

## **SECTION D: GRAZING**

### **CARSON LAKE PASTURE, WILDLIFE/HUNTING HABITAT**

The District will make every effort possible to preserve the marsh at Carson Lake Pasture for wildlife and waterfowl purposes which is subordinate to the primary Newlands Project purpose of the Carson lake Pasture for grazing Project livestock.

An Advisory Board has been established to make recommendations for management and improvements to the District's board of Directors who will have final determination in all matters. The Advisory Board shall consist of two members of the Greenhead Hunting Club, Inc., two members of the TCID Board, two pasture users and a representative from the Nevada Department of Wildlife.

Greenhead Hunting Club, Inc. is to be allowed to use the clubhouse and Poacherville in exchange for management of the gate during hunting season. The Greenhead Hunting Club, Inc. will accept financial responsibility for all hunting permits leaving the District's office.

The marsh area will be self-supporting; any monies used from any other funds are to be repaid.

### **CARSON LAKE PASTURE GRAZING AREA**

#### **RULES AND REGULATIONS**

Use of the Carson Lake Pasture, by any business entity or person, is subject to the conditions set forth herein; and, any/all such use(s) is/are deemed a privilege. Nothing stated in this policy shall be construed to give rise to an interest or right in property which may be protected at law or in equity. Nor shall this policy be construed so as to create a preference in use by a resident lessee water user over any resident water user – notwithstanding the total time any such resident lessee user may have accumulated by virtue of grazing privileges previously granted the same as to the Carson Lake Pasture. Under no circumstances may a resident lessee water user be accorded the status of "Old User" as that term is defined and used herein-after.

All Carson Lake Pasture grazing area applications, both Old and New users, must be filed with and received by the District annually **on or before February 15<sup>th</sup>**. Fees for vaccine, insect control and for two (2) months grazing must accompany the application for both Old and New users.

The animal unit monthly rate for fees and insect control will be established at the Truckee-Carson Irrigation District Board of Director's regular meeting in February of each year.

The following livestock shall be included in the overall application and permit: cows, heifers, steers and bulls.

Permits will be limited to the following:

1. Two head of paying livestock per each water-right acre owned as recorded on Truckee-Carson Irrigation District records. Owner water users shall be given first priority in pasture.
2. One head of adult paying stock per water-right acre leased upon written proof of the lease for Truckee-Carson Irrigation District's records. Resident lessee water users shall be given second priority in the pasture. All proof of ownership of lease of water-right lands shall be the responsibility of the applicant and not the Truckee-Carson Irrigation District. No user shall be allowed over four-hundred (400) head of paying stock except at the discretion of the Board of Directors.

The District's Board of Directors will review the applications at the regularly scheduled Board meeting in March. At that time, the Board will establish the number of cattle that the Carson Lake Pasture will be able to serve. The Board will also establish the number of cows, heifers, steers and bulls that will be accepted into the grazing area based upon the applications submitted and the condition of the grazing area. If insufficient applications are received and approved by the Board of Directors from Old Users to fill the pasture area to capacity, the balance of capacity shall be filled from New Users in the priority of New User depending upon availability in that particular category of stock. Permits will be awarded using the following definitions:

1. "Old User" – those who have used the grazing area for the past three years; and
2. "New User" – new user qualified as an "Old User" when he has been in the pasture for three (3) consecutive years. In case the "New user" is held out of the pasture for one or more years by Board action due to a shortage of water/feed, he will not lose his years of use already accumulated toward qualifying as an "Old User". "New Users" are given priority amongst themselves based on the number of years they have been permitted in the pasture if not qualified as an "Old User" and then by the date "New User continuously submitted applications.
3. Pasture users who own ground gave a priority over those users that lease water righted lands. Priority is also determined by the waiting list created in year 2013.
4. No lessee can ever obtain the status of "Old User".

As circumstances may direct, applicants will present their applications at the same time as everyone else to be approved for possible use should space become available. The waiting list will be made on the first year from a selection by drawing from a lottery of applicants. When space becomes available, the first name will be offered the space. If the space is declined, that name is removed from the list and will have to reapply. The next name on the list will be offered the space. New applicants will be placed at the end of the waiting list.

Pasture areas will open in the spring not prior to April 1<sup>st</sup>. Proposed opening date will be set at the regular Board meeting in March of each year and the Pasture manager will have

discretion to open as close to that date as feed allows. Permitted stock shall be entered in the grazing area by June 1<sup>st</sup> and each permittee shall be charged for permitted stock for a minimum of one hundred twenty (120) days, if application is approved by the Board. Written notice will be sent to applicants of the action taken by the Board of Directors at the regular March Board meeting.

The permittee who must remove stock from the pasture because it is sick may:

1. Replace the sick animal; or
2. Re-enter the sick animal when it is well. However, the animal in question must be identified by the Pasture Manager as being "sick" before it is released to allow the permittee the above option.

**All Female Cattle**, including heifer calves over the age of twelve (12) months, prior to entry into a Truckee-Carson Irrigation District controlled grazing area must have been vaccinated for brucellosis. At the annual insecticide tagging, visual verification will be made upon entry of every animal for a visible bangs metal brucellosis tag. If no tag is in place, a tattoo will be read. If the tattoo is not legible, the animal will be removed. Results of tests are to be provided to the District Pasture Manager before stock is entered in the pasture area. Owner of such stock must also certify that the stock represented by the testing record is the same as that which is now being entered and that this stock was at no time allowed to commingle with any other stock following testing.

All bulls shall be tested for trichinosis within thirty (30) days **prior** to entry and receive a veterinarian certification showing the bulls are free of trichomonas prior to entering the pasture. The testing veterinarian will tag the bull's ear at the time of the test with a number that corresponds with the paperwork. The certification and tag on the bull must match and will be presented to the Pasture Manager at entry. All bulls must also be tested and receive veterinarian certification relating to trichinosis within forty-five (45) days of leaving the pasture.

All paying cattle will enter the pasture on an Animal Unit Month (AUM) basis. The definition of AUM is as follows: Cows with nursing calve, steer, heifer or bull. Cattle entering the pasture must be branded with permittee's brand as registered under applicants or trustee's name in the Nevada State Brand Book. Ownership of brand must match the permittee's water right ownership which allows them to use the pasture. Final determination of all AUM's will be made by the Pasture Manager. A receipt will be provided to the permittee upon entry and exit for recording purposes.

Pasture Manager and cattle pasture user will administer vaccine and oversee application of insecticide ear tags.

No branding or marking of cattle will be allowed after stock has been put in the pasture area, unless approved by and under the direction of the Pasture Manager. All paying cattle must be counted in and out by District personnel and Pasture Manager. Pasture manager will be available seven (7) days each week to receive or release stock; no

stock will be received or released on Saturdays or Sundays. Before riding in any of the pasture areas to check cattle, user must notify pasture personnel.

In the event that there is insufficient feed in the area, "New Users" shall first be reduced proportionately. Should there still be insufficient feed to accommodate the "Old Users", then they will be cut proportionately.

If a permittee does not fill his permit for any year, and does not pay the one hundred twenty (120) days, the following year his permit will be reduced to that number of head actually entered in that prior year. If permittee does not enter sufficient stock to fill his permit, he may retain the permit by paying grazing vaccination charges and insect control charges for a one hundred twenty (120) day period on the entire permit, to be paid by November 15<sup>th</sup> of the current year. This privilege of retaining the permit by the paying of fees for the one hundred twenty (120) day period shall pertain to one year only and must be followed by a season of actual use before the retention privileges can again be applied. The requirements outlined in this paragraph for retaining the permit do not apply to those years when there is insufficient feed and users are unable to put out their full allotment of stock.

After being contacted by the Pasture Manager, the user's bull shall be entered at a time not prior to May 1<sup>st</sup>. Failure to do so will result in a \$250.00 per bull penalty and loss of pasture privilege for user's remaining cattle. Loss of pasture privilege will be reinstated only upon authority of the Board of Directors. Bulls must be acceptable to the Pasture Manager and full discretion as to which bulls are acceptable. If the user disagrees with the Pasture Manager's decision, the Grazing Association will be contacted to make the final decision. Full discretion as to bull scheduling will be given to the Pasture Manager.

Pasture Manager will account for the presence of all livestock found in or upon the Pasture and thereafter provide timely monthly reports as to the same as is or may be required by the District, reclamation or the Nevada Division of Wildlife (NDOW) as relating to the management of federal or state resources. Such reports shall include, without limitation, the total number of cattle entering the Pasture, cattle leaving the Pasture, the number of cattle decreased while within the Pasture, and the amount of assistance, if any, provided by other persons, including cattle owners.

Bulls shall be removed within fifteen (15) days following notification by Pasture Manager. The one hundred twenty (120) day requirement shall not apply to bulls. Bulls will be charged for only the number of days actually in the pasture, but in no case will it be less than sixty (60) days.

Pasture users will be notified immediately of any identifiable loss that is discovered by pasture personnel. Every effort shall be made by the Pasture Manager to identify all livestock. Any unidentified stock shall be sold through proper channels.

Any pasture user not assisting in gathering and working of stock as required by the Pasture Manager is to be fined \$1.00 per head of stock owned by that user in the

pasture. Help required in gathering and working stock will be one man per seventy-five (75) head or portion thereof to a maximum of three men.

Bills must be paid at the Truckee-Carson Irrigation District offices at 2666 Harrigan Road, Fallon, Nevada, 89406. The Truckee-Carson Irrigation District's portion of the bill will be due within thirty (30) days of receipt of the bill or the permittee's right to use the pasture will be revoked.

Pasture areas shall be closed on November 15<sup>th</sup> and all stock must be removed by this date. Any livestock not so removed shall be gathered and sold. Specific days for removal of stock from the pasture areas may be set by the Pasture Manager and users not notified.

When a permittee sells the property, which supports his permit by virtue of water-right acreage requirements, the permit is terminated at the end of the grazing season then in effect. If title to the property changes as a result of an estate proceeding, the permit will be transferred to the heir(s), the intent being to maintain continuity of the farming operation. However, any further disposition of the property to the extent that it affects the status of the grazing permit must come before the Board of Directors for individual review.

All users acknowledge the services being provided by TCID for the management of operations at the Carson Lake and Pasture are being offered without profit to TCID. As such, all permittees waive any cause of action that may be brought against TCID, its board of directors, officers, employees, contractors and agents, including any damages, losses, and expenses, for such services offered in connection, in any way, with the application of these policies and the management of Carson Lake and Pasture. This waiver applies to the permittee, its heirs and assigns.

**Failure to comply with any of the rules shall be reason for cancellation of permit.**

I, \_\_\_\_\_, AGREE TO BE GOVERNED BY THE ABOVE RULES AND REGULATIONS.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date