that the Bureau of Land Management will manage the Shannon Station and Spanish Gulch Allotments as one allotment. The terms and conditions on your previous term grazing permit refers to this FMUD, which allows for cattle to be grazed within both allotments. The Rocky Knoll and Angelo Belli pastures are within the boundaries of both the Shannon Station and Spanish Gulch Allotments. However, only the Shannon Station Allotment name is shown on the previous permit. In order to provide clarity and avoid confusion in the future, the allotment name has been updated on your new term grazing permit to the Shannon Station/Spanish Gulch Allotment, effective October 22, 2018. This new term grazing permit and the FMUD for the Shannon Station and Spanish Gulch Allotments are attached for reference.

If you have any questions or if you need the BMDO to provide further documentation of your grazing use within the Spanish Gulch Allotment, please contact Robert Burdick, Range Management Specialist, at (775) 635-4188.

Sincerely,

Douglas W. Furtado
District Manager
Battle Mountain District Office

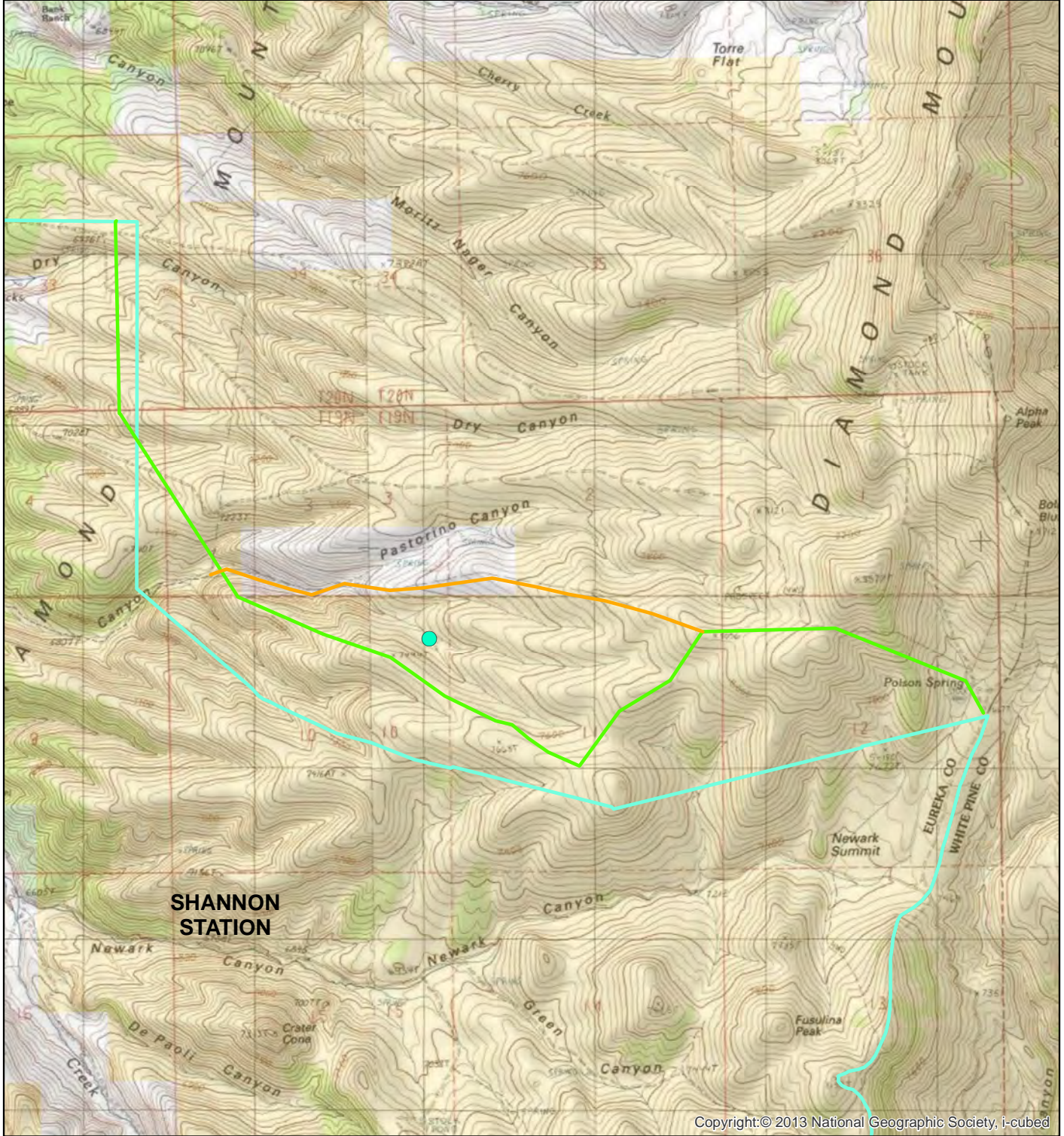
Enclosures:

Baumann Family Trust Term Permit (2703673)

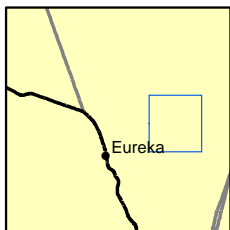
Final Multiple Use Decision for the Shannon Station and Spanish Gulch Allotments (2000)

Shannon Station and Spanish Gulch Allotments Map

Shannon Station Allotment Grazing Pastures Map



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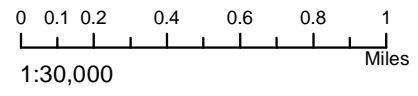


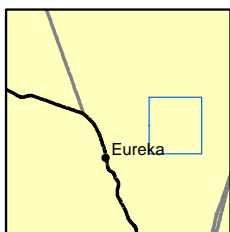
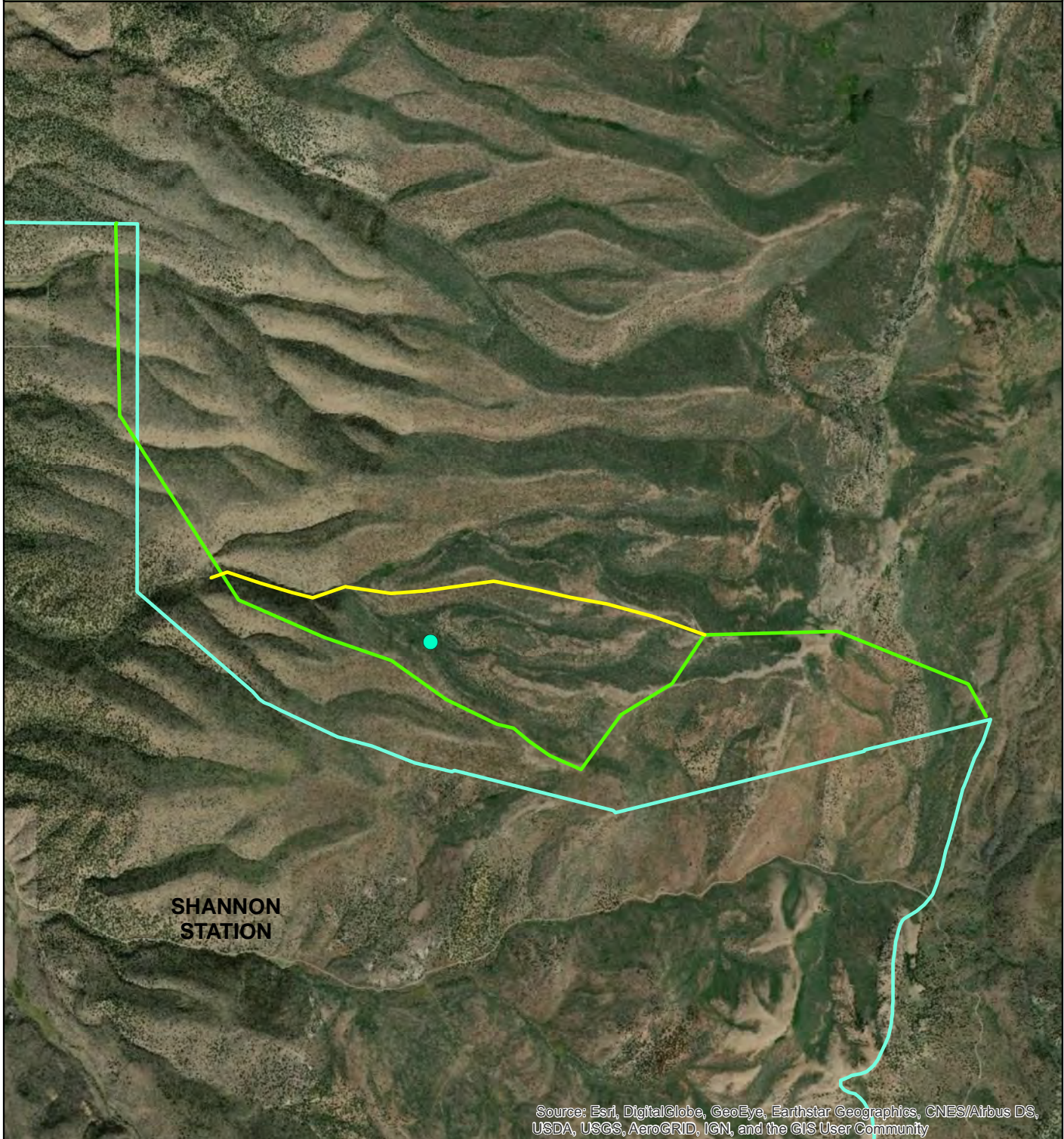
Shannon Station Allotment Boundary Map

- South Regil Spring
- Alpha Peak Fence
- Shannon Station Rangeline Agreement Boundary
- Shannon Station 2000 FMUD Boundary
- BLM
- PVT



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. This product was developed through digital means and may be updated without notification.





Shannon Station Allotment Boundary Map

- South Regli Spring
- Alpha Peak Fence
- Shannon Station Rangeline Agreement Boundary
- Shannon Station 2000 FMUD Boundary



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