

TERM GRAZING PERMIT - PARTS 1 AND 2

(Reference FSM 2230)

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Permittee Number

R12109

Permit Number

12109

PART 1

(b) (6)

of

(b) (6)

Globe Arizona (b) (6)

hereinafter

(Name of Permittee)

(Post Office Address, Including Zip)

called the permittee, is hereby authorized to graze livestock owned by the permittee upon designated lands administered by the Forest Service within the Tonto (X appropriate box)
[X] National Forest [] National Grassland under the following terms and conditions:

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 map dated 12/2009, 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	
112	Cattle	Cows/ bulls	1/1	12/31	Poison Springs/ Sierra Ancha

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 Forest officers issued thereunder; or for knowingly and willingly making a false statement or representation in the permittee's 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 environmental 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 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 251, Subpart C.

4. This permit supersedes permit 12040 issued to Sanborn Land and Cattle Co.

I HAVE REVIEWED AND ACCEPT THE TERMS OF THIS PERMIT

(b) (6)

DATE

12-18-09

DATE

01/04/10

NAME (PRINT)

DONAL LUHRSEN

TITLE

DR

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 owed 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 December 31, 2019 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, or 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 is 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 permittees' 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 Forests 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 5 through 7 which follow.

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Special Terms and Conditions

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

Part Three of this term grazing permit will serve as a Memorandum of Understanding (MOU) between the Agency and the Permittee. The Poison Springs/ Sierra Ancha Allotment has been vacant for several years and most improvements including tanks, wells, windmills, and fences are in various states of disrepair. Cattle will not be turned out onto the allotment until a schedule of improvement maintenance has been developed and sufficiently implemented to allow for proper distribution of animals. Proper distribution and adaptive management will ensure that appropriate use levels on key forage species is achieved as cattle rotate through pastures.

A schedule for improvement repairs will be spread over a minimum of five years but will not exceed ten years. The Permittee must complete enough improvements within two years to turn out his existing herd of 4 cattle and follow a deferred rotation grazing schedule. Validation of full numbers for the allotment (112 cows/bulls) will be dependent upon resource conditions and availability. Adaptive management and effectiveness monitoring will help determine appropriate stocking rates over time. Prior to validation of full numbers, the District will make certain inspections and studies of the allotment which the Permittee is invited and urged to participate in. These studies are to determine if the desired level of resource management or grazing capacity is being achieved and if the desired ecological condition can be achieved. If it is determined that the allotment will not support the full obligation, the term permit numbers and/or season of use will be adjusted to correspond with the District's findings as per part 2, clause (6)b of the Permittee's term permit.

All improvements identified in the list attached to this permit must be maintained to standard within ten years by the Permittee. Improvements identified as no longer necessary may be removed from the list at the discretion of the Agency. The schedule of repairs will be drafted in cooperation with Forest Service and the Permittee and will focus on key improvements needed for appropriate distribution of cattle.

Three pastures which were associated with the Poison Springs/ Sierra Ancha Allotment under previous permits have been removed and will no longer be available for use under the current permit. They are: Oak Creek Mesa, Upper Dry Creek, and Lower Dry Creek. These pastures are being transferred to the Dagger Allotment to meet a resource need for that existing permit. Range improvements associated with these pastures will no longer be the responsibility of the Poison Springs/ Sierra Ancha Allotment Permittee.

Additionally, the West Highway, Bassett Lake, Intake, Summit, Blevens, Upper Blevens, and Klondike pastures will be placed in nonuse until completion of an Environmental

Assessment. Recent inspections of these pastures show a very low available forage base and other resource concerns. A more comprehensive assessment of existing conditions is needed before a determination of suitability or capability can be made. If the assessment process determines that these pastures do not contain sufficient resources for livestock grazing, they will be removed from the allotment boundaries. Range improvements associated with these pastures would no longer be the responsibility of the Poison Springs/ Sierra Ancha Allotment Permittee.

There are eleven remaining pastures identified on the Poison Springs/ Sierra Ancha Allotment (see attached map). Cattle on the Poison Springs/ Sierra Ancha Allotment shall be managed using a deferred rotation grazing system and adaptive management so that each pasture receives rest at a different time each year. Repairs are needed to pipelines, windmills, water storage facilities, and fences as identified in the list of improvements attached to this permit.

Currently, the Baker, Hackberry, North Black Mesa, South Black Mesa, and Chalk Creek pastures have the best available perennial forage (grasses and shrubs) and could be utilized in summer/fall/early winter. The Braddock, North Willow, South Willow, East Highway, and Zig Zag pastures will provide the best winter and spring forage (shrubs, annual forbs and grasses), particularly in years with sufficient winter precipitation. Once repairs have been made to range improvements, annual operating instructions developed each year using adaptive management techniques will provide a grazing rotation schedule that best serves livestock and other resource needs on the allotment.

Bulls will only be run with cows during breeding season and then removed from the allotment or placed in the holding pastures if sufficient forage and water resources are available for use. This will provide for easier movement of livestock throughout the year and reduce the grazing pressure on key forage species which would result from multiple offspring per cow per year under a yearlong breeding program. Total annual authorized cattle numbers may be adapted to allow for seasonal constraints or abundances in forage and water availability.

Utilization guidelines for perennial upland and riparian key species as well as utilization guidelines for annual forb and grass production will be provided in annual operating instructions developed in coordination with the permittee each year. The length of time in each pasture will be adapted each grazing year based on livestock distribution, available forage and water, and any resource concerns identified by the Agency or Permittee.

A NEPA analysis is scheduled in 2011 for the Poison Springs/ Sierra Ancha Allotment. Upon completion of the analysis, this term grazing permit will be re-issued with a new allotment management plan containing any modifications resulting from the analysis.



RNGR201L

FS I-Web Instance

12/17/2009

STRUCTURAL IMPROVEMENTS ON RMU



Admin ID: 031206 Tonto Basin Ranger District

Managing Org ID: 031206

RMU ID: 00088

NAME: POISON SPRING

Sub Type: ALLOTMENT



Feature

				Year		
ID	Name	Type	Subtype	Const	Size/ Length	Ownership
5028	CAMPAIGN POISON	FENCE	ALLOTMENT BOUNDARY	1930	2.5	NATIONAL FOREST (FS)
5134	HAVENS POISON FEN	FENCE	ALLOTMENT BOUNDARY	1950	2.3	NATIONAL FOREST (FS)
5140	POISON SIERRA ANCH	FENCE	ALLOTMENT BOUNDARY	1930	7.5	NATIONAL FOREST (FS)
5141	BLACK MESA DRIFT	FENCE	ALLOTMENT INTERIOR	1930	2.5	NATIONAL FOREST (FS)
5142	MEDDLER WASH DRIFT	FENCE	ALLOTMENT INTERIOR	1930	2	NATIONAL FOREST (FS)
5143	SUMMIT DRIFT FENCE	FENCE	ALLOTMENT INTERIOR	1950	1.5	NATIONAL FOREST (FS)
5145	PINTO CR PASTURE	FENCE	ALLOTMENT INTERIOR	1930	1.5	NATIONAL FOREST (FS)
5146	BLEVENS PASTURE	FENCE	ALLOTMENT INTERIOR	1930	1.8	NATIONAL FOREST (FS)
5147	POISON SPR PASTURE	FENCE	ALLOTMENT INTERIOR	1930	5	NATIONAL FOREST (FS)
5148	LAKE PASTURE FENCE	FENCE	ALLOTMENT INTERIOR	1930	3.5	NATIONAL FOREST (FS)
5149	POISON DIV FEN	FENCE	ALLOTMENT INTERIOR	1960	3	NATIONAL FOREST (FS)
R05022	POISON SPR BARVBAR	FENCE	ALLOTMENT BOUNDARY	1930	4.5	NATIONAL FOREST (FS)
R05028	CAMPAIGN POISON	FENCE	ALLOTMENT BOUNDARY	1930	2.5	NATIONAL FOREST (FS)
R05134	HAVENS POISON FEN	FENCE	ALLOTMENT BOUNDARY	1950	2.3	NATIONAL FOREST (FS)
R05140	POISON SIERRA ANCH	FENCE	ALLOTMENT BOUNDARY	1930	7.5	NATIONAL FOREST (FS)
5150	MEDDLAR PT CORRAL	HANDLING_FACILITY	MULTIPLE PENS	1930	2500	NATIONAL FOREST (FS)
5151	POISON SPR CORRAL	HANDLING_FACILITY	MULTIPLE PENS	1930	1600	NATIONAL FOREST (FS)
5154	INTAKE CORRAL	HANDLING_FACILITY	MULTIPLE PENS	1930	3200	NATIONAL FOREST (FS)
5155	STEER PASTURE COR HACKBERRY WASH	HANDLING_FACILITY	MULTIPLE PENS	1930	5800	NATIONAL FOREST (FS)
5156	CORRAL	HANDLING_FACILITY	MULTIPLE PENS	1930	3200	NATIONAL FOREST (FS)

857	JOSE WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1967	3	NATIONAL FOREST (FS)
972	SALT PEAK TANK	WATER_SYSTEM		1968	122	NATIONAL FOREST (FS)
973	NO SALT TANK	WATER_SYSTEM		1969	83	NATIONAL FOREST (FS)
985	CANAL ST TANK	WATER_SYSTEM		1930	19	NATIONAL FOREST (FS)
986	ROAD JCT ST TANK	WATER_SYSTEM		1968	8	NATIONAL FOREST (FS)
987	POISON SPR HOR WELL	WATER_SYSTEM	SPRING, METAL TROUGH OR TANK W/EARCH BOT	1970	2	NATIONAL FOREST (FS)
988	MEDDLER W HOR WELL	WATER_SYSTEM	SPRING, METAL TROUGH OR TANK W/EARCH BOT	1970	2	NATIONAL FOREST (FS)
990	BRUCE HOR WELL	WATER_SYSTEM	SPRING, METAL TROUGH OR TANK W/EARCH BOT	1970	2	NATIONAL FOREST (FS)
3694	BLACK MESA PIPE & STORAGE	WATER_SYSTEM	WATER TROUGH	1989		NATIONAL FOREST (FS)
4568	BLEVANS ST TANK	WATER_SYSTEM		1960	163	NATIONAL FOREST (FS)
5158	CHALK TANK	WATER_SYSTEM		1930	207	NATIONAL FOREST (FS)
5159	TUCKER TANK	WATER_SYSTEM		1930	61	NATIONAL FOREST (FS)
5161	3C STOCK TANK	WATER_SYSTEM		1930	57	NATIONAL FOREST (FS)
5162	GROUND TANK	WATER_SYSTEM		1930	110	NATIONAL FOREST (FS)
5164	BARLEY PATCH TANK	WATER_SYSTEM		1930	230	NATIONAL FOREST (FS)
5165	BLACK MESA ONE STK	WATER_SYSTEM		1950	20	NATIONAL FOREST (FS)
5166	BLACK MESA TWO STK	WATER_SYSTEM		1950	26	NATIONAL FOREST (FS)
5167	PINTO MESA TANK	WATER_SYSTEM		1960	93	NATIONAL FOREST (FS)
5168	BLACK MESA 3 STK	WATER_SYSTEM		1960	136	NATIONAL FOREST (FS)
5169	BURNT CANYON TANK	WATER_SYSTEM		1960	123	NATIONAL FOREST (FS)
5170	POISON SPR	WATER_SYSTEM	SPRING, METAL TROUGH OR TANK W/EARCH BOT	1930	1	NATIONAL FOREST (FS)
5171	LOWER BLEVINS SPR	WATER_SYSTEM	SPRING, METAL TROUGH OR TANK W/EARCH BOT	1930	1	NATIONAL FOREST (FS)
5173	PINTO CR WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1930	3	NATIONAL FOREST (FS)
5174	BLEVINS WASH WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1950	3	NATIONAL FOREST (FS)
5175	HACKBERRY WASH WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1950	3	NATIONAL FOREST (FS)

5176	HIGH BLEVINS SPR	WATER_SYSTEM	SPRING, CONCRETE TROUGH OR TANK	1950	1	NATIONAL FOREST (FS)
5177	POISON SPR WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1930	2	NATIONAL FOREST (FS)
5178	MEDDLER WASH WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1930	3	NATIONAL FOREST (FS)
5180	BLACK MESA SPR	WATER_SYSTEM	SPRING, CONCRETE TROUGH OR TANK	1950	1	NATIONAL FOREST (FS)
5182	SUMMIT WELL	WATER_SYSTEM	WELL, WINDMILL STEEL TOWER	1960	1	NATIONAL FOREST (FS)
5183	CHALK CR PIPE	WATER_SYSTEM	DISTRIBUTION PIPELINE	1950	75	NATIONAL FOREST (FS)



RNGR201L

FS I-Web Instance

12/17/2009

STRUCTURAL IMPROVEMENTS ON RMU



Admin ID: 031206 Tonto Basin Ranger District

Managing Org ID: 031206

RMU ID: 000105

NAME: SIERRA ANCHA

Sub Type: ALLOTMENT

Feature					Year	Size/ Length	Ownership
ID	Name	Type	Subtype	Const			
876	ACROSS HOLD PAST	FENCE	ALLOTMENT INTERIOR	1960	4	NATIONAL FOREST (FS)	
5140	POISON SIERRA ANCH	FENCE	ALLOTMENT BOUNDARY	1930	7.5	NATIONAL FOREST (FS)	
5327	SIERRA ANCH ACROSS	FENCE	ALLOTMENT BOUNDARY	1930	1.7	NATIONAL FOREST (FS)	
5328	LOWER DRIFT FEN	FENCE	ALLOTMENT INTERIOR	1930	3	NATIONAL FOREST (FS)	
5329	LAKE BED DRIFT	FENCE	ALLOTMENT INTERIOR	1930	2	NATIONAL FOREST (FS)	
R05140	POISON SIERRA ANCH	FENCE	ALLOTMENT BOUNDARY	1930	7.5	NATIONAL FOREST (FS)	
R05327	SIERRA ANCHA ACROSS FENCE	FENCE	ALLOTMENT BOUNDARY	1930	1.7	NATIONAL FOREST (FS)	
5334	LAKE BED COR	HANDLING_FACILITY	MULTIPLE PENS	1930	2500	NATIONAL FOREST (FS)	
878	LARSON SP TROUGH ONE	WATER_SYSTEM	SPRING, CONCRETE TROUGH OR TANK	1960	200	NATIONAL FOREST (FS)	
884	COLCORD TANK	WATER_SYSTEM		1960	104	NATIONAL FOREST (FS)	
886	ACROSSPTROUGH	WATER_SYSTEM	SPRING, CONCRETE TROUGH OR TANK	1960	300	NATIONAL FOREST (FS)	
889	LARSONSPROUGH TWO	WATER_SYSTEM	SPRING, CONCRETE TROUGH OR TANK	1960	300	NATIONAL FOREST (FS)	
5343	ROAD RUNNER TANK	WATER_SYSTEM		1930	122	NATIONAL FOREST (FS)	
5344	SPRING CR TANK	WATER_SYSTEM		1930	136	NATIONAL FOREST (FS)	
5345	CHOLLA RIDGE TANK	WATER_SYSTEM		1930	34	NATIONAL FOREST (FS)	
5347	BYRNS TANK	WATER_SYSTEM		1950	66	NATIONAL FOREST (FS)	