



UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Tucson Field Office  
12661 East Broadway  
Tucson, AZ 85748  
(520) 258-7200



In Reply Refer To:

**FEB 25 2009**

4120 (AZG020)  
Allot. No. 5252

Lucky Hills Partnership  
c/o Ms. Mary Ann Black and Mr. George Jones  
7451 East Winchester Road  
Sierra Vista, Arizona 85635

Dear Ms. Black and Mr. Jones:

Your Bureau of Land Management (BLM) grazing lease on the Lucky Hills allotment (No. 5252) expires this year. As a component of your grazing lease, the BLM is required to assess the health of the public rangelands you lease to ensure they meet the Arizona Standards for Rangeland Health and that your livestock operation is in compliance with the Guidelines for Grazing Administration. We intend to complete this assessment and, if appropriate, issue you a new ten-year lease under this process prior to September 30, 2009.

This lease is issued under the authority of Section 150, Public Law 110-329, and contains the same mandatory terms and conditions as your expiring lease. This permit may be canceled, suspended, or modified to meet the requirements of applicable laws and regulations.

The enclosed grazing lease for the Lucks Hills allotment (No. 5252) is offered to you based on your recognized grazing preference on the public lands administered by the BLM. This lease is being renewed under authority of Section 150, DIVISION A, H.R. 2638, Consolidated Security Disaster Assistance, and Continuing Appropriations Act, 2009 (P.L. 110-329). The grazing regulations at 43 CFR 4130.2(d) will guide the determination of the appropriate terms of leases that are renewed under this authority.

Please sign both copies of the lease and return them to this office in the enclosed envelope. We will mail you a copy of the approved lease for your records. If you have any questions or need additional information, please contact Kristen Duarte, Range Specialist, in our Tucson office at (520) 258-7215. Thank you for your cooperation.

Sincerely,

(Orig. Sgd.) Brian Bellew  
Brian B. Bellew  
Field Manager

1 Enclosure

Encl. 1 - Grazing Lease (in duplicate)

Form 4130-2a  
(February 1999)

RECEIVED

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

STATE AZ  
OFFICE LLAZG02000  
AUTH NUMBER 0201435  
PREFERENCE CODE 15  
DATE PRINTED 02/25/2009  
TERM 03/01/2009 TO 02/28/2019

GRAZING LEASE

2009 MAR 10 A 12:06

BUREAU OF LAND MANAGEMENT

LUCKY HILLS PARTNERSHIP  
C/O MARY ANN BLACK & GEORGE JONES  
7451 E. WINCHESTER RD.  
SIERRA VISTA AZ 85635

BUREAU OF LAND MANAGEMENT  
TUCSON FO  
12661 E BROADWAY  
TUCSON AZ 85748-7208

THIS GRAZING LEASE 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 LEASE, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING LEASE AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 520-258-7200 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK		GRAZING PERIOD		% PL TYPE USE	AUMS
		NUMBER	KIND	BEGIN	END		
52520 LUCKY HILLS		90	CATTLE	03/01	02/28	100 ACTIVE	1080

OTHER TERMS AND CONDITIONS:

- THIS LEASE IS ISSUED SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
- GRAZING IN THIS ALLOTMENT SHALL STRICTLY ADHERE TO THE ARIZONA STANDARDS FOR RANGELAND HEALTH AND GUIDELINES FOR GRAZING ADMINISTRATION, THE SAFFORD UPLAND LIVESTOCK UTILIZATION AND DROUGHT POLICIES.  
TO PROTECT LESSER LONG-NOSED BAT:
  - PRIOR TO CONSTRUCTION OF RANGE IMPROVEMENT PROJECTS, PRECONSTRUCTION SURVEYS SHALL BE CONDUCTED FOR PANICULATE AGAVES THAT MAY BE DIRECTLY AFFECTED BY CONSTRUCTION ACTIVITIES, OR IN THE CASE OF NEW WATER SOURCES, MAY OCCUR WITHIN 0.5 MI OF THE PROPOSED WATER SOURCE. IF AGAVES ARE FOUND DURING PRE-CONSTRUCTION SURVEYS, THE FOLLOWING MEASURES SHALL BE IMPLEMENTED:
    - FENCES, PIPELINES, WATERS, AND OTHER RANGE IMPROVEMENT PROJECTS SHALL BE LOCATED TO REDUCE AS MUCH AS POSSIBLE INJURY AND MORTALITY OF AGAVES.
    - DISTURBANCE SHALL BE LIMITED TO THE SMALLEST AREA PRACTICABLE, AND PROJECTS SHALL BE LOCATED IN PREVIOUSLY-DISTURBED AREAS WHENEVER POSSIBLE.
    - VEHICLE USE SHALL BE LIMITED TO EXISTING ROUTES AND AREAS OF DISTURBANCE EXCEPT AS NECESSARY TO ACCESS OR DEFINE BOUNDARIES FOR NEW AREAS OF CONSTRUCTION OR OPERATION.
    - ALL WORKERS SHALL STRICTLY LIMIT THEIR ACTIVITIES AND VEHICLES TO DESIGNATED AREAS. CONSTRUCTION WORKERS SHALL BE INFORMED OF THESE TERMS AND CONDITIONS.
  - NO SEEDING/PLANTING OF NONNATIVE PLANTS SHALL OCCUR ON ANY PUBLIC LANDS IN THE ALLOTMENT.
  - ANY CHEMICAL AND MECHANICAL VEGETATION MANIPULATION, OR USE OF PRESCRIBED FIRE SHALL BE DESIGNED AND PLANNED TO MINIMIZE ADVERSE EFFECTS TO LESSER LONG-NOSED BAT FORAGE PLANTS. MEASURES SHALL BE DEVELOPED TO ENSURE THAT NO MORE THAN 20% OF AGAVES THAT ARE BURNED DURING PRESCRIBED FIRE ARE KILLED BY THE FIRE.
  - A MITIGATION PLAN SHALL BE DEVELOPED BY THE BLM IN COORDINATION WITH THE SERVICE FOR EACH PRESCRIBED FIRE OR CHEMICAL OR MECHANICAL

CASE FILE COPY

AUTH NUMBER: 0201435  
DATE PRINTED: 2/25/2009

VEGETATION MANAGEMENT PROJECT WITHIN 0.5 MILE OF A LESSER LONG-NOSED BAT ROOST OR IN AREAS THAT SUPPORT PANICULATE AGAVES. THE MITIGATION PLAN SHALL ENSURE THAT EFFECTS TO LESSER LONG-NOSED BAT ROOSTS AND FORAGE PLANTS ARE MINIMIZED AND SHALL INCLUDE MONITORING OF EFFECTS TO FORAGE PLANTS. THE PLAN SHALL BE APPROVED BY THE SERVICE.

TO PROTECT HUACHUCA WATER UMBEL:

6. LIVESTOCK GRAZING WILL BE MANAGED IN ACCORANCE WITH THE PROVISIONS OF THE LUCKY HILLS CRMP. THE PLAN IMPLEMENTS MANAGEMENT PRACTICES TO ESTABLISH LONG-TERM UPWARD TREND IN RANGE CONDITIONS IN THOSE AREAS WHERE CONDITION IS FAIR OR POOR, AND IMPLEMENT WATERSHED IMPROVEMENT PROJECTS THA WILL INCREASE INFILTRATION. OTHER ACTIONS MAY INCLUDE PLANNING AND DEVELOPING RANGE IMPROVEMENT AND VEGETATIN MANAGEMENT PROJECTS.

TO PROTECT JAGUAR:

7. JAGUARS WILL NOT BE SUBJECTED TO ANY PREDATOR CONTROL ACTIVITIES ON THIS ALLOTMENT.

THIS LEASE IS ISSUED UNDER THE AUTHORITY OF SECTION 150, PUBLIC LAW 110-329, AND CONTAINS THE SAME MANDATORY TERMS AND CONDITIONS AS YOUR EXPIRING LEASE. THIS PERMIT MAY BE CANCELED, TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

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ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDE AUMS</u>	<u>TEMP SUSPENDE AUMS</u>	<u>GRAZING PREFERENCE</u>
52520 LUCKY HILLS	1080	0	0	1,080

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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. 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.
11. 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 LEASE:

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 LESSEE:

*Mary Ann Black, Partner*

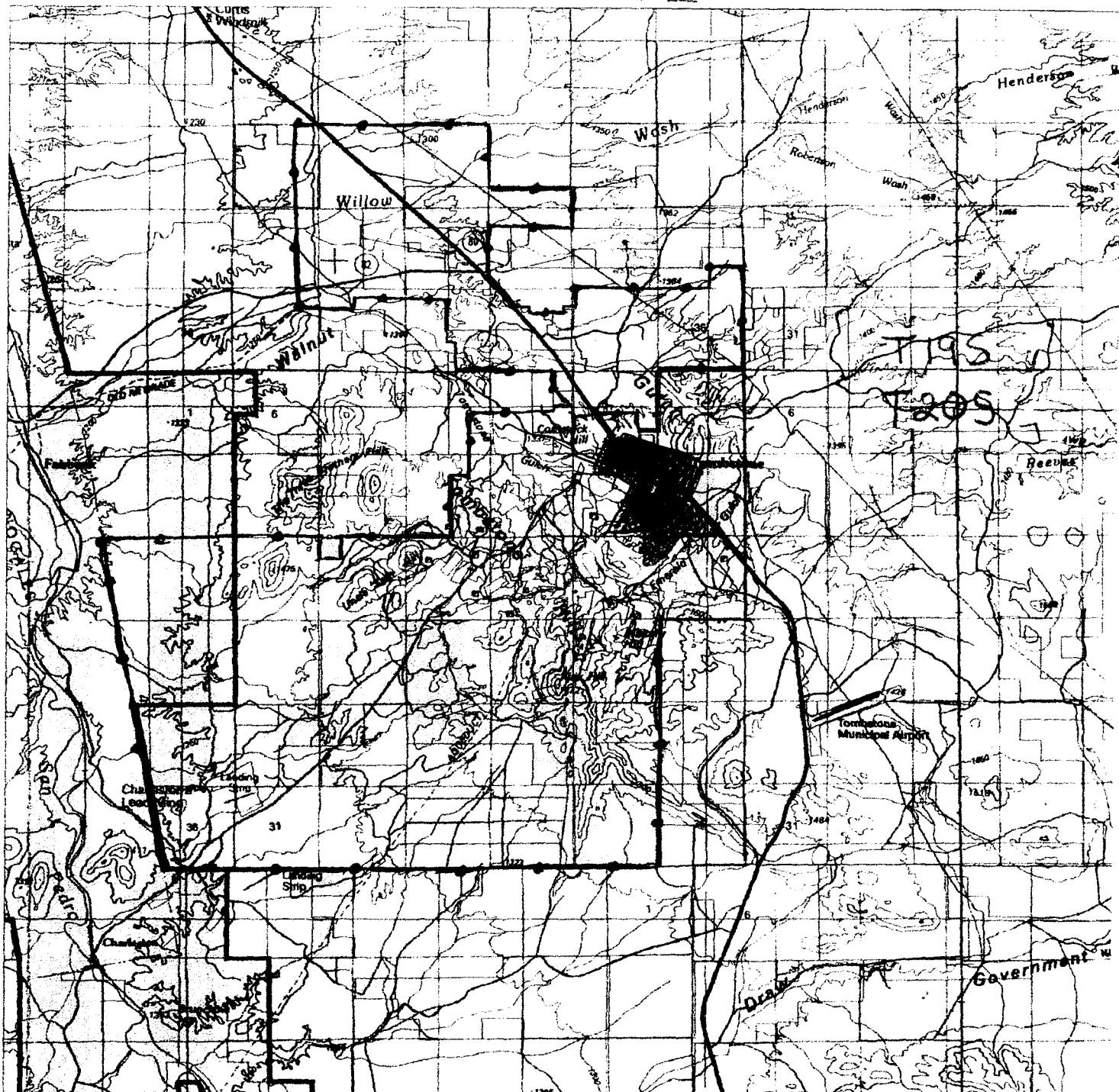
DATE: 3-2-09

APPROVED  
BLM AUTHORIZED OFFICER:

*[Signature]*

DATE: 3/17/09

R22E



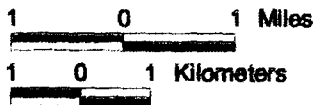
UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ARIZONA STATE OFFICE

Map printed on July 5, 2008  
Map produced by the BLM, Arizona State Office

LOCATION MAP



Scale 1:112,250



LAND STATUS LEGEND

- |  |              |  |                             |
|--|--------------|--|-----------------------------|
|  | Private      |  | BOR                         |
|  | State        |  | City, County, & State Park  |
|  | BLM          |  | State Wildlife Area         |
|  | USFS         |  | County Lands                |
|  | Indian Lands |  | BLM National Monuments      |
|  | Military     |  | National Conservation Areas |
|  | NPS          |  | Wilderness                  |
|  | FWS          |  |                             |

ALLOTMENT BOUNDARY