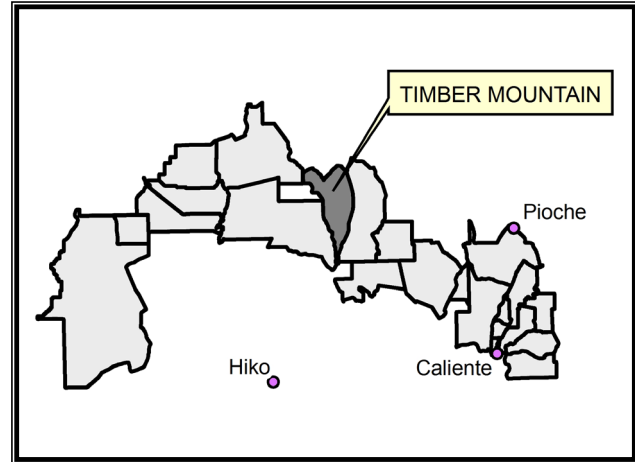


11.0 TIMBER MOUNTAIN ALLOTMENT

Permittee: Blue Diamond Oil Corporation
Contact: Gary Sprouse
City/State: Ely, Nevada

Base Property: Land



11.1 ALLOTMENT DESCRIPTION

The Timber Mountain Allotment is located to the west of State Route 318, with the southern portion of the allotment approximately 26 miles north of Hiko. While SR 318 serves as the eastern boundary, the Seaman Range and Timber Mountain serves as the western boundary. The allotment extends north into a corner of Nye County.

Table 11.1: Timber Mountain Allotment Details

ALLOTMENT ACRES		GRAZING PERMIT					
Public	Private	Number/Type of Livestock	Season of Use	AUMs			
				Total	Active	Suspended	
43,839	0	Blue Diamond Oil Co 40 Cattle	03/01 – 04/10 11/01 – 02/28	212	212	0	
		Blue Diamond Oil Co 2,036 Sheep	03/01 – 04/10 11/01 – 02/28	2,155	2,155	0	

11.1.1 Grazing System

Blue Diamond Oil Company is permitted for spring and winter use of the allotment. The white sage found within the White River Valley is the most critical forage area. Cattle distribution is achieved through the manipulation of water, while sheep are herded throughout the area.

11.1.2 Stockwaters and Water Rights

There are four main sources of stockwater on the Timber Mountain Allotment. Two springs are located in the southern portion of the allotment, and two wells are located in the northern portion of the allotment. The northern well, known as White River Well (Map Reference 1), serves as a source of water for cattle, and is also used as the primary source of water for water hauling operations. The status of the southern well (Map Reference 2) is unknown.

11.1.3 Existing Fencing

The right-of-way (ROW) for State Route 318 along the eastern boundary of the allotment is fenced, as is a portion of the northern boundary that is shared with the Sunnyside Allotment. The rest of the perimeter is comprised of terrain that is impassible to cattle. No interior pasture fencing is located within the Timber Mountain Allotment.

11.2 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE

The DOE proposed alignment would enter the Timber Mountain Allotment from the east as it crosses State Route 318. The alignment moves northwest across the northeast corner of the allotment and exits the northern boundary of the allotment.

Rail Length Within Allotment: 6.49 miles
1,000' Construction Right-of-Way Area: 787 acres

11.2.1 Fencing Preference for Proposed Rail Alignment

The Permittee feels very strongly that the rail should be fenced.

11.2.2 Impacts and Mitigation

11.2.2.1 Base Property

No impacts to the base property are anticipated.

11.2.2.2 Grazing System

The allotment does not have any interior pasture fences. Livestock distribution is regulated through the distribution of water or by herding. The proposed alignment would cut the allotment into two pastures and restrict free movement of cattle and sheep. This will result in limited access to water at the northern well, and may concentrate use on the small pasture to the northeast of the alignment.

To allow for movement the Permittee indicated a desire for four crossings. The preference was for underpasses, with two cattleguards to keep cattle from moving onto the service road and rail as well as two gates. At-grade rail crossings would also be acceptable with earthen ramps not to exceed twenty-five percent. At-grade rail crossings would also require two in-rail cattleguards per crossing to prevent cattle from becoming trapped within the ROW fence. The Permittee would like to participate in the final location of the crossings. Due to the level of changes within the allotment and the alteration of the current grazing system, a new grazing management plan may need to be developed.

11.2.2.3 Existing Fence and Capital Improvements

The proposed alignment would cross the highway ROW fence on the east side of the allotment as well as the allotment boundary fence on the north end of the allotment. The Permittees on the Sunnyside allotment to the north have indicated a preference not to fence the rail.

The integrity of the highway ROW fence, and the boundary fence would have to be maintained. This requires two in-rail cattleguards, two road cattleguards and two gates.

11.2.2.4 Stockwaters and Associated Infrastructure

The proposed alignment will restrict movement of cattle to and from the primary well on the north side of the alignment, and alter grazing patterns.

To mitigate the issue, the Permittee requests a new well and trough to be installed on the south side of the proposed alignment (Map Reference 3).

11.2.2.5 Road and Trails

The proposed alignment would cross one key water haul road, as well as a dirt access road and a fence maintenance trail.

Each of the road crossings would need approaches with a maximum six percent grade, and the trail crossing would need approaches with a maximum twelve percent grade. Each road crossing would require cattleguards and gates on either side of the rail for a total of 4 each. The access trail would simply require a gate on either side of the tracks.

11.2.2.6 Vegetation and Forage

A permanent loss of forage will occur within the railway footprint as well as within the fenced ROW. Other concerns include the temporary loss of forage due to construction activities and railway operations. There is also the potential for long-term loss of desirable forage within disturbed areas due to difficulty of rehabilitation, establishment of noxious or invasive weeds, and fires resulting from railway operations. The areas within the White River Valley are extremely critical feed areas because of the white sage found in these areas.

Mitigation must include compensation for lost AUMs due to construction and/or operation of the railway. This includes deferred or suspend AUMs resulting from wildland fires caused by railway operations. Disturbed areas should be kept to a minimum, successfully revegetated to a predetermined condition, and managed for noxious weeds. It should be the responsibility of the rail operator to control noxious or invasive weed infestations for the life of the rail.

11.2.2.7 Loss of Livestock

The Permittees expressed concern over the potential loss of livestock due to train collision, even with a fenced ROW.

The Permittee should be reimbursed for any loss of livestock due to railway operations. It shall be the responsibility of the railway operator to maintain all ROW fencing and associated structures.

11.2.2.8 Other Impacts and Mitigations

None known.

Table 11.2: Timber Mountain Allotment Impacted Features

Impacted Features	Lincoln County Short Route
Base Property (land)	0
Base Property (water within 4 miles)	0
Base Property (water within 1 mile)	0
Base Property (pipeline crossings)	0
Existing Fencing (ea)	2
Capital Improvements	0
Stockwaters within 4 miles	2
Stockwaters within 1 mile	1
Creeks (ea)	0
Pipelines (ea)	0
Roads (ea)	2
Trails (ea)	1
ROW Acreage	787

Table 11.3: Timber Mountain Allotment Mitigation Summary

Proposed Mitigation Units	Lincoln County Short Route
Fence Construction (miles)	13
Fence Removal	0
Gates (ea)	16
Railroad Cattleguards (ea)	2
Road Cattleguards (ea)	14
Grazing Management Plan	1
Corral Relocation	0
Chute Relocation	0
Wells (ea)	1
Troughs (ea)	1
Springs (ea)	0
Creek Crossings (ea)	0
Unspecified Stockwaters (ea)	0
Pipeline Crossings (ea)	0
Pipeline Construction (miles)	0
Road Crossings (ea)	2
Trail Crossings (ea)	1
Sheep Crossings (ea)	0
Cattle Crossings (ea)	0
Underpasses (ea)	4

Figure 11.1: Timber Mountain Allotment

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11.1 Timber Mountain.pdf