

TERM GRAZING PERMIT - Parts 1 and 2

(Reference FSM 2230)

Page 1 of 10

Permittee: **543978010602**

Permit Number: **01043**

PART 1

REX BAKER of (b) (6) hereinafter called the permittee is hereby authorized to graze livestock owned by the permittee upon designated lands and is administered by the Forest Service within the Nez Perce-Clearwater National Forest.

1. Description of range. The livestock shall be grazed only upon the area described as follows: ~~described on attached page and/or~~ delineated on the attached maps, dated 01/22/2014, which is part of this permit (Strike out item or items not applicable).

2. The number, kind, and class of livestock, period of use, and grazing allotment on which the livestock are permitted to graze are as follows, unless modified by the Forest Service in the Bill for Collection:

| LIVESTOCK | | | PERIOD OF USE | | GRAZING ALLOTMENT |
|-----------|--------|---------------------------|---------------|-------|-------------------|
| Number | Kind | Class | From | To | |
| 28 | CATTLE | MATURE COW W/NURSING CALF | 5/25 | 11/25 | SHERWIN CREEK |
| 31 | CATTLE | MATURE COW W/NURSING CALF | 6/1 | 12/1 | COW CREEK |
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3. It is fully understood and agreed that this permit may be suspended or cancelled, in whole or in part, after written notice, for failure to comply with any of the terms and conditions specified in Parts 1, 2, and 3 hereof, or any of the regulations of the Secretary of Agriculture on which this permit is based, or the instructions of the Forest officers issued thereunder; or for knowledge and willingly making a false statement or representation in the permittees grazing application, and amendments thereto; or for conviction for failure to comply with Federal laws or regulations or State and local laws relating to livestock control and to protection of air, water, soils and vegetation, fish and wildlife, and other environment values when exercising the grazing use authorized by the permit. This permit can also be cancelled, in whole or in part, or otherwise modified, at any time during the term to conform with the needed changes brought about by law, regulation, Executive order, allotment management plans, land management planning, numbers permitted or seasons of use necessary because of resource conditions, or the lands described otherwise being unavailable for grazing. Any suspension or cancellation action may be appealed pursuant to 36 CFR 214.

4. This permit supersedes permit no. 01031, issued on 03/19/2007, to BAKER, MILDRED

I have reviewed and accepted the terms of this permit.

| | | | |
|--|------------------|-----------------|---------|
| Signature of Permittee or His Authorized Agent | | Date | |
| <i>Rex H. Baker</i> | | 03/27/14 | |
| Signature of Forest Officer | Name (Print) | Title | Date |
| <i>[Signature]</i> | Jeffrey S. Skinn | District Ranger | 3/27/14 |

PART 2 - GENERAL TERMS AND CONDITIONS

1. Validation of Permit. The issuance of a Bill for Collection, payment of fees and actual turning on at least 90 percent of livestock the first grazing season after the permit is issued will validate this permit for the number, kind, and class of livestock, grazing allotment, and period of use for the particular year.

2. Bill for Collection. Each year, after validation and prior to the beginning of the grazing season, the Forest Service will send the permittee a Bill for Collection specifying for the current year the kind, number, and class of livestock allowed to graze, the period of use, the grazing allotment, and the grazing fees. This bill, when paid, authorizes use for that year and becomes part of this permit.

3. Payment of Fees. The permittee will not allow owned or controlled livestock to be on Forest Service-administered lands unless the fees specified in the Bill for Collection are paid.

4. Administrative Offset and Credit Reporting. Pursuant to 31 USC 3716 and CFR Part 3, Subpart B, any monies that are payable or may become payable from the United States, under this permit, to any person or legal entity not an agency or subdivision of a State or local government may be subject to administrative offset for the collection of a delinquent debt the person or legal entity owes to the United States. Information on the person's or legal entity's responsibility for a commercial debt or delinquent consumer debt owned the United States shall be disclosed to consumer or credit reporting agencies.

5. Interest, Penalty, and Administrative Costs. Pursuant to 31 USC 3717 and 7 CFR Part 3, Subpart B, interest shall be charged on any payment or fee amount not paid within 30 days from the date the payment was due. Interest shall be charged using the most current rate prescribed by the United States Department of the Treasury Fiscal Requirements Manual (TFRM-6-8020.20). Interest shall accrue from the date the payment was due. In addition, in the event the account becomes delinquent, administrative costs may be assessed. A penalty of 6 percent per year shall be assessed on any payment or fee amount overdue in excess of 90 days from the date the first billing was due. Payments will be credited on the date received by the designated collection officer or deposit location. If the due date(s) for any of the above payments falls on a non-workday, the charges shall not apply until the close of business on the next workday.

6. Term of Permit. This permit is effective until **12/31/2023**, unless waived, cancelled, or otherwise terminated as provided herein. The permittee has first priority for receipt of a new permit at the end of the term subject to modification deemed necessary by the Forest Service.

In order to update terms and conditions, this permit may be cancelled at any time provided a new permit is issued to the existing permit holder for a new term of 10 years following this update.

7. Ownership Requirement

(a) Only livestock owned by the permittee are authorized to graze under this permit. To exercise use of the permit, the permittee will furnish all evidence of ownership requested by the Forest Service. Livestock purchased and subsequently sold back to the original owner, or to an agent, assignee, or anyone representing or acting in concert with the original owner, within a 24-month period without prior written approval by the Forest officer in charge will not be considered valid ownership of the livestock.

(b) Base property owned and used by the permittee to qualify for a term grazing permit must meet minimum base property requirements approved by the officer in charge.

8. Range and Livestock Management

(a) The allotment management plan for the land described on page 1, Part 1 is part of the permit, and the permittee will carry out its provisions, other instructions, or both as issued by the Forest officer in charge for the area under permit and will require employees, agents, and contractors and subcontractors do likewise.

(b) The number, kind, and class of livestock, period of use, and grazing allotment specified in the permit may be modified when determined by the Forest Officer in charge to be needed for resource protection. Except in extreme emergencies where resource conditions are being seriously affected by livestock use or other factors, such as fire, drought, or insect damage, notice of a scheduled reduction of numbers of livestock or period of use under a term permit will be given one (1) full year before a modification in permitted numbers or period of use becomes effective. This does not apply to annual adjustment in grazing as provided for in Section 8(c).

(c) When, in the judgment of the Forest Officer in charge, the forage is not ready to be grazed at the beginning of the designated grazing season, the permittee, upon request of the Forest Officer, will defer placing livestock on the grazing allotment to avoid damage to the resources. The permittee will remove livestock from Forest Service-administered lands before the expiration of the designated grazing season upon request of the Forest officer when it is apparent that further grazing will damage the resources.

(d) The permittee will allow only the numbers, kind, and class of livestock on the allotment during the period specified in Part 1 hereof or the annual Bill for Collection, including any modifications made as provided for in Section 8(c). If livestock owned by the permittee are found to be grazing on the allotment in greater numbers, or at times or places other than permitted in Part 1 hereof, or specified on the annual Bill for Collection, the permittee shall be billed for excess use at the unauthorized use rate and may face suspension or cancellation of this permit.

(e) The permittee will not allow owned or controlled livestock to be upon any area of Forest Service-administered lands not described in either Part 1 hereof or the annual Bill for Collection.

(f) The Forest officer in charge may, at any time, place or fasten or require the permittee to place or fasten upon livestock covered by this permit appropriate marks or tags that will identify them as livestock permitted to graze on lands administered by the Forest Service. When requested by the Forest officer, the permittee will, at any time during the permitted period of use, including entry and removal dates, gather permitted livestock to enable an accurate count to be made thereof. The Forest Service may, at its option, gather and hold for counting all livestock grazing on the allotment.

(g) Only livestock marked, tagged, or branded as shown in the application upon which this permit is based, and as may be required under Section 8(f), will be allowed to graze under this permit unless the permittee has advance written approval from the Forest officer in charge to do otherwise.

(h) The permittee will pay the costs of, perform, otherwise provide for the proportionate share of cooperative improvements and management practices on the permitted area when determined by the Forest officer in charge that such improvements and practices are essential to proper protection and management of the resources administered by the Forest Service.

(i) This permit issued and accepted with the provision that the permittee will maintain all range improvements, whether private or Government-owned, that are assigned for maintenance to standards of repair, orderliness, and safety acceptable to the Forest Service. Improvements to be maintained and acceptable to maintenance are specified in Part 3 of this permit. The Government may maintain or otherwise improve said improvements when, in its opinion, such action will be to its advantage.

9. Nonuse. At least 90 percent of the livestock permitted must be grazed each year, unless the Forest officer in charge approves nonuse. Failure to place livestock on the allotted range/pasture without approved nonuse may result in cancellation of the term grazing permit in whole or in part.

10. Protection. The permittee, or the permittee's agents and employees, when acting within the scope of their employment, and contractors and subcontractors will protect the land and property of the United States and other land under jurisdiction of the Forest Service covered by and used in conjunction with this permit. Protection will include taking all reasonable precautions to prevent, make diligent efforts to suppress, and report promptly all fires on or endangering such land and property. The permittee will pay the United States for any damage to its land or property, including range improvements, resulting from negligence or from violation of the provisions and requirements of this permit or any law or regulation applicable to the National Forest System.

11. General.

(a) The Forest officer in charge may at any time require the permittee to give good and sufficient bond to insure payment for all damage or costs to prevent or mitigate damages sustained by the United States through the permittee's failure to comply with the provisions and requirements of this permit or the regulations of the Secretary on which it is based.

(b) This permit will be cancelled, in whole or in part, whenever the area described in this permit is withdrawn from the National Forest System by land exchange, modification of boundaries, or otherwise, or whenever the area described in this permit is to be devoted to a public purpose that precludes grazing.

(c) The permittee will immediately notify the Forest officer in charge of any change in control of base property, ownership of livestock, or other qualifications to hold this grazing permit.

(d) The permanent improvements constructed or existing for use in conjunction with this permit are the property of the United States Government unless specifically designated otherwise or covered by a cooperative agreement. They will not be removed nor compensated for upon cancellation of this permit, except in the National Forests in the 16 contiguous Western States when cancelled, in whole or in part, to devote land to another public purpose including disposal. In the event of such cancellation on the National Forests in the 16 Contiguous Western States, the permittee will be compensated for the adjusted value of approved range improvements installed or placed by him.

(e) The permittee may not transfer, assign, lease, or sublet this permit in whole or part.

(f) This permit includes the terms and conditions of Part 3 hereof, consisting of page 3 through 10 which follow.

GRAZING PERMIT - PART 3

(Reference FSM 2230)

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Permittee: **543978010602**

Permit Number: **01043**

Special Terms and Conditions

Responsibilities for Construction and Maintenance of Structural Improvements or for Range Rehabilitation.

(List the specific responsibilities of the permittee; or incorporate into the permit the cooperative agreement, management plan or other document which sets forth these responsibilities in detail. Fully identify the particular document or documents.)

Structural Improvements

As a condition of this permit, the permittee is authorized to use and is assigned improvement maintenance. The Nez Perce National Forest has filed water rights with the State of Idaho for other consumptive uses in the allotment area. By issuing this grazing permit, the Forest Service does not convey ownership of any water rights in the allotment area. Forest Service ownership of the water rights assures that the use of the water will be both appurtenant to the land and available for current and future uses on the National Forest.

Materials needed for maintenance of range improvements shall be provided by the permittee. Native material may be available upon approval by the District Ranger. A Permit Modification for Range Improvements will be completed for construction of new range improvements.

This permit is issued and accepted with the provision that the permittee(s) will maintain all the range improvements listed on pages 3 - 6, and as indicated on the allotment map, page 10.

Wire Fences

1. Straighten bent steel posts (or replace).
2. Replace or reset brace poles if not in brace securely.
3. Straighten and re-tamp brace posts.
4. Replace rotted brace posts.
5. Splice broken wires and re-stretch.
6. Re-space wires where spacing has been altered.
7. Replace missing staples and steel post clips.
8. Straighten wire stays which have been bent.
9. Tighten or replace brace wires.
10. Replace broken gate stays on wire gates and shut the gates.
11. Cut trees which have fallen across fence & remove from fenceline.
12. All limbs and trees which have fallen on fences will be cut and removed at least yearly and the wires stretched tight again after removal of the tree.
13. Missing staples or nails will be replaced. Staples will be tight against wire on solid posts but must provide for movement of the wire (1-1/2" staples should be used). Loose or replaced staples should be driven to desired depth. Do not kink the wire by driving staples too deep.
14. Let Down Fences: The let-down design will be maintained. Retighten let-down spans that have become slack. Replace missing staples or wire loops. Drop the fence spans within two weeks after it is no longer needed to control livestock.

Wood Fences

1. Broken poles will be replaced.
2. Cut trees which have fallen across fence & remove from fenceline.
3. Loose poles will be re-nailed
4. Rotten or broken posts or jacks will be replaced.

FENCE on COW CREEK 00104

| Number | Name | Location | Units |
|--------|------------------------------|-----------------------|-------|
| 104101 | COW/SHERWIN BOUNDARY FENCE | Section 20, T26N, R1E | 1.75 |
| 104102 | COW CREEK CORRAL CREEK FENCE | Section 24, T26N, R1W | 1.5 |

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Permittee: 543978010602

Permit Number: 01043

(Reference FSM 2230)

Special Terms and Conditions**Responsibilities for Construction and Maintenance of Structural Improvements or for Range Rehabilitation.**

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FENCE on COW CREEK 00104

| Number | Name | Location | Units |
|--------|---------------------------------------|-----------------------|-------|
| 104103 | TRIANGLE MTN BOUNDARY FENCE | Section 27, T26N, R1W | 2 |
| 104105 | DITCH SADDLE INTERIOR FENCE | Section 26, T26N, R1W | .2 |
| 104106 | BAKER KIRKWOOD INTERIOR FENCE | Section 25, T26N, R1W | 2.4 |
| 104107 | KIRKWOOD CORRALS FENCE | Section 26, T26N, R1W | .2 |
| 104109 | BLUE JACKET BOUNDARY FENCE | Section 34, T26N, R1W | 1.7 |
| 104111 | 2060 ROAD BOUNDARY FENCE | Section 9, T25N, R1W | .72 |
| 104112 | DUTCH OVEN BOUNDARY FENCE | Section 25, T25N, R1W | .4 |
| 104113 | COW CREEK/COLD SPRINGS BOUNDARY FENCE | Section 17, T25N, R1W | .5 |
| 104114 | BEAN CREEK RIPARIAN FENCE | Section 19, T25N, R1E | .2 |
| 104115 | BEAN KESSLER BOUNDARY FENCE | Section 20, T25N, R1E | .9 |
| 104116 | ROUND KNOB SPRING EXCLOSURE FENCE | Section 26, T25N, R1W | .1 |
| 104117 | COW GRAVES BOUNDARY FENCE | Section 36, T25N, R1W | .75 |

FENCE on SHERWIN CREEK 00311

| Number | Name | Location | Units |
|--------|------------------------------|-----------------------|-------|
| 104101 | COW/SHERWIN BOUNDARY FENCE | Section 20, T26N, R1E | 1.75 |
| 104102 | COW CREEK CORRAL CREEK FENCE | Section 24, T26N, R1W | 1.5 |
| 311101 | TABLELANDS FENCE | Section 7, T26N, R1E | 2.45 |
| 311102 | LOWER SHERWIN DRIFT FENCE | Section 16, T26N, R1E | .1 |
| 311103 | UPPER SHERWIN DRIFT FENCE | Section 8, T26N, R1E | .1 |
| 311104 | TALL SPR EXCLOSURE | Section 16, T26N, R1E | .1 |
| 311105 | SHERWIN INTERIOR FEN | Section 8, T26N, R1E | .8 |
| 311106 | SHERWIN CREEK RIP FENCE | Section 8, T26N, R1E | .1 |
| 311107 | SHERWIN RIPARIAN PAST. | Section 9, T26N, R1E | .8 |

Total Miles of Fence: 17.77

The permittee is responsible for the maintenance of the following handling facilities on the permitted allotment. (This may not be a complete list of the improvements on the allotment, only those that the permittee is personally responsible for maintaining).

HANDLING FACILITY on COW CREEK 00104

| Number | Name | Location | Units |
|--------|---------------------------|-----------------------|-------|
| 104401 | KIRKWOOD CORRALS | Section 26, T26N, R1W | 1 |
| 104402 | KIRKWOOD COW CAMP CORRALS | Section 26, T26N, R1W | 1 |
| 104601 | MCCALLA BASIN STK TR | Section 21, T25N, R1W | 1 |
| 104602 | CLARKS RIDGE STK TR | Section 33, T25N, R1W | 1 |

Spring Developments

1. Maintain spring source fence according to above specifications.
2. Clean spring boxes of debris, and secure cover.
3. Water should be level in the trough and not allowed to overflow the sides of the troughs. Supply pipelines need to be functioning with broken pipes replaced. Overflow pipes must be kept clean and overflow water piped away from troughs at least 50 feet. The end of the overflow pipe must be protected from trampling livestock. Water from the overflow pipe must be directed away from the trough area.

GRAZING PERMIT - PART 3

(Reference FSM 2230)

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Permittee: **543978010602**Permit Number: **01043****Special Terms and Conditions****Responsibilities for Construction and Maintenance of Structural Improvements or for Range Rehabilitation.**

(List the specific responsibilities of the permittee; or incorporate into the permit the cooperative agreement, management plan or other document which sets forth these responsibilities in detail. Fully identify the particular document or documents.)

4. Replace broken trough braces and framing.
5. All troughs shall be equipped with an escape structure secured near one end of the top rim of the trough and extending out into the trough far enough to provide a platform from which birds and small animals can drink or escape from the trough.
6. Troughs, storage tanks, and pipelines will be drained and cleaned periodically to prevent moss and debris buildup and reduce damage from freezing.

WATER_SYSTEM_RANGE on COW CREEK 00104

| Number | Name | Location | Units |
|---------|---------------------------------|-----------------------|-------|
| 104201S | DAVIS SPRING | Section 18, T26N, R1E | 1 |
| 104202T | HORNER SPRING TROUGH | Section 20, T26N, R1E | 1 |
| 104203S | KEARNEY SPRING | Section 20, T26N, R1W | 1 |
| 104204S | CHINA RIDGE SPRING | Section 21, T26N, R1E | 1 |
| 104205S | ED THOMAS SPRING | Section 30, T26N, R1E | 1 |
| 104206S | FISH DAM SPRING | Section 29, T26N, R1E | 1 |
| 104207S | BAKER SPRING | Section 25, T26N, R1W | 1 |
| 104208T | MCCALLA FIELD TROUGH | Section 26, T26N, R1W | 1 |
| 104209S | KIRKWOOD COW CAMP SPRING | Section 26, T26N, R1W | 1 |
| 104210S | DITCH SADDLE SPRING | Section 26, T26N, R1W | 1 |
| 104211S | JENKINS RIDGE SOURCE | Section 8, T25N, R1E | 1 |
| 104212S | COLD SPR COW CAMP SPRING | Section 16, T25N, R1W | 1 |
| 104213T | BEEFSTEAK SPRING TROUGH | Section 16, T25N, R1W | 1 |
| 104214T | COLD SPRINGS COW CAMP TROUGH | Section 16, T25N, R1W | 1 |
| 104217S | 9904 SPRING | Section 14, T25N, R1W | 1 |
| 104218T | SWITCHBACK TROUGH | Section 20, T25N, R1W | 1 |
| 104219T | TELEPHONE SPRING TROUGH | Section 20, T25N, R1E | 1 |
| 104220T | BEAN CREEK RIP TANK | Section 19, T25N, R1E | 1 |
| 104221T | COW/RACE BOUNDARY SPRING TROUGH | Section 30, T25N, R1E | 1 |
| 104222T | ROUND KNOB SPRING TROUGH | Section 26, T25N, R1W | 1 |
| 104223T | KESSLER SPRING TROUGH | Section 36, T25N, R1W | 1 |
| 104224P | GRAVES PIPELINE TROUGH | Section 2, T24N, R1W | 0 |
| 104224T | GRAVES CREEK SPRING TROUGH | Section 34, T25N, R1W | 1 |
| 104225S | WEST FORK SPRING | Section 14, T25N, R1W | 1 |

WATER_SYSTEM_RANGE on SHERWIN CREEK 00311

| Number | Name | Location | Units |
|---------|----------------------------|----------------------|-------|
| 311201S | CENTER RIDGE SPRING | Section 9, T26N, R1E | 1 |
| 311201T | CENTER RIDGE SPRING TROUGH | Section 9, T26N, R1E | 1 |
| 311202S | SHERWIN SPRINGS | Section 6, T26N, R1E | 1 |
| 311202T | SHERWIN SPRING TROUGH | Section 6, T26N, R1E | 1 |
| 311203S | LAST CHANCE SPRING | Section 7, T26N, R1E | 1 |
| 311203T | LAST CHANCE TROUGH | Section 7, T26N, R1E | 1 |
| 311205S | EMMA SPRING | Section 7, T26N, R1E | 1 |
| 311205T | EMMA SPRING TROUGH | Section 7, T26N, R1E | 1 |
| 311206S | ELKHORN SPRING | Section 6, T26N, R1E | 1 |
| 311207S | HAWTHORN SPRING | Section 8, T26N, R1E | 1 |
| 311207T | HAWTHORN SPRING TROUGH | Section 8, T26N, R1E | 1 |
| 311208S | CENTER RIDGE SPRINGS 2 | Section 9, T26N, R1E | 1 |

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(List the specific responsibilities of the permittee; or incorporate into the permit the cooperative agreement, management plan or other document which sets forth these responsibilities in detail. Fully identify the particular document or documents.)

WATER_SYSTEM_RANGE on SHERWIN CREEK 00311

| Number | Name | Location | Units |
|---------|-------------------------------|----------------------|-------|
| 311208T | CENTER RIDGE SPRINGS 2 TROUGH | Section 9, T26N, R1E | 1 |

As part of the conditions of this permit, the Permittee accepts all of his/her proportionate share of the responsibility for annual inspection, maintenance and repair of 17.77 miles of fence, 30 water developments and 4 handling facilities. These range improvements are essential to the management of the Sherwin Creek and Cow Creek grazing allotments. Range improvements will be maintained annually to the standard they were originally constructed prior to livestock entering the allotment.

All improvement inspections and repairs are to be completed before cattle are allowed into the scheduled unit.

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Permittee: **543978010602**Permit Number: **01043**

(Reference FSM 2230)

Special Terms and Conditions**Management Practices.**

(List the specific management practices required of the permittee, such as salting, riding and movement of cattle, herding or bedding of sheep; or incorporate into the permit the specific allotment management plan or other document which outlines these practices in detail. If you need additional space, use next page.)

I. General Allotment Management Direction (Forest Plan)

Livestock will be managed to protect soil and water resources, threatened and endangered species under the Endangered Species Act including federal listed steelhead, bull trout, and Chinook salmon, meet or move towards the Forest Plan Goal of enhancing or maintaining habitat for riparian dependent species.

The permittee will meet the following Forest Plan Management Direction (Cow Creek and Sherwin Creek Allotments) and the Updated Environmental Assessment for the Christie Creek and Sherwin Creek Allotments (Sherwin Creek Allotment only) and is made a part of this permit.

- A. Distribute livestock in a manner that protects low productive forest lands (MA-1).
- B. Protect vulnerable prehistoric, historical, archaeological, and/or paleontological sites from livestock grazing (MA-3). Structural range improvements may be used where needed to protect these sites. Permittees may be required to share in the costs of needed improvements.
- C. Restrict livestock grazing from mined areas (MA-4) during the reclamation phase of the operation.
- D. Livestock are not permitted in developed recreation sites (MA-7) during times the site is open to the public.
- E. The permittee will assure sufficient forage is available in wildlife winter range (MA-16 & 18) to meet big game (elk) needs through proper livestock distribution and forage utilization as stated in the Annual Operating Instructions.
- F. Maintain range condition (MA-19 grasslands) at or above fair condition. Permittees may be required to share in the cost of improvements needed to maintain range conditions.
- G. Riparian Habitat (MA-10)
 - GM-1: Grazing will be modified if livestock management retards or prevents attainment of Riparian Management Objectives (RMOs) or is likely to adversely affect listed anadromous fish. Grazing may be suspended if modifying practices are not effective in meeting RMOs and avoiding adverse effects on listed anadromous fish.
 - GM-2: New livestock handling/management facilities will be located outside of Riparian Habitat Areas (RHCA).
 - GM-3: Livestock trailing, bedding, watering, salting, handling/management activities will be limited to areas and times that will not retard or prevent attainment of Riparian Management Objectives (RMO).
- H. Direction from the Hells Canyon National Recreation Area: (i.e. Comprehensive Management Plan, Forest Plan Amendment #29.):
 - a. The use of motorized and mechanical equipment would be prohibited off open designated FS roads, trails, and backcountry airstrips, except where authorized by permit. (Acc-S1).
 - b. The Sheep Creek Allotment area is closed to permitted livestock use.

II. Allotment Grazing Management.

As a result of decisions made in Biological Opinions and Biological Assessments under the Endangered Species Act, the following grazing standards have been adopted for the Cow Creek Allotment.

As a result of a decision notice by the District Ranger for the Christie Creek and Sherwin Creek Allotment Environmental Assessment, signed April 28th, 2011, the grazing standards have been adopted for the Sherwin Creek Allotment.

These standards will be used to administer grazing on the allotment. Utilization percentages represent the maximum that will be allowed based on

GRAZING PERMIT - PART 3

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Special Terms and Conditions**Management Practices.**

(List the specific management practices required of the permittee, such as salting, riding and movement of cattle, herding or bedding of sheep; or incorporate into the permit the specific allotment management plan or other document which outlines these practices in detail. If you need additional space, use next page.)

current livestock management practices.

A. Grazing Rotation:

Cow Creek Allotment:

The permittee's livestock will normally enter the Forest in one to three herds by the way of China Creek Pasture, Cow Creek Pasture, or Bean Creek Pasture. The livestock will then be moved to Schoolhouse and/or Kirkwood Pastures, and then meet up with the rest of the herd in the Cold Springs Pasture. From the Cold Springs Pasture, livestock will be moved to the Clarks Hole and/or Kessler Creek Pastures, then drift back to the Kirkwood Pasture and Schoolhouse Pasture, then move off the allotment through the China Creek Pasture.

The majority of pasture boundaries are natural barriers such as steep terrain or heavy timber.

Sherwin Creek Allotment:

Rotations will be developed annually, and will be consistent with the Allotment Management Plan.

Grazing will not be allowed in Lower Center Ridge Pasture before 10/1 without Silene site fenced. Livestock will be excluded within the enclosure (Center Ridge) before 10/1.

B. Riparian Grazing Standards:

Cow Creek Allotment:

Allowable Forage Utilization: 35% of available herbaceous forage species within riparian areas.

Allowable Woody Utilization: 30% of annual, available growth of woody riparian species.

Bank Disturbance: 10% of the linear distance along a streambank.

Stubble Height Objective: 6" stubble height.

Sherwin Creek Allotment:

Allowable Forage Utilization: 30% of available herbaceous forage species within riparian areas.

Allowable Woody Utilization: 20% of annual, available growth of woody riparian species.

Bank Disturbance: 10% of the linear distance and 5% of bank sloughing along a streambank.

C. Upland Grazing Standards:

Cow Creek Allotment:

Allowable Forage Utilization:

45% of available herbaceous forage species within upland areas.

30% of available herbaceous forage within areas inside the HCNRA wilderness.

Allowable Woody Utilization:

30% of annual, available growth of woody species inside the HCNRA wilderness.

40% of annual, available growth of woody species outside the HCNRA wilderness.

Sherwin Creek Allotment:

Allowable Forage Utilization: 35% of available herbaceous forage species.

The permittee may be asked to contribute to the monitoring of livestock forage utilization, streambank disturbance, and stubble height along selected streams and upland areas within the allotment.

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(Reference FSM 2230)

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Permittee: 543978010602

Permit Number: 01043

Special Terms and Conditions**Management Practices.**

(List the specific management practices required of the permittee, such as salting, riding and movement of cattle, herding or bedding of sheep; or incorporate into the permit the specific allotment management plan or other document which outlines these practices in detail. If you need additional space, use next page.)

D. Closed Areas.

No known "closed areas" are currently within the allotment.

E. Herding/Salting.

1. Salt placement will be emphasized in under-utilized areas for better livestock distribution.
2. Salt placement will not be within 1/4 mile of any riparian area. Salt will not be placed adjacent to springs or meadows.
3. Active herding and riding will be required to maintain proper distribution and use under-utilized areas where forage is available, and to limit livestock use on sensitive riparian and upland areas.

F. Annual Operating Instructions.

Annual Operating Instructions (AOI) will be developed annually with the permittee. The AOI will state the specific actions and management requirements for the current grazing season. The AOI when signed by the Forest Officer becomes a part of this Term Grazing Permit.

III. General Management Requirements

- A. The permittee will inform the Forest Officer of the date and number of livestock that will enter the Forest and, if called upon to do so, will provide for having the animals marked and/or counted before they enter the Forest and at any time during the life of this permit.
- B. Each herder or camp will be equipped with serviceable shovel and axe or such other combination of tools as the District Ranger may require for use in extinguishing campfires and forest fires.
- C. During periods when the Forest is closed to smoking, the person or persons in charge of livestock covered by this permit will refrain from smoking while away from the headquarters camp in pursuing duties connected with the management of livestock in their charge.
- D. All fires built for any purpose by the person or persons in charge of the livestock covered by this permit will be completely extinguished and will not be left unattended for any reason whatsoever.
- E. Owners of all livestock grazed under this permit must comply with the state livestock laws.
- F. When an animal covered by this permit dies from a contagious or infectious disease, its carcass must be disposed of by a method approved by State Laws and Regulations. If any animal dies or is killed in the vicinity of headquarters camps, streams, lakes, roads, trails, or recreational areas, its carcass must be moved to a point at least 100 yards from live water or as far as practicable when terrain makes that distance impossible.
- G. Camps must be kept and left in a sanitary condition. All flammable refuse may be burned and inflammable refuse must be packed off the National Forest.
- H. Any hay or straw used in association with this permit, will be certified as noxious weed free, or noxious weed seed free.
- I. The permittee is required to keep accurate records concerning movement of livestock, including stragglers outside authorized use periods, and to furnish such information to the Forest Service. Actual use reports will be supplied to the Forest Service in writing at the end of the grazing season.

GRAZING PERMIT - PART 3

(Reference FSM 2230)

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Permittee: 543978010602

Permit Number: 01043

Special Terms and Conditions**Management Practices.**

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IV. Designated Base Property.

The following described property is owned by the permittee and is the designated base property for this permit:

T26N, R1E, section 31; N1/2NE1/4, E1/2NW1/4, lot 1, lot 4 (less Tax #5), & N-976.46 feet of SE1/4NE1/4 = 246.24 acres.

T26N, R1E, section 32; SE1/4NE1/4, and East 193.34 feet of SW1/4NE1/4 = 45.86 acres.

T26N, R1E, section 33; SW1/4NW1/4 = 40 acres.

Total Acres: 332