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United States Department of the Interior

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OFFICE OF HEARINGS AND APPEALS

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Knoxville, TN 37902

BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN
DISTRICT OFFICE

May 11, 1992

E. WAYNE HAGE, : Docket No. N6-90-1
Appellant :
 :
v. : Appeal from the Area Manager's
 : Notice of Final Decision Dated
 : September 22, 1989. Tonopah
BUREAU OF LAND MANAGEMENT, : Resource Area, Battle Mountain
Respondent : District, Nevada

* * * * *

E. WAYNE HAGE, : Docket No. N6-90-2
Appellant :
 :
v. : Appeal from the Area Manager's
 : Notice of Final Decision Dated
 : September 22, 1989. Tonopah
BUREAU OF LAND MANAGEMENT, : Resource Area, Battle Mountain
Respondent : District, Nevada

* * * * *

COLVIN & SON CATTLE COMPANY, : Docket No. N6-90-4
Appellant :
 :
v. : Appeal from the Area Manager's
 : Notice of Final Decision Dated
 : September 22, 1989. Tonopah
BUREAU OF LAND MANAGEMENT, : Resource Area, Battle Mountain
Respondent : District, Nevada

* * * * *

COLVIN & SON CATTLE COMPANY, : Docket No. N6-90-6
Appellant :
 :
v. : Appeal from the Area Manager's
 : Notice of Final Decision Dated
 : September 22, 1989. Tonopah
BUREAU OF LAND MANAGEMENT, : Resource Area, Battle Mountain
Respondent : District, Nevada

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E. WAYNE HAGE, COLVIN & SON
CATTLE COMPANY, and RUSSELL
RANCHES

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N6-90-1, N6-90-2, N6-90-4
N6-90-5, N6-90-6, N6-90-7
N6-90-8, N6-90-9

RUSSELL RANCHES,
Appellant

v.

BUREAU OF LAND MANAGEMENT,
Respondent

: Docket No. N6-90-5
:
: Appeal from the Area Manager's
: Notice of Final Decision Dated
: September 22, 1989. Tonopah
: Resource Area, Battle Mountain
: District, Nevada

* * * * *

RUSSELL RANCHES,
Appellant

v.

BUREAU OF LAND MANAGEMENT,
Respondent

: Docket No. N6-90-7
:
: Appeal from the Area Manager's
: Notice of Final Decision Dated
: September 22, 1989. Tonopah
: Resource Area, Battle Mountain
: District, Nevada

* * * * *

RUSSELL RANCHES,
Appellant

v.

BUREAU OF LAND MANAGEMENT,
Respondent

: Docket No. N6-90-8
:
: Appeal from the Area Manager's
: Notice of Final Decision Dated
: September 22, 1989. Tonopah
: Resource Area, Battle Mountain
: District, Nevada

* * * * *

RUSSELL RANCHES,
Appellant

v.

BUREAU OF LAND MANAGEMENT,
Respondent

: Docket No. N6-90-9
:
: Appeal from the Area Manager's
: Notice of Final Decision Dated
: September 22, 1989. Tonopah
: Resource Area, Battle Mountain
: District, Nevada

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E. WAYNE HAGE, COLVIN & SON
CATTLE COMPANY, and RUSSELL
RANCHES

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N6-90-1, N6-90-2, N6-90-4
N6-90-5, N6-90-6, N6-90-7
N6-90-8, N6-90-9

CONSENT DECISION

The parties in the above-styled cases have stipulated to the settlement of these consolidated actions. A copy of the stipulations is attached hereto and is incorporated by reference into this consent decision. The stipulated settlement is hereby ordered approved. This decision and the attached stipulations constitute the final order of the Secretary in these cases. All issues between the parties in the immediate litigation are hereby disposed of. Accordingly, the parties are hereby ordered to immediately comply with the stipulations, and the above docketed Appeals are dismissed with prejudice.



David Torbett
Administrative Law Judge

Distribution:

W. Alan Schroeder, Esq., P.O. Box 267, Boise, ID 83701 (Certified Mail -
Return Receipt Requested)

William F. Schroeder, Esq., P.O. Box 220, Vale, Oregon 97918 (Certified Mail -
Receipt Requested)

Thomas Van Horne, Esq., 708 10th Street, # 250, Sacramento, CA 95814
(Certified Mail - Return Receipt Requested)

Burton J. Stanley, Esq., Office of the Regional Solicitor, U. S. Department of
the Interior, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890
(Certified Mail - Return Receipt Requested)

John R. Rampton, District Chief, Administrative Law Judge, United States
Department of the Interior, Office of Hearings and Appeals, Salt Lake City, UT
84134

Western Range Service, P.O. Box 1328, Elko, NV 89801

District Manager, Battle Mountain District Office, P.O. Box 1420, Battle
Mountain, NV 89820

Theodore Angle, United States Department of the Interior, Bureau of Land
Management, Tonopah Resource Area, Building 102, P.O. Box 911, Tonopah, NV
89049

Daniel Rathbun, Deputy, United States Department of the Interior, Bureau of
Land Management, P.O. Box 12000, Nevada State Director, Reno, NV 89520-0006

E. WAYNE HAGE, COLVIN & SON
CATTLE COMPANY, and RUSSELL
RANCHES

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N6-90-1, N6-90-2, N6-90-4
N6-90-5, N6-90-6, N6-90-7
N6-90-8, N6-90-9

Appeal Information

This decision may be appealed in accordance with the applicable provisions in 43 C.F.R. Subtitle A, Part 4, Subpart L, Section 4.1100 through 4.1394, Special Rules Applicable to Surface Coal Mining Hearings and Appeals.

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JOHN W. BURKE, III
Regional Solicitor
Pacific Southwest Region
BURTON J. STANLEY
Attorney
Office of the Regional Solicitor
U.S. Department of the Interior
2800 Cottage Way, Rm. E-2753
Sacramento, CA 95825
Telephone: (916) 978-4833

DUPLICATE ORIGINAL

Attorney for Respondent.

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
HEARINGS DIVISION

E. WAYNE HAGE, COLVIN & SON)	N6-90-1, N6-90-2,
CATTLE CO., and RUSSELL RANCHES,)	N6-90-4, N6-90-5,
)	N6-90-6, N6-90-7,
Appellants,)	N6-90-8, N6-90-9
)	
v.)	
)	
BUREAU OF LAND MANAGEMENT,)	
)	
Respondent.)	

COMES NOW Appellants E. Wayne Hage, Colvin & Son Cattle Co. and Russell Ranches, represented by William F. Schroeder, Attorney at Law, and the United States Department of the Interior, Bureau of Land Management, Respondent, represented by Burton J. Stanley, and hereby stipulate as follows:

1. Each of the decisions appealed from herein are withdrawn and the appeals therefrom are dismissed.
2. The resolution of this dispute does not suspend or alter any federal law or regulation nor does it intend to do so.

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Stone Cabin	1481
Hot Creek	1107
Sand Springs	1470
Crater Black Rock	544
Morey	232

5. Management practices which improve grazing distribution will be approved by the Respondent within six months of the application. The applicant will provide appropriate environmental documentation, and will sustain the cost of construction and maintenance of the improvement applied for. Upon the implementation of the management practice, the diminished use will be restored.

6. The existing stewardship agreements are not impaired; allotment management plans will be created with respect to all allotments which do not have stewardship agreements.

Theodore J. Angle
 THEODORE ANGLE
 Area Manager
 Tonopah Resource Area

 E. WAYNE HAGE

Daniel O. B. Rathbun
 DANIEL RATHBUN
 Deputy State Director

 TOM COLVIN for
 Colvin & Son Cattle Co.

Burton J. Stanley
 BURTON J. STANLEY
 Attorney for Respondent

 RUSSELL RANCHES by
 Thomas Van Horne

 WILLIAM F. SCHROEDER
 Attorney for Appellants

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THEODORE ANGLE
Area Manager
Tonopah Resource Area

DANIEL RATHBUN
Deputy State Director

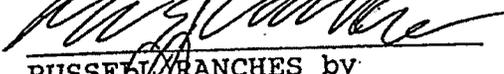
BURTON J. STANLEY
Attorney for Respondent



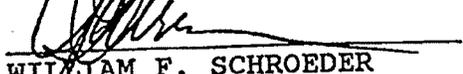
E. WAYNE HAGE



TOM COLVIN for
Colvin & Son Cattle Co.



RUSSELL RANCHES by
Thomas Van Horne



WILLIAM F. SCHROEDER
Attorney for Appellants

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