



United States
Department of
Agriculture

Forest
Service

Tonto Basin
Ranger District

28079 N HWY 188
Roosevelt, AZ 85545
Phone: 928.467.3200
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File Code: 2230

Date: January 6th 2017

Re: Permit Modification #1 – Permit # 12196
Permittee #0003397145

Dear Gerald Gamblin,

This modification is hereby made part of your grazing permit number 12196 and permittee #0003397145 issued on July 19, 2016, by Kelly L. Jardine, District Ranger. It should be attached to your permit under Part 3 pages 14 and 15. This permit modification will be in effect until expiration of the Term Grazing Permit on December 31, 2025 or until further analysis and review has occurred under the National Environmental Policy Act.

The Changes will be as follows:

1. The Poison Springs Allotment will be split into two separate allotments with Term Grazing Permit #12196 only covering the Northern portion which will be renamed the Black Mesa Allotment.
2. Number of livestock on this new northern half of the allotment now called Black Mesa Allotment and covered by Term Grazing Permit #12196 will be reduced by 4 head to now include only 108 head of livestock from 01/01 to 12/31.
3. The Southern Portion of the Allotment will remain named Poison Springs and will no longer be permitted under permit #12196. A new Permit will be issued for this portion of the old Allotment for 4 head and will be issued in accordance with the Forest Service's permit grant process and the accepted waiver provided to the Forest on November 10th 2016.
4. A new Map (attached) will be the new official map for the Black Mesa Allotment and part of Term Grazing Permit #12196.
5. Structural Range Improvements listed in part three of the Term Grazing Permit will only include those that are on the new Black Mesa Allotment. Those that were on the Southern portion of the Poison Springs Allotment will no longer be the maintenance responsibility of the permittee.

Background: - On November 10, 2016 an MOU was signed and agreed to that the Poison Springs Allotment was validated in 2016 with keeping 98 head in non-use status due to the lack of water and large financial obligation required to bring structural range improvements back into working order. It was agreed that the permittee would only be required to work on those structural range improvements on the Northern portion of the Poison Springs Allotment and that work for those improvements on the Southern portion would need to put off until such a time



that a reasonable solution exists that both parties could agree to bring the allotment back into full working order and operation. This agreement was reached through the decision in cooperation with the permittee to administratively split the Poison Springs Allotment into two new allotments and issue a new term grazing permit for the Southern Portion of the Poison Springs Allotment.

Terms of Modification: - This modification is within the terms of Part 1 clause 3;

"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."

By providing a permit waiver for 4 head on November 10, 2016 and through agreement by the Forest and in conjunction with you, it is my decision to administratively split the Poison Springs Allotment as described in this permit modification.

Appeal Rights: - This modification is subject to administrative review, modification of the previous Term Grazing Permit is appealable under 36 CFR 214.4 (a)(1). Your appeal of this Term Grazing Permit Modification must be fully consistent with 36 CFR 214.8. The Responsible Official is willing to meet with the permittee or solicited applicant to discuss concerns related to the modification of the Term Grazing Permit. Mediation may be requested in accordance with 36 CFR 222.20 through 222.26.

A notice of appeal must be filed with the Tonto National Forest Supervisor at 2324 E. McDowell Road Phoenix, Arizona 85006, within 45 days of the signature date on the Term Grazing Permit Modification (36 CFR 214.9). A copy of the notice of appeal should be filed simultaneously with the Tonto Basin Ranger District, District Ranger at 28079 N HWY 188, Roosevelt AZ, 85545. Appeal documents may be filed in person, mailed or faxed to (928) 467-3239.

If you have questions regarding this Term Grazing Permit or appeal regulations, please contact your range staff at the district office, Eric Hoskins 928-467-3236.

Sincerely,

Handwritten signature of Kelly L. Jardine in blue ink, dated 1/11/2017.

KELLY L. JARDINE
District Ranger

Reviewed by:

Handwritten signature of Gerald E. Gamblin in blue ink, with the word "trustee" written below the signature.

GERALD GAMBLIN
Permittee