

(ATTACH BID FORM 5-5514)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

SALE OF GRAZING PRIVILEGES

Umatilla	Umatilla	P.O. Box 520, Pendleton, OR 97801
(Reservation)	(Agency)	(Address)

Sealed bids for grazing privileges under permit on range unit of the above Indian reservation for a 3 year 8 month period beginning May 1, 2024, and terminating not later than December 31, 2027, will be received at the office of the Superintendent of the above Indian Agency until 10. AM., Pacific Standard time, February 21st, 2024,

and will be opened immediately thereafter in the presence attended the BIA Umatilla Agency Superintendent and DNR – Range, Ag, and Forestry staff. No bids tendered after the closing time will be received or considered. All bids must be addressed to the Superintendent of the said Indian Agency and be plainly marked on the outside of the envelope, "Bid for Grazing Privileges," Bids received before closing time will be securely kept unopened by the Superintendent until the time of opening, but the Bureau of Indian Affairs shall not be responsible to any bidder for premature opening of bids or failure to consider bids not properly identified or addressed.

**ORAL AUCTION PROVISION: No oral auction shall be held for this advertisement.**

Previous grazing permit was cancelled January 5, 2024.

A schedule of range units showing approximate location and areas, maximum allowable stocking by livestock classes, grazing season, and minimum annual rentals, is attached.

Each bid must be accompanied by a cashier's check, certified check, or bank draft, drawn upon a solvent bank, or money order, payable to the order of the Bureau of Indian Affairs, for not less than 25 percent of the minimum annual rental. Personal checks will not be accepted. All deposits of unsuccessful bidders will be returned.

It is proposed to award the grazing privileges to the highest and best bidders, but the right is reserved to reject any or all bids and to adjust the boundaries or change the stocking rate of any of the range units at any time as maybe deemed for the best interest of the landowners. Such adjustments and changes as may be necessary will be made at the end of the annual period of the permit whenever feasible.

The successful bidder will be given a permit to graze livestock on all unallotted land authorized by the Indian tribe, on all Indian allotments on which proper authority has been or may be obtained, and on such Government-owned lands which form a part of a specified range unit. Such permit

will be issued pursuant and subject to the General Grazing Regulations, 25 CFR 166 and all amendments thereto, and other applicable parts of Title 25-Indians, Code of Federal Regulations.

Grazing rentals shall be paid annually in advance or grazing season. An acceptable bond guaranteeing full performance of grazing permits will be required pursuant to 25 CFR 166.600. In case the bidder to whom the award is made shall fail within thirty (30) days after having been notified of the award to sign the permit and furnish a satisfactory bond, and pay a sum annual advance rental due under the permit, his/her deposit will be retained by the United States for the use and benefit of the landowners unless an extension of time to complete the permit is authorized by the Superintendent in writing. In lieu of the administrative fee prescribed by Title 25, Code of Federal Regulations, Part F, the permittee shall pay annually in advance an administrative fee as prescribed in Section 6 "Umatilla Tribal Leasing Enterprise" established and approved December 22, 1949.

Improvements placed on the permitted land shall be considered affixed to the land unless specifically excepted there from under the permit terms. Written permission to construct and to remove improvements must be secured from the Superintendent. The permit will specify the maximum time allowed for removal of improvements so excepted. The permittee will be required by the terms of the permit to perform reasonable maintenance of all range improvements, including fences and water developments on the unit in a manner acceptable to the Superintendent or his duly authorized representative.

All grazing permits granted pursuant to 25 CFR 166 reserve to the Superintendent authority to grant access to and across any of the lands covered by the permit as he deems in the interest of the Indians, including the privileges of prospecting for oil, gas, and other minerals.

Copies of the permit form, range control stipulations, and other forms and information may be obtained from the Superintendent. A map showing location of range units is available for examination at the agency office. The Bureau of Indian Affairs is not responsible to the bidder to whom the award is made in the event the range unit is not suitable to the bidder's needs. Each prospective bidder is urged to obtain full and prior information with respect to any range unit on which he/she plans to submit a bid.

Bids that do not accord to the terms of this advertisement will be rejected. The right of the Superintendent to waive technical defects in the advertisement and bids received is, however, reserved.

The foregoing is modified by and to the extent of the following conditions and stipulations, or by the attachments that are made a part of this advertisement.

January 8, 2024  
Date

Jodi A. Haggard  
Acting Superintendent

## ADDITIONAL STIPULATIONS OR MODIFICATIONS

Attached to and Made a Part of Form 5-5513

Umatilla Indian Reservation-Sale of Grazing Privileges

Permit Period May 1, 2024 through December 31, 2027

1. All sealed bids must be submitted on Form 5-5514 "Bid for Grazing Privileges".
2. The kind of livestock, which shall be allowed to graze on the range units, shall be cattle.
3. No grazing permit will be awarded to an individual with any outstanding debt related to Indian agricultural lands.
4. Indian lands may be withdrawn from the range unit-grazing permit by the Superintendent to provide for use of such lands by the owner(s), upon expiration of 180 days written notice to the permittee. If the beginning of the season of use follows the date of written notice to the permittee by less than 180 days, the grazing permit, will not be cancelled or modified until the end of the season of use.
5. The annual grazing fee shall be not less than the minimum rate indicated on the attached schedule of lands. An animal unit is defined as a mature cow with calf less than six (6) months of age. Recognized animal unit equivalent values will be used in any conversion from one class of livestock to another.
6. All grazing permits shall include a \$.50 per AUM infrastructure maintenance fee that offsets costs associated with major infrastructure construction and maintenance costs incurred by the CTUIR. Infrastructure maintenance fee shall be collected for Trust and Tribal Fee land AUMs only and be due to CTUIR prior to turn out.
7. Fee patent lands that are within or adjoining the range units and fenced to provide grazing in common are not included in this advertisement. Additional grazing capacity will be allowed for fee patent lands, at each range unit's stocking rate, under the on-and-off portion of the grazing permit if the successful bidder either owns the lands or submits proof of lease for the lands. Tribal Fee land shall be included into grazing permits under on-off portion of the grazing permit. Payment for AUMs associated with Tribal fee lands shall be invoiced by and paid to CTUIR Finance Program.
8. Adults (18 years of age) or corporations and associations comprised of adults who are members of the Confederated Tribes of the Umatilla Indian Reservation shall be granted an "Indian Preference" privilege of meeting the high sealed bid of non-Indians.
  - a. CTUIR members must meet the requirements of Tribal membership as covered in Article IV, Sections (a) and (b), Constitution and By-Laws, Confederated Tribes of the Umatilla Indian Reservation to be eligible for the "Indian Preference" privilege of meeting the high sealed bid.
  - b. CTUIR members choosing to exercise a preference to meet the high sealed bid must do so by indicating the words "Indian Preference" on their sealed bid.

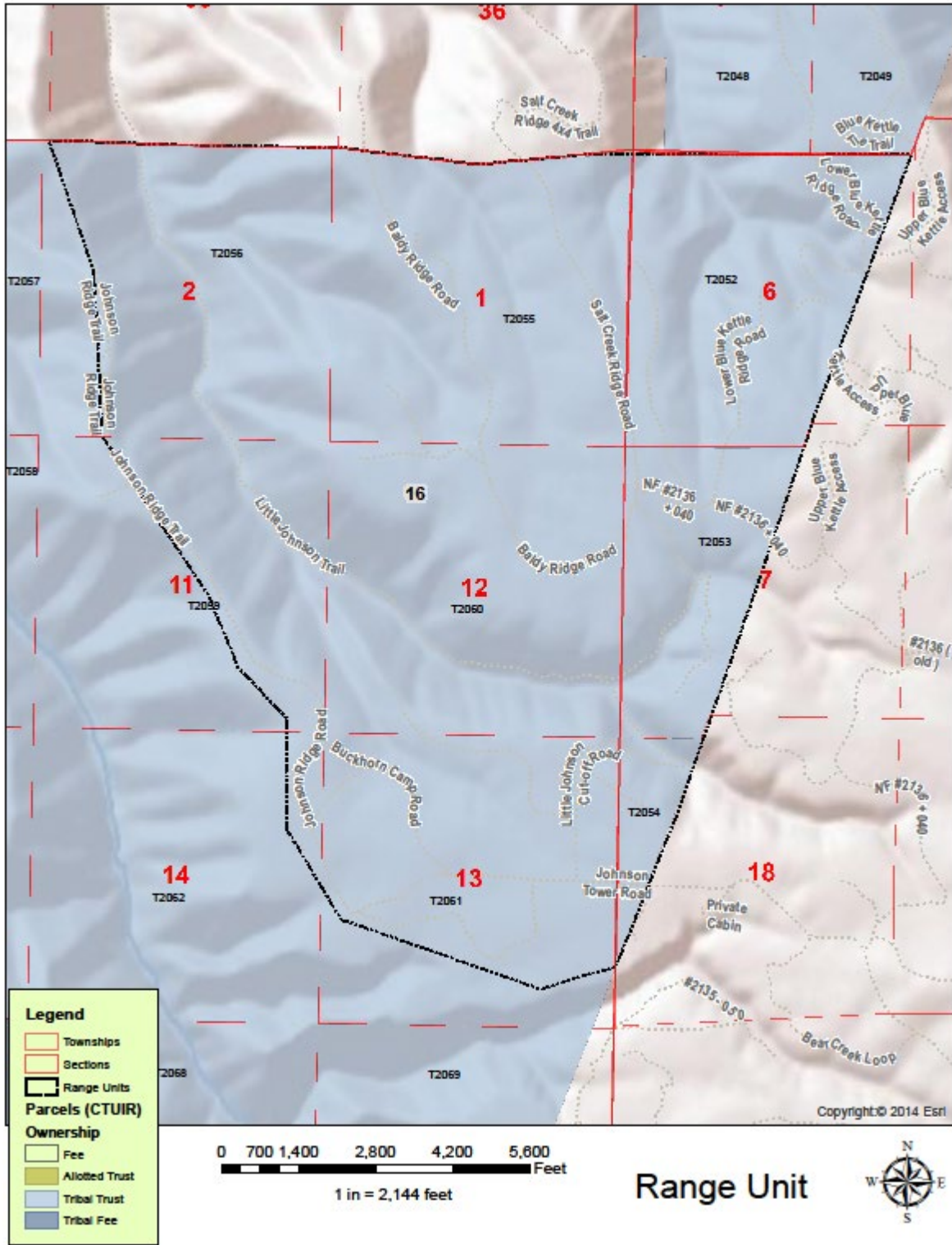
- c. CTUIR members holding a privilege to meet the high sealed bid shall be given a two (2) day period after written notice from the Superintendent: in which to meet the high bid.
  - d. If two or more CTUIR members choose to exercise the privilege of meeting the high sealed bid on a range unit, an Indian who is the existing permittee of the range unit competed for shall be granted first preference in meeting the high sealed bid and/or award of the grazing permit. An Indian who is not the existing permittee of the range unit competed for shall be granted second preference in meeting the high sealed bid and/or award of the grazing permit.
  - e. CTUIR members choosing to exercise the privilege of meeting the high sealed bid must own not less than 100% of the livestock to be grazed on the range unit competed for. Unless, authorized by the Superintendent in writing, only cattle and horses bearing the brand and marks as recorded by the State of Oregon in the name of the "Indian Preference" permittee shall be grazed under the authority of the range unit-grazing permit.
6. Non-Indians shall not be granted any preference.
  7. There will be no in-person, oral auction subsequent to opening of sealed bids.
  8. The award of grazing privileges to the individuals with the highest sealed bid or to a CTUIR member choosing to meet the high sealed bid will be made only after evaluation by the Superintendent and the Confederated Tribes of the Umatilla Indian Reservation or their authorized representatives of the acceptable bids submitted. CTUIR members choosing to exercise the privilege of meeting the high sealed bid must consent to an inspection of livestock by authorized individuals prior to issuance of the range unit-grazing permit if compliance with the ownership requirement is questionable.
  9. An invoice shall be sent by the BIA each January. The preparation fee covers work performed in the execution of grazing permits as prescribed in Section 6 "Umatilla Tribal Leasing Enterprise" established and approved December 22, 1949.

Annual Grazing Fee	Preparation Fee
First \$1,000	5 %
Each Additional \$500	\$ 5

10. Any range unit management plan and/or annual grazing plan that may be developed will contain the management practices and will become attached to and made part of the grazing permit.
  - a. The Superintendent may adjust the number of livestock and season of use specified in the grazing permit when needed for resource protection. Except in extreme emergencies where resource conditions are being seriously affected by livestock use or other factors such as fire or drought, notice of scheduled reduction of number of livestock or change in season of use will be given one full year before the reduction in number of livestock or change in season of use becomes effective.

- b. The Superintendent may direct the permittee to defer placing his/her livestock on the range unit at the beginning of the designated season of use when the forage is not ready to be grazed to avoid damage to the resource. The Superintendent may also direct the permittee to remove his livestock from the range unit before the end of the designated season of use when further grazing would damage the resource.
  - c. The Superintendent may require the permittee at any time to place or fasten upon livestock covered by the grazing permit appropriate marks which will identify them as livestock permitted to graze on Indian lands. The Superintendent may also require the permittee to gather his livestock at any time, including entry and removal, to enable an accurate count to be made.
11. All permittees are required to participate in the State-Federal Brucellosis Eradication Program. Livestock under quarantine for Brucellosis will not be allowed to graze on Indian lands covered by the grazing permits.
  12. All permittees must comply with Federal and Tribal fish and wildlife protection laws and regulations, which apply to the reservation. Any violation of these fish and wildlife protection laws and regulations may subject the grazing permit to cancellation, call for removal of all livestock from the range unit and will affect issuance of any future grazing privileges. Any lethal take of depredating wolves must be approved by the CTUIR Fish & Wildlife Commission.
  13. Compliance with all applicable Tribal codes, including, but not limited to, the Environmental Health Code is required.
  14. **Final grazing permit approval is subject to BIA compliance with the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act and CTUIR Board of Trustees approval. Permitted acreage and/or allocated AUMs are subject to modification pending review from the above mentioned agencies.**

# Map of Range Unit



# SCHEDULE OF RANGE UNITS ADVERTISED

UMATILLA INDIAN RESERVATION  
UMATILLA AGENCY  
PENDLETON, OREGON 97801

For The Period May 1, 2024 through December 31, 2027

Maximum Allowable Stocking

<b>Range Unit</b>	<b>Approximate Location</b>	<b>Approximate Acreage</b>	<b>Season of Use</b>	<b>Maximum Animal Units</b>	<b>Minimum Annual Rental</b>	<b>25% Deposit With Bid</b>
16	Township 2 South, Range 34 East	3504.71 Trust Acres	6/15-9/31	350	\$17.77	\$1,554.88

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
**BID FOR GRAZING PRIVILEGES**

To the Superintendent, Umatilla Indian Agency,

Sir:

In response to the notice of sale of grazing privileges under permit for a 4-year, 10-month period beginning March 1, 2023 and terminating not later than December 31, 2027, on the Umatilla Indian Reservation, bids to be opened at the office of the Superintendent at 10 o'clock AM on the 19<sup>th</sup> day of December, 2022, I / we hereby submit the following bid:

Range Unit ID (Name or Number)	Kind of Livestock	Number of Head	Grazing Season			Bid		
			From (Turnout):	To (Gather):	Number of Months	AUMs (# of Head X # of Months)*	\$ Per AUM	Total \$
16	Cattle	<del>X</del>	6/15	10/1	3.5	<del>X</del>		

Respectfully,

	(Address)	(Date)
	(Address)	(Date)
	(Address)	(Date)

Tribal Preference:  
Enrollment #

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**INSTRUCTIONS**

Enclose this bid in a sealed envelope addressed to the Superintendent of the above agency. Do not submit in duplicate. Clearly indicate "**BID FOR GRAZING PRIVILEGES**" on the face of the envelope.

A separate bid must be submitted for each range unit desired.

If the bid is made by more than one individual, acting neither as a firm nor as a corporation, each must sign.

If the bid is made by a partnership, the signature must consist of the name of the firm followed by the signature of each of the members thereof.

If the bid is made by a corporation, the signature must consist of the name of the corporation, followed by the name of the proper officer or officers as required by the laws of the corporation, accompanied by evidence of authority of such officer or officers to bind the corporation.

**Paperwork Reduction Act Statement:** This form is covered by the Paperwork Reduction Act. It is used to establish the respective rights and responsibilities of the respondent and the Federal government. The information is provided by respondents to obtain or retain a benefit. In compliance with the Paperwork Reduction Act of 1995, as amended, the collection has been reviewed by the Office of Management and Budget and assigned a number and an expiration date. The number and expiration date are at the top right corner of the form. An agency may not sponsor or conduct, and a person is not required to respond to, a request for information collection unless it displays a currently valid OMB Control Number. The public reporting burden is estimated to average 20 minutes *per respondent*. This includes the time needed to understand the requirements, gather the information, complete the form, and submit it to the Department. Comments regarding the burden or other aspects of the form may be directed to the Indian Affairs Information Collection Clearance Officer, Office of Regulatory Affairs – Indian Affairs, 1849 C Street, NW, MS-4141, Washington, DC 20240.