



United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
NEVADA STATE OFFICE  
Room 3008 Federal Building  
300 Booth Street  
Reno, Nevada 89509

SR-38  
Unit #3 - Survey  
IN REPLY REFER TO  
E.A. 7667

N-17776  
2800  
(N-943.2)

January 6, 1978

DECISION

EASEMENT GRANTED

Details of Grant

Serial number of grant:	N-17776
Name and address of grantee:	State of Nevada Department of Highways Carson City, NV 89712
Map showing location and dimensions of grant:	
Map designation:	For Federal Aid Project No. R. S. 673 (11)
Date filed:	September 30, 1977
Permitted use by grantee:	Secondary System Highway
Width and/or dimensions:	Varying Widths
Authority for grant:	P.L. 94-579 (October 21, 1976), Title V, 90 Stat. 2743
Regulations applicable to grant:	
Code reference:	43 CFR 2800 and 2820
Date of grant:	January 6, 1978
Expiration of grant:	None
Rent:	None



Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964 (29 F.R. 10526), a right-of-way, the details of which are shown above, is hereby granted, subject to the following terms and conditions:

1. All valid rights existing on the date of the grant.
2. All applicable regulations cited, including but not limited to 43 CFR 2801.1-5(m) which states: "That the right-of-way herein granted shall be subject to the express covenant that it will be modified, adapted, or discontinued if found by the Secretary to be necessary, without liability or expense to the United States, so as not to conflict with the use and occupancy of the land for any authorized works which may be hereafter constructed thereon under the authority of the United States," and those rules to be promulgated under Sec. 310 of the Act of October 21, 1976.
3. Filing of proof of construction within ten years of the date of grant.
4. Compliance with Title VI of the Civil Rights Act of 1964 as contained in Appendix A, attached hereto.
5. The Ely District has requested the attached special stipulations be made a part of your grant.
6. When antiquities including, but not limited to, archaeological items, paleontological objects, or other objects of historic or scientific interest are discovered while using the property, the permittee shall leave the items or conditions intact, will immediately cease operations, and inform the District Manager, Bureau of Land Management, Ely District.
7. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of this right-of-way must be conducted within the limits thereof.
8. The Secretary of the Interior reserves the right to grant additional rights-of-way or permits for compatible uses on, over, under, or adjacent to the land involved in this grant.

Pursuant to 43 CFR 2801.1-5, the District Manager, Ely, Nevada, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to the beginning of construction.

*William K. Stowers*  
Roger A. Jarrell, Chief <sup>Acting</sup>  
Lands & Minerals Operations

Enclosure:  
Appendix A  
Stipulations

61157

No. \_\_\_\_\_  
FILED AND RECORDED AT REQUEST OF  
NEV. STATE HIGHWAY DEPT.  
JAN 13 1978  
AT 1 MINUTES PAST 1 O'CLOCK  
P.M IN BOOK 23 OF OFFICIAL  
RECORDS, PAGE 611 LINCOLN  
COUNTY, NEVADA.

*[Signature]*  
COUNTY RECORDER

Appendix A

- (1) The grantee covenants and agrees that it will comply with provisions of Title VI of the Civil Rights Act of 1964, and that it will not, for the period during which the land is used for secondary system highway purposes, or for another purpose involving the provision of similar services, or benefits, engage in any discriminatory actions prohibited by 43 CFR 17.3, to the end that no person in the United States shall, on grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the program for which the grantee received Federal financial assistance by this grant. This assurance shall obligate the grantee or in the case of transfer of the right-of-way granted herein, any transferee, for the period of this grant.
- (2) The grantee further agrees that it will not transfer the right-of-way unless and until the transferee gives similar written assurance to the authorized officer, Bureau of Land Management, that it will comply with provisions of paragraph (1) hereof.
- (3) The grantee agrees that the right is reserved to the Department of the Interior to declare the terms of this grant terminated in whole or in part in the event of a breach of the nondiscrimination provisions contained in paragraph (1) hereof during the term of this grant.
- (4) The grantee agrees that as long as the right-of-way is in effect, the obligation to comply with the provisions of Title VI of the Civil Rights Act of 1964 shall constitute a covenant running with the grant.
- (5) The grantee agrees that in the event of a violation or failure to comply with the requirements imposed by paragraph (1), the United States may seek judicial enforcement of such requirements.
- (6) The grantee agrees, upon request of the Secretary of the Interior or his delegate, that it will post and maintain on the right-of-way signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility granted.

The following stipulations apply to one or more of the applications filed by the State of Nevada Department of highways as indicated below:

- (1) Minimize vegetation disturbance by clearing only the land needed for use and development purposes (all applications).
- (2) Excavation of mineral material from all the subject Material Sites and Free Use material areas be confined to a distance of not less than 1000 feet from the proposed highway rights-of-ways (N-15858 Unit 6, N-12855 Unit 7, and Unit 5). Waived for N-13244 and FUP 46007M.
- (3) The highway rights-of-ways should be fenced with a three-strand barbed wire, with bottom wire a minimum of 16 inches off ground and the top wire a maximum of 38 inches above the ground (Applications N-12855, N-15858, and Unit 5 only).
- (4) All garbage, debris, and foreign matter shall be removed to an established dump ground (All applications).
- (5) Where possible back slopes shall be designed not to exceed grades of three to one. Slopes that do exceed these grades will be serrated or terraced (All applications).
- (6) Standard Stipulations a, b, and c on Appendix B or NSO Form 2800-13, and Mining Plans submitted for applications for removal of road building material will be adhered to (All applications-FUP's and Material Site ROW's).
- (7) The "H" alignment as surveyed by the Nevada Department of Highways will be followed for construction of Unit 5 of SR 38 through the White River Narrows area, and the south end of Unit 6 (N-15858).

(8) Free Use Permit 47005M: Use of mineral material (riprap) from this area is to be confined to the easternmost larger pile of rocks within the site as identified on photographs of the site furnished by BLM.

(9) Free Use Permit 47007M: Use of the area within this site for excavation of mineral material is to be restricted to that area outlined in green on the Sketch Map dated October 1976, PIT: LN16-4, for Free Use Permit 47007M, and attached to the permit. The area outlined in red is not to be used or disturbed.

(10) Free Use Permit 47009M: All highway construction activity involved in removal of riprap from Free Use Permit (FUP) 47009M will be confined to the south side of the drainage bottom and a minimum of 30 feet from the 1-inch to 2-inch plastic or metal water pipeline crossing this site from White Rock Springs to the two water tanks east of this FUP site. It will be the Highway Department's responsibility to contact the livestock operator or the range user and insure that the contractor constructing the highway and using this site immediately repairs said pipeline should it be damaged in any way by him or his employees.

(11) Metal pipes with 4-inch inside diameters will be placed under the roadbed at Highway stations "A"2185+00 and "A"1602+00 as shown on sheet 14 of 18 sheets of State of Nevada Department of Highways Right-of-Way Plans dated March 1976 (Unit 7), and sheet 7 of 14 sheets of State Highway R/W Plans dated December 1976 (Unit 6), respectively. Details are negotiable.

(12) Any water works or drainage structures developed by the Nevada Highway Department on public lands for highway construction may be appropriated by the BLM, U.S.D.I. for livestock, wildlife, or other public purposes after construction, if jointly agreed upon by both said parties.

(13) The following material areas will be sloped to catch and impound runoff water to reduce soil erosion and permit percolation into the ground water reservoir. Slopes must still be maintained at not less than three to one.

- a. 47007M (LN 16-4) FUP
- b. N-13244 (LN 15-17) ROW
- c. N-14146 (LN 16-2) ROW

(14) The Nevada State Highway Department and the Bureau of Land Management will coordinate the location of needed cattleguards, gates, and fencing needed in the White River Narrows area (Unit 5) prior to development of detailed right-of-way plans by the Highway Department.

(15) To alleviate the loss of some of the livestock forage enclosed within the 400-foot wide highway rights-of-ways N-12855 and N-15858, and Unit 5 SR 38, the Nevada State Highway Department will fence the highway right-of-way 100 feet from and parallel to the right-of-way centerline either on one side or both sides of centerline of roadway between State of Nevada Department of Highway's Engineer stations as follows:

- (a) Station 2275 to 2230 (west side)
- (b) Station 2230 to 2180 (both sides)
- (c) Station 2180 to 2080 (east side)
- (d) Station 2054 to 2006 (east side)
- (e) Station 2006 to 1979 (both sides)
- (f) Station 1960 to 1921 (east side)
- (g) Station 1921 to 1880 (both sides)
- (h) Station 1880 to 1845 (east side)
- (i) Station 1825 to 1760 (east side)
- (j) Station 1747 to 1725 (both sides)
- (k) Station 1708 to 1595 (east side)
- (l) Station 1595 to 1540 (both sides)
- (m) Station 1540 to 1502 (west side)
- (n) Station 1290 to 1260 (both sides)
- (o) Station 1175 to 1160 (both sides)

Additional fencing deviations are negotiable.



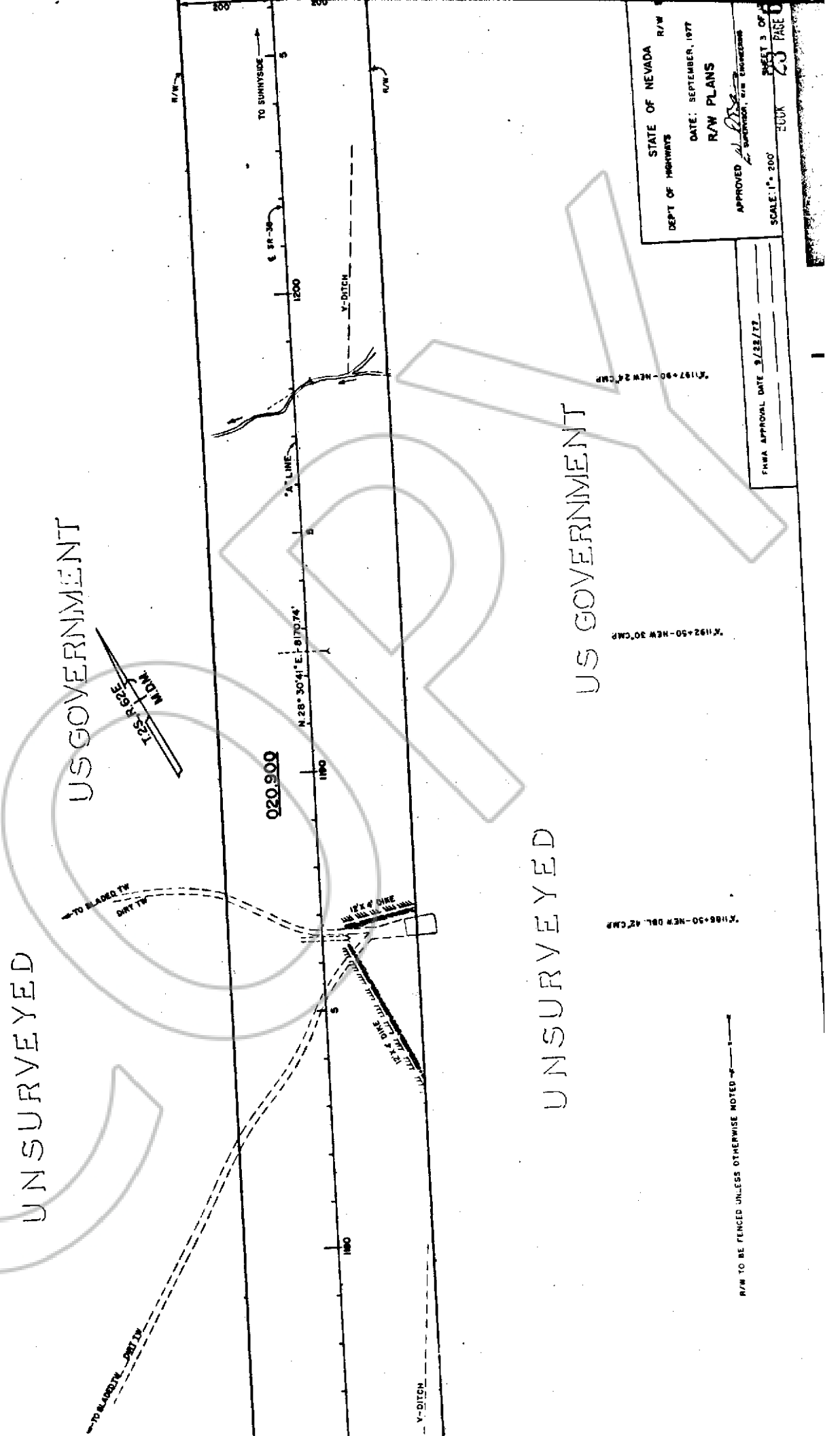




APPLICATION N. 17776

**PROPERTY SCHEDULE**

GRANTOR	GROSS AREA	PREV. ACQ.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA			SURPLUS LAND DATA		REMARKS
					BK	PG	TYPE	DATE	AREA	
STATEMENT	255.99 AC		255.49 AC							APPLICATION FILED 9/30/77



FHWA APPROVAL DATE 9/28/77

UNSURVEYED

US GOVERNMENT

UNSURVEYED

US GOVERNMENT

R/W TO BE FENCED UNLESS OTHERWISE NOTED



PROPERTY SCHEDULE

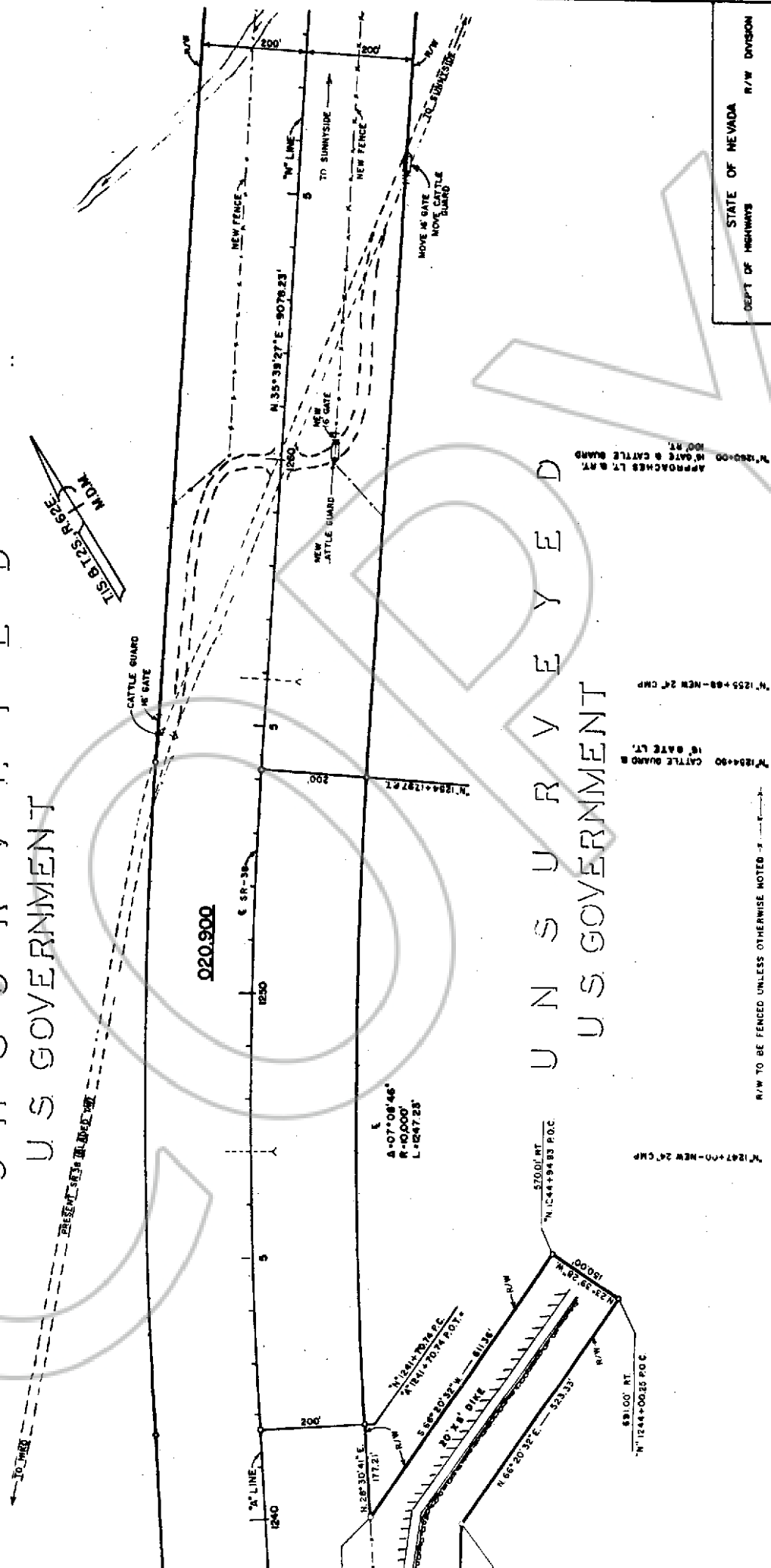
ANTORT	GROSS AREA	PREV ACQU.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA			SURPLUS LAND DATA		REMARKS
					BK	PG	TYPE	DATE	AREA	
ANT	255.49 AC		255.49 AC	255.49 AC						APPLICATION FILED 9/30/77

FED RES NO	STATE	PROJECT NO	E.A. NO	COUNTY	SHEET NO
9	NEVADA	RS-673111	70647	LINCOLN	5

APPLICATION N. 11778

U N S U R V E Y E D  
U S G O V E R N M E N T

U N S U R V E Y E D  
U S G O V E R N M E N T



STATE OF NEVADA  
DEPT OF HIGHWAYS

R/W DIVISION

DATE: SEPTEMBER, 1977

R/W PLANS

APPROVED: [Signature]

SCALE: 1" = 200'

SHEET 5 OF 12 SHEETS

FWHA APPROVAL DATE: 9/22/77

BOOK 23 PAGE 623

R/W TO BE FENCED UNLESS OTHERWISE NOTED

N. 1257+00-NEW 24' CMP  
N. 1255+68-NEW 24' CMP  
N. 1254+90 CATTLE GUARD W. GATE LT.  
N. 1250+00 W. GATE & CATTLE GUARD APPROACHES LT. W. GATE 100' RT.

A-07°08'46"  
R-10.000'  
L-1287.25'

570.01 RT  
N. 1244+98.83 P.O.C.

891.00 RT  
N. 1244+00.35 P.O.C.







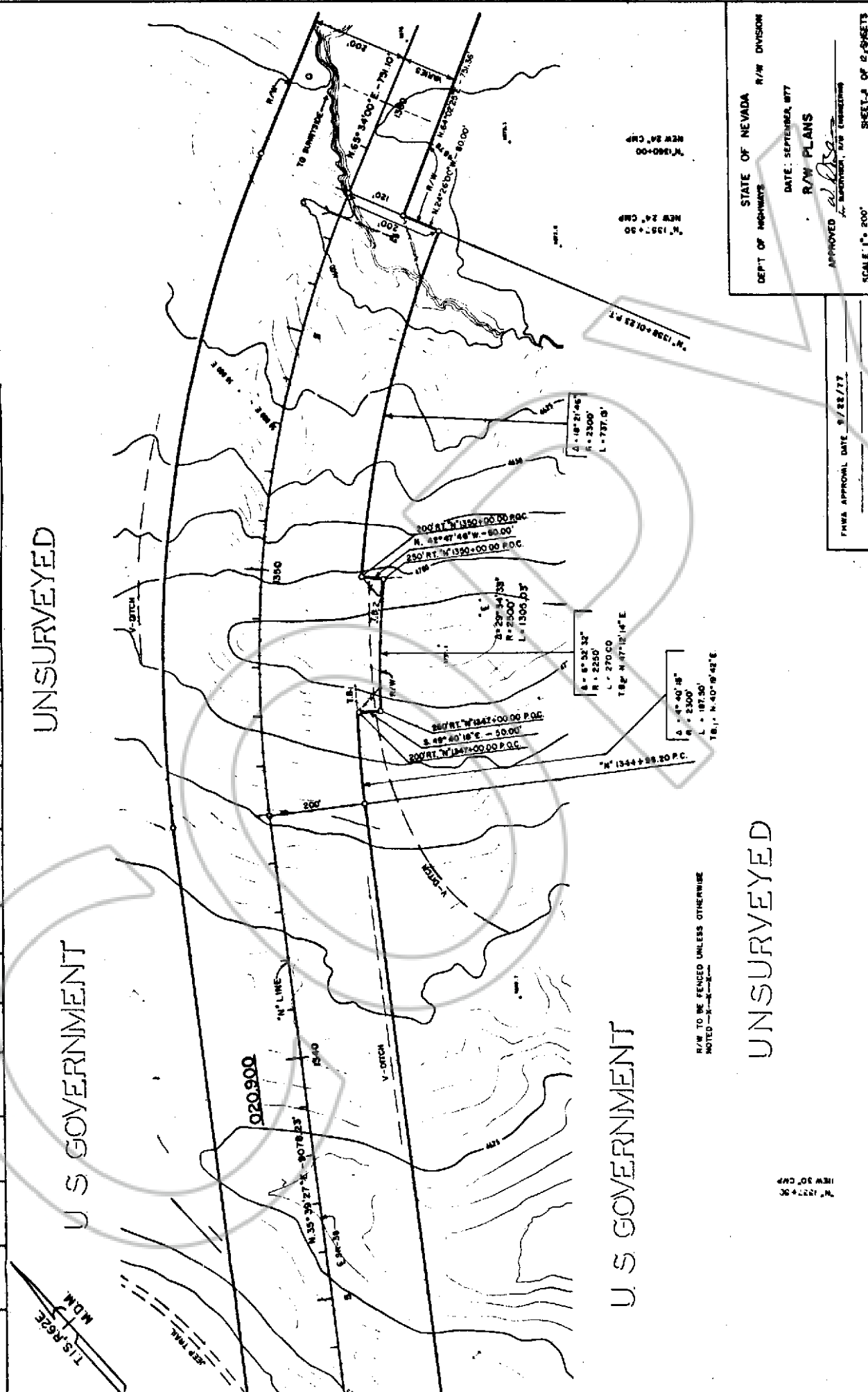
GROSS AREA	PREV ACQU	NET AREA	R/W AREA	ACQUISITION RECORDING DATA		SURPLUS LAND DATA		REMARKS
				BK	PG	TYPE	DATE	
255.49 AC		255.49 AC	255.49 AC					APPLICATION FILED 9/30/77

UNSURVEYED

U S GOVERNMENT

U S GOVERNMENT

UNSURVEYED



STATE OF NEVADA  
 DEPT OF HIGHWAYS  
 R/W DIVISION

DATE: SEPTEMBER, 1977  
 R/W PLANS

APPROVED *[Signature]*  
 For Highway, New Construction

SCALE: 1" = 200'

SHEET 1 OF 2 SHEETS  
 23 PAGE 020

FHWA APPROVAL DATE 9/22/77

R/W TO BE FENCED UNLESS OTHERWISE NOTED

N 1277.00  
 NEW 24' CBP

T/S R/SZ  
 M.D.M.





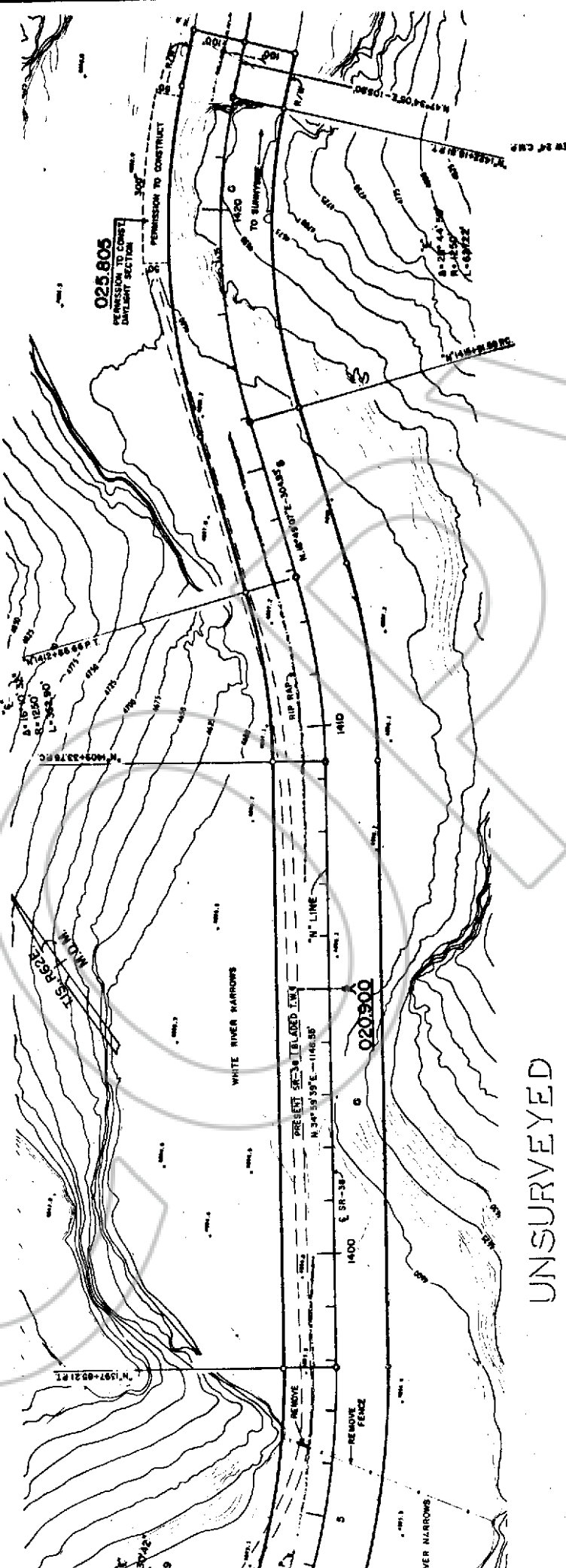
FED. REG. NO.	STATE	PROJECT NO.	E. A. NO.	COUNTY	SHEET NO.
9	NEVADA	RS 673(11)	70647	LINCOLN	10

APPLICATION # 17778

ACQUISITION RECORDING DATA		SURPLUS LAND DATA		REMARKS
BK	PG	TYPE	DATE	
				APPLICATION FILED 9/30/77
				PERMISSION TO CONSTRUCT

DONOR	GROSS AREA	PREV ACQU	NET AREA	R/W AREA		ACQUISITION RECORDING DATA		SURPLUS LAND DATA		REMARKS
				255.49 AC	15000sqft	BK	PG	TYPE	DATE	
STATE	255.49 AC		255.49 AC							
FED. GOVT	15000sqft		15000sqft							

UNSURVEYED U S GOVERNMENT



UNSURVEYED U S GOVERNMENT

NO FENCE BETWEEN  
380 FT "N" 375+50 TO 125' LT "N" 145+202 &  
100 FT "N" 187+502 TO 100 RT "N" 443+504

STATE OF NEVADA  
DEPT OF HIGHWAYS

R/W DIVISION

DATE: SEPTEMBER, 1977  
R/W PLANS

APPROVED: *[Signature]*  
SUPERVISOR, R/W DIVISION

SCALE: 1" = 200'

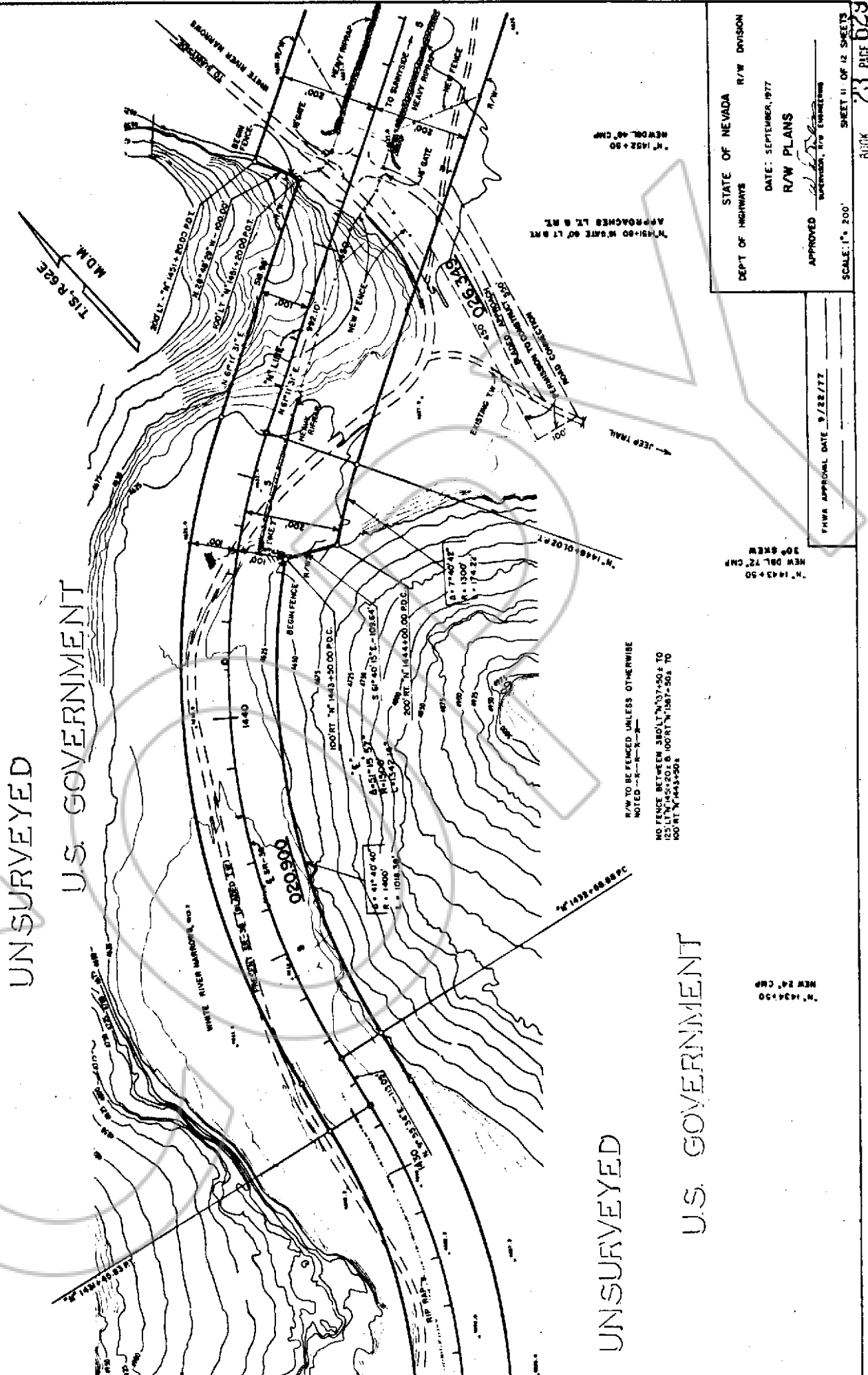
SHEET 10 OF 12 SHEETS

FIELD APPROVAL DATE 9/28/77

APPLICATION N. 17778

PROPERTY SCHEDULE		ACQUISITION RECORDING DATA		SURPLUS LAND DATA		REMARKS			
GROSS AREA	PREV. ACQU.	NET AREA	R/W AREA	BK	PG.	TYPE	DATE	AREA	DATE
255.49 AC.		255.49 AC.	255.49 AC.						
15000 Sq Ft		15000 Sq Ft							
1.09 AC.		1.09 AC.							

APPLICATION FILED 9/30/77  
 PERMISSION TO CONSTRUCT  
 PERMISSION TO CONSTRUCT



STATE OF NEVADA  
 DEPT. OF HIGHWAYS  
 R/W DIVISION  
 DATE: SEPTEMBER, 1977  
 R/W PLANS  
 APPROVED: [Signature]  
 SUPERVISOR, R/W DIVISION  
 SCALE: 1" = 200'  
 SHEET 11 OF 12 SHEETS  
 BOOK 23 PAGE 029

UNSURVEYED  
 U.S. GOVERNMENT

UNSURVEYED  
 U.S. GOVERNMENT

UNSURVEYED  
 U.S. GOVERNMENT

UNSURVEYED  
 U.S. GOVERNMENT

R/W TO BE FENCED UNLESS OTHERWISE NOTED - SEE PLAN  
 NO FENCE BETWEEN 380 FT. TO 500 FT. TO 125 FT. W. 1432+20 & 100 FT. W. 1432+30 TO 500 FT. W. 1432+50

APPROACHES LT. & RT.  
 APPROX. 80' W. DATE 80' LT. & RT.  
 NEW 1432+30  
 NEW 1432+20  
 NEW 1432+10  
 NEW 1432+00  
 NEW 1432-10  
 NEW 1432-20  
 NEW 1432-30  
 NEW 1432-40  
 NEW 1432-50  
 NEW 1432-60  
 NEW 1432-70  
 NEW 1432-80  
 NEW 1432-90  
 NEW 1432-100  
 NEW 1432-110  
 NEW 1432-120  
 NEW 1432-130  
 NEW 1432-140  
 NEW 1432-150  
 NEW 1432-160  
 NEW 1432-170  
 NEW 1432-180  
 NEW 1432-190  
 NEW 1432-200  
 NEW 1432-210  
 NEW 1432-220  
 NEW 1432-230  
 NEW 1432-240  
 NEW 1432-250  
 NEW 1432-260  
 NEW 1432-270  
 NEW 1432-280  
 NEW 1432-290  
 NEW 1432-300  
 NEW 1432-310  
 NEW 1432-320  
 NEW 1432-330  
 NEW 1432-340  
 NEW 1432-350  
 NEW 1432-360  
 NEW 1432-370  
 NEW 1432-380  
 NEW 1432-390  
 NEW 1432-400  
 NEW 1432-410  
 NEW 1432-420  
 NEW 1432-430  
 NEW 1432-440  
 NEW 1432-450  
 NEW 1432-460  
 NEW 1432-470  
 NEW 1432-480  
 NEW 1432-490  
 NEW 1432-500  
 NEW 1432-510  
 NEW 1432-520  
 NEW 1432-530  
 NEW 1432-540  
 NEW 1432-550  
 NEW 1432-560  
 NEW 1432-570  
 NEW 1432-580  
 NEW 1432-590  
 NEW 1432-600  
 NEW 1432-610  
 NEW 1432-620  
 NEW 1432-630  
 NEW 1432-640  
 NEW 1432-650  
 NEW 1432-660  
 NEW 1432-670  
 NEW 1432-680  
 NEW 1432-690  
 NEW 1432-700  
 NEW 1432-710  
 NEW 1432-720  
 NEW 1432-730  
 NEW 1432-740  
 NEW 1432-750  
 NEW 1432-760  
 NEW 1432-770  
 NEW 1432-780  
 NEW 1432-790  
 NEW 1432-800  
 NEW 1432-810  
 NEW 1432-820  
 NEW 1432-830  
 NEW 1432-840  
 NEW 1432-850  
 NEW 1432-860  
 NEW 1432-870  
 NEW 1432-880  
 NEW 1432-890  
 NEW 1432-900  
 NEW 1432-910  
 NEW 1432-920  
 NEW 1432-930  
 NEW 1432-940  
 NEW 1432-950  
 NEW 1432-960  
 NEW 1432-970  
 NEW 1432-980  
 NEW 1432-990  
 NEW 1432-1000

PROPERTY SCHEDULE

GRANTOR	GROSS AREA	PREV ACQ.	NET AREA	ACQUISITION RECORDING DATA			SURPLUS LAND DATA		REMARKS
				BK	PG	TYPE	DATE	AREA	
GRANTOR	255.49 AC.		255.49 AC.						APPLICATION FILED 9/30/77
INMENT									

FED. REG. NO.	STATE	PROJECT NO.	E.A. NO.	COUNTY	SHEET NO.
9	NEVADA	MS-6731(1)	70647	LINCOLN	12

APPLICATION N. 12776

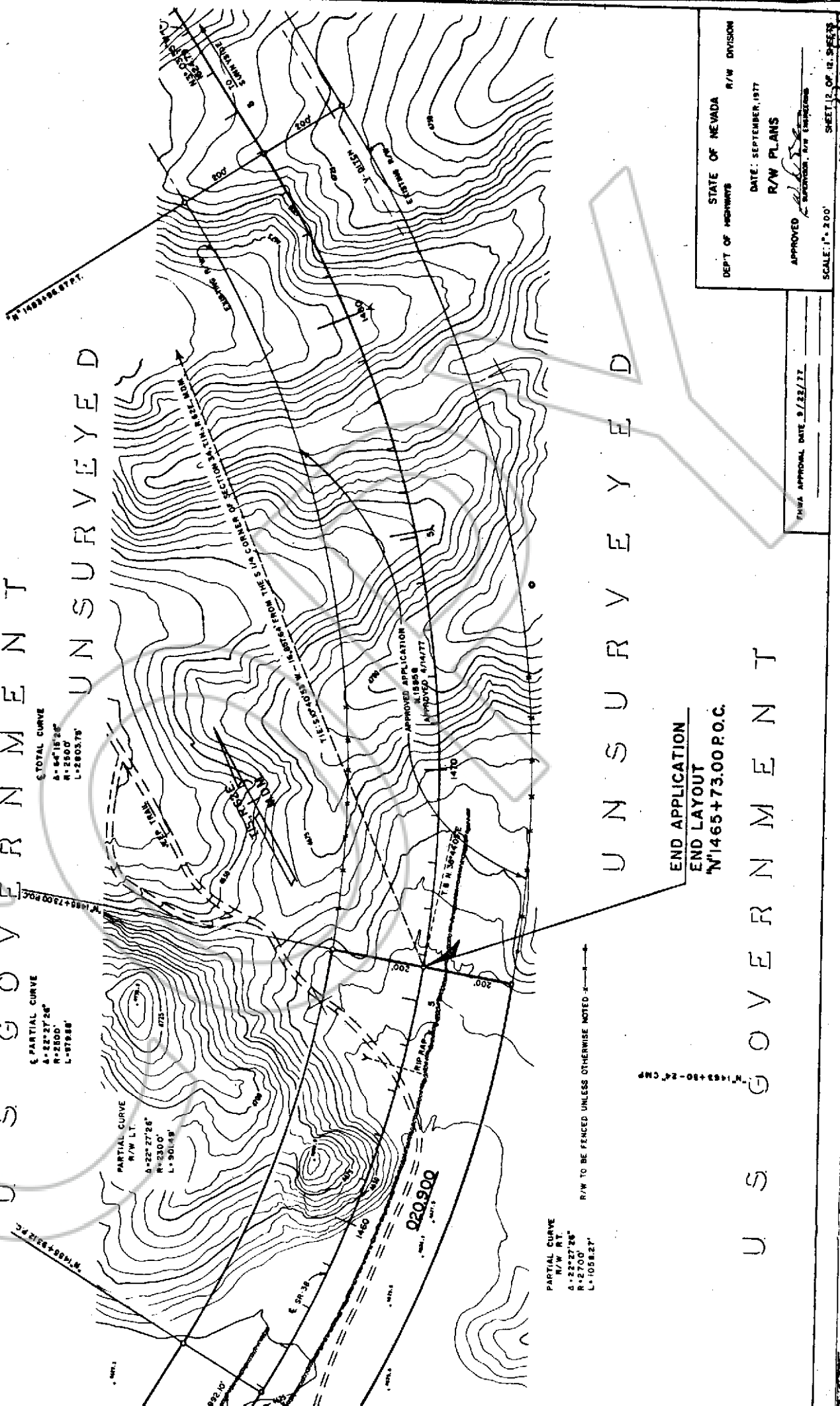
U S G O V E R N M E N T

U N S U R V E Y E D

U N S U R V E Y E D

END APPLICATION  
END LAYOUT  
N'1465+73.00 P.O.C.

U S G O V E R N M E N T



STATE OF NEVADA  
DEPT OF HIGHWAYS  
R/W DIVISION

DATE: SEPTEMBER, 1977  
R/W PLANS

APPROVED: [Signature]  
SUPERVISOR, R/W DIVISION

SCALE: 1" = 200'

SHEET 12 OF 18 SHEETS

THIS APPROVAL DATE 9/22/77