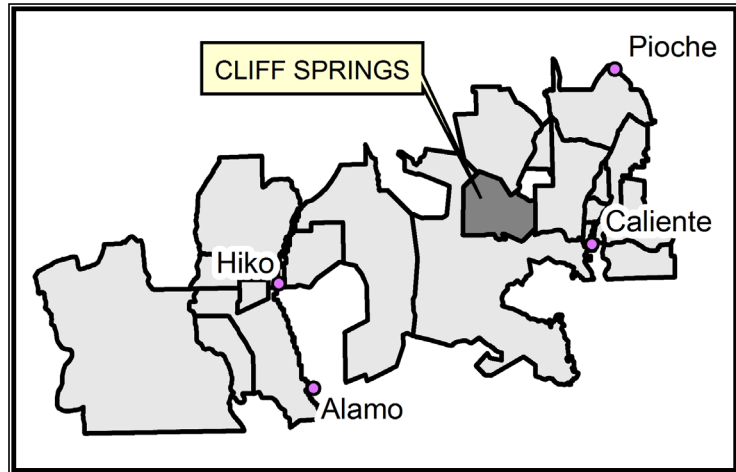


## 21.0 CLIFF SPRINGS ALLOTMENT

**Permittee:** Delamar Valley Cattle  
**Contact:** Merlin Flake  
**City/State:** Ely, Nevada

**Base Property:** Water



### 21.1 ALLOTMENT DESCRIPTION

The Cliff Springs Allotment is located on the east side of Dry Lake Valley and along the Burnt Springs Range north of US Highway 93, approximately 8 miles east of Caliente.

**Table 21.1: Cliff Springs Allotment Details**

ALLOTMENT ACRES		GRAZING PERMIT					
Public	Private	Number/Type of Livestock		Season of Use	AUMs		
					Total	Active	Suspended
37,019	0	Delamar Valley Cattle	171 Cattle	03/01 – 02/28	3,243	2,043	1,200

#### 21.1.1 Grazing System

Fall-calving, and dry cows are run on this allotment year-round. A rotational system is employed on this allotment in conjunction with concurrent use on the adjacent Oak Springs Allotment. The allotment is divided into an upper and lower pasture by a series of drift fence and cattle impassible terrain. The upper pasture includes that portion of the allotment within the Burnt Springs Range, while the lower pasture includes that portion of the allotment within Dry Lake Valley. The upper pasture is typically used in the summer months, May – August, while the lower pasture is typically used for the balance of the year.

#### 21.1.2 Stockwaters and Water Rights

The base property classification is 100 percent “Water” under authority of the Taylor Grazing Act. The grazing privileges in this allotment are thus attached to the various privately owned water rights within the allotment. The base property classification adds a level of value and importance to the waters and water rights beyond the level of private property rights under State Law. The consequences of adversely affecting the stockwaters is greater than if Delamar Valley Livestock (DVL) had only a water right on them. Stockwater is distributed throughout the allotment by a system of improved springs, networked pipelines and troughs. The stockwaters are all vested, certified or permitted under Nevada State Water Law, and they are considered private property rights. Additionally, the water rights within the Cliff Springs Allotment are commingled with those in the Oak Springs Allotment to the south. That is to say both the Cliff and Oak Springs Allotments constitute the same point of use.

### **21.1.3 Existing Fencing**

The majority of the boundary of the allotment is fenced, with the exception of those areas which are impassible by cattle. The only interior fencing within this pasture consists of drift fences located in the draws along the west slope of the Burnt Springs Range that separate the upper and lower pastures.

## **21.2 PROPOSED RAILROAD ALIGNMENT – LINCOLN COUNTY SHORT ROUTE**

The Lincoln County Short Route would run across the length of the allotment from north to south. The proposed alignment would follow an existing power line service road at the western toe of the Burnt Springs Range on the eastern edge of Dry Lake Valley.

Rail Length Within Allotment: 7.63 miles  
1,000' Construction Right-of-Way Area: 925 acres

### **21.2.1 Fencing Preference for Proposed Rail Alignment**

The Permittee indicated no fencing preference for the rail. The default analysis in this case is to analyze the impacts and mitigations assuming no fencing along the rail.

### **21.2.2 Impacts and Mitigation**

#### **21.2.2.1 Base Property**

As stated in Section 21.1.2, the base property for this allotment is water. The water sources that constitute the base property are within 4 miles of the track, and the water distribution pipelines from these sources, and the stockwaters they serve, are directly affected by the alignment.

See Section 21.2.2.4 for proposed mitigation.

#### **21.2.2.2 Grazing System**

The proposed alignment would be wholly within the lower pasture of the allotment. The rail will alter cattle movement within the lower pasture.

The free movement of cattle is important to maintain desired utilization within the lower pasture. A series of at least three cattle crossings is requested in addition to the trail and road crossings discussed in subsequent Sections. Underpasses are the preferred crossing, but the Permittee was amenable to at-grade crossings if fills weren't sufficient to allow for underpasses.

#### **21.2.2.3 Existing Fence and Capital Improvements**

The proposed alignment would cross a fence upon entering and exiting the allotment.

Each of the two fence crossings will require an in-rail cattleguards as well as a roadway cattleguard and a gate for the service road (impacts and mitigations for the northern allotment fence have already been tallied in the Ely Springs Cattle Allotment analysis).

#### **21.2.2.4 Stockwaters and Associated Infrastructure**

The proposed alignment would cross a pipeline, which conveys water from three springs in the Burnt Springs Range to stockwater troughs in Dry Lake Valley. Delamar Valley Livestock

(DVL) continues to improve and provide new water sources throughout the allotment. In addition, nine stockwaters are located within four miles of the proposed alignment. Of those, at least two are located within a mile of the track, all of which would be on the east side of the proposed alignment.

The pipeline crossing would need to be protected to provide continuous flows throughout construction and operation of the rail. Delamar Valley Livestock needs to be able to access the pipeline on either side of the rail, and feel that it is the rail operator's responsibility to maintain the pipeline within the right-of-way (ROW). A system needs to be worked out to allow for future pipeline crossings in the event that DVL needs to cross the rail for a new water development. All stockwaters within one mile of the track would need to be relocated to a minimum of one mile from the track in an effort to minimize cattle congregating on or near the tracks. Two new stockwaters would need to be provided on the east side of the track in order to allow for proper use and distribution within the lower pasture (Map Reference 1).

#### 21.2.2.5 Road and Trails

The proposed alignment would run along the existing power line road running north-south. The alignment would also cross two roads as it passes through the allotment. All three roads are critical for access and cattle hauling.

Access would need to be maintained along the existing power line road. In addition, each of the two road crossings would need to be maintained with earthen approaches not to exceed six percent.

#### 21.2.2.6 Vegetation and Forage

Inside the 1,834 acres of ROW, there will be a permanent displacement of forage from the railroad pad, service road, road crossings, and cattle crossings. There will also be a loss of forage caused by construction activities, which may be temporary if the area can be, and is, rehabilitated and reseeded. Outside the ROW, there will be forage depletion from road construction, staging areas, material borrow areas, worker camps, and other construction related activities that will be partially permanent, and partially temporary to the extent the areas can be, and are, rehabilitated and reseeded. The loss of forage could result in a BLM Grazing Permit reduction. The Permittee indicated concern over the potential loss of white sage, a critical forage, along the alignment. The Permittee also raised concerns over noxious weeds in disturbed areas, specifically Halogeton and Russian thistle.

The exact amount of forage loss cannot be determined until construction is completed. Minimum mitigation entails keeping disturbance to the least amount possible during construction. The Permittee feels that the critical loss of white sage could be dramatically reduced if the rail was to be located to the east of the power line road. The Permittee indicated a need for all disturbed areas to be reseeded, and any weed outbreaks to be sprayed and managed by the rail operator.

#### 21.2.2.7 Loss of Livestock

The Permittee felt that a rail line would result in the loss of cattle due to collision.

The Permittee should be reimbursed for any loss of livestock due to railway operations.

## 21.2.2.8 Other Impacts and Mitigations

None known.

**Table 21.2: Cliff Springs Allotment Impacted Features**

Impacted Features	Lincoln County Short Route
Base Property (land)	0
Base Property (water within 4 miles)	9
Base Property (water within 1 mile)	2
Base Property (pipeline crossings)	1
Existing Fencing (ea)	1
Capital Improvements	0
Stockwaters within 4 miles	9
Stockwaters within 1 mile	2
Creeks (ea)	0
Pipelines (ea)	1
Roads (ea)	2
Trails (ea)	0
ROW Acreage	925

**Table 21.3: Cliff Springs Allotment Mitigation Summary**

Proposed Mitigation Units	Lincoln County Short Route
Fence Construction (miles)	0
Fence Removal	0
Gates (ea)	1
Railroad Cattleguards (ea)	1
Road Cattleguards (ea)	1
Grazing Management Plan	1
Corral Relocation	0
Chute Relocation	0
Wells (ea)	0
Troughs (ea)	4
Springs (ea)	0
Creek Crossings (ea)	0
Unspecified Stockwaters (ea)	0
Pipeline Crossings (ea)	1
Pipeline Construction (miles)	5
Road Crossings (ea)	2
Trail Crossings (ea)	0
Sheep Crossings (ea)	0
Cattle Crossings (ea)	0
Underpasses (ea)	3

**Figure 21.1: Cliff Springs Allotment**

INSERT 11X17 FIGURE  
21.1 Cliff Springs.pdf