


Reply to: 2230

Date: November 19, 1997

Sidney & Alexcis Spencer & Jeffrey Weinhuff

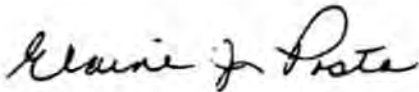

Patagonia, AZ 85624

Dear Permittees,

Enclosed is your copy of the approved grazing permit for the A-Draw Allotment.

We urge you to become very familiar with all the terms and conditions of your grazing permit.

If you have any questions, please call either Laura or Elaine at 378-0311.



for
JEANNE M. WADE
District Ranger

TERM GRAZING PERMIT — PARTS 1 AND 2
(Reference FSM 2230)

1 OF 6
PERMITTEE NUMBER 05-0817
PERMIT NUMBER 05-0817

PART I

Sidney D. SPENCER & Jeffrey K. WEINHUFF
& Alexcis H. SPENCER, Tenants in Common

Patagonia, AZ 85624

(Name of Permittee)

(Post Office address including Zip Code)

hereinafter called the permittee, is hereby authorized to graze livestock owned by the permittee upon designated lands administered by the Forest Service

within the Coronado (X appropriate box) 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 November 14, 1997, which is part of this permit (strike out item or items not applicable).

A-DRAW ALLOTMENT #301

SIERRA VISTA RANGER DISTRICT

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	
142	Cattle	Cow/Calf	03/01	02/28	A-Draw
		<i>M.O.U.</i>			
		<i>See attached for Non Use</i>			

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 willfully 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, soil 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 228.251.

4. This permit supersedes permit issued 10/11/95 to James R. Carlson and Stephanie C. Carlson (CARLSON FAMILY TRUST), by Jeanne M. Wade, District Ranger. I have reviewed the provisions of the grazing permit, the standards & guidelines and management requirements of the Coronado National Forest Plan of July 1986 (as amended) applicable to the A-Draw Allotment area and the Allotment Management Plan with permittees. *Jeanne M. Wade*
District Ranger

I HAVE REVIEWED AND ACCEPT THE TERMS OF THIS PERMIT

NATURE OF PERMITTEE, OR HIS AUTHORIZED AGENT <i>Sidney D. Spencer</i>			DATE
SIGNATURE OF FOREST OFFICER <i>Jeanne M. Wade</i>	NAME (Print) JEANNE M. WADE	TITLE District Ranger	DATE 14 Nov 97

Special Terms and Conditions

1. Authorization Required. Each year the permittee will file with the District Ranger an application for changes from the use specified in the term grazing permit. It is to be submitted substantially in advance of the desired grazing season. Approval of the application, in whole or in part, will be reflected in the ensuing Bill for Collection.

If fees assessed through the Bill for Collection are not paid by the date specified thereon and livestock are placed on (or in the case of yearlong permits, are on) the allotment, term permit numbers and/or season of use may be suspended and/or cancelled. In addition, grazing use by livestock during the delinquent period will be assessed at the "excess use rate" minus regular fees if already paid and applicable.

2. Maintenance of Range Improvements. Permittee maintenance assignments are shown on pages(s) 5&6 of this permit and are further identified on the map which accompanies this permit. (Dated 11/14/97)

3. Livestock grazed in excess of the numbers, outside of the period use, or of a class or kind not authorized in the current Bill for Collection.

(a) When the annual application is approved, in whole or in part, livestock grazed in excess of authorized numbers must be removed from lands of the National Forest System. Grazing use by excess livestock must be assessed at the "excess use or unauthorized use rate." In addition:

(1) For first offense cases, the term grazing permit may be suspended or cancelled by the percentage of excess numbers exceeding 10 percent of current authorized numbers. If the excess is 110 percent or greater, total suspension or cancellation may result.

(2) For second offense cases, the term grazing permit will be suspended or cancelled by twice the percentage of excess numbers. If excess is 50 percent or greater, total suspension or cancellation will result.

(3) For second offense cases occurring during periods of suspension, the term grazing permit will be cancelled by the amount of the suspension in effect or by twice the percentage or excess numbers involved whichever is greater.

(4) For additional offenses, the term grazing permit may be cancelled in whole or in part without regard to the percentage of excess.

4. Livestock Counting. The permittee will notify the District Ranger at least 5 days before livestock enter the National Forest System. If requested by the District Ranger, the permittee will present the livestock for counting prior to entry, and at any time thereafter during the permitted season. The District Ranger may round up and hold for counting all permittee-owned livestock on the allotment.

GRAZING PERMIT - PART 3

(Reference FSM 2230)

Permittee Number
05-0817Permit Number
05-0817Special 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.)

5. Salting Policy: All salt placed on the Coronado National Forest will be located on feed and not in natural livestock concentration areas such as saddles, canyon bottoms, and proximity to water unless such locations are approved in writing by the Forest Officer in charge.
6. Counter Date: A variance of the counter date will be allowed for this permit as long as the animal husbandry practices of the permittee meet the criteria in CNF Supplement 2200-93-1, 2238.11a. This variance will be documented in the annual operating plan and the allotment management plan.
7. Commensurability: The base property for this Term Permit is identified as follows:

Approximately 40 acres located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T23S, R17E, G&SRB&M, as shown in orange on the map entitled A-Draw Allotment, attached hereto and hereby made a part of this permit. Changes in the designation of the base property must be applied for and approved in writing by the District Ranger.

STANDARDS AND GUIDELINES FROM THE CORONADO NATIONAL FOREST PLAN.

Standards and guidelines from the CNF Plan, as amended, apply to the management of the A-Draw Allotment(s).

These standards and guidelines will be implemented through Allotment Management Plans (AMP's). An AMP will be approved for the A-Draw Allotment in 1998.

The following standards and guidelines apply:

Prescription applicable to all areas of the Forest - pp. 27-46.
 Prescription Management Area 1 - pp. 47-49.
 Prescription Management Area 4 - pp. 62-66.
 Prescription Management Area 7 - pp. 67-74.
 Prescription Management Area 9 - pp. 79-82.
 Standards and Guidelines for Range Management, Appendix C - pp. 116-118.

18-1337 11-13-62

AUTHORIZATION FOR PERMITTEE'S REPRESENTATIVE
TO SIGN GRAZING APPLICATION

Date July 17, 1997

I (We) do hereby, until further written notice, authorize

Sidney D. Spencer, _____
Name Title

or _____,
Name Title

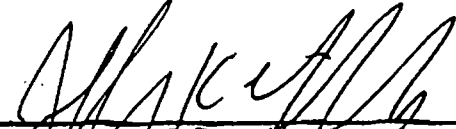
or _____,
Name Title

to sign papers relative to, or act in behalf of Jeffry K. Weinhuff

and/or Alexcis H. Spencer in connection with the grazing preference
Name

which I (We) hold on the Coronado National
Name

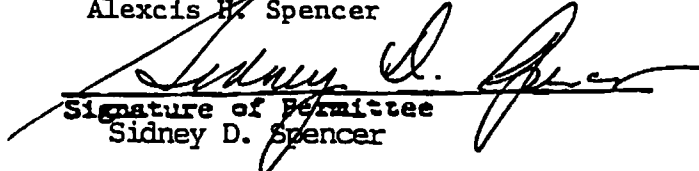
Forest. This does not include transactions involving the waiving
of the grazing preference.



Signature of Permittee
Jeffry K. Weinhuff



Signature of Permittee
Alexcis H. Spencer



Signature of Permittee
Sidney D. Spencer

R3 2200-59
May 1962

MEMORANDUM OF UNDERSTANDING

between

THE UNITED STATES FOREST SERVICE

and

Sidney D. and Alexis H. Spencer, and Jeffrey K. Weinhuff, Grazing Permittees,
Coronado National Forest

It is mutually understood and agreed by the parties hereto that:

1. The permittees hereby apply for non-use privilege of up to 142 head of cattle, or 1,704 animal unit months (AUMs), for 5 consecutive years, thereby curtailing grazing of said National Forest lands 0 to 100%.

2. For the duration of this agreement, the permittee will graze 0 to 142 head of cattle, or 0 to 1,704 AUMs, in accordance with a management plan that is mutually agreed upon by the permittee and the Forest Service. Stocking will be determined on an annual basis and will be based on precipitation, forage production, water availability and utilization levels, as defined in the Annual Operating Plan.

3. The Forest Service hereby approves the non-use privilege of up to 142 head of cattle, or 1,704 AUMs for 5 consecutive years for the purpose of restoring range and watershed values, and to allow time for development and implementation of a new management plan, including construction of necessary water developments.

4. In five years the Forest Service will make a decision to either continue this non-use agreement for the A-Draw Allotment, if deemed appropriate, or adjust the permit to the number the allotment has been shown to be capable of supporting without exceeding allowable utilization levels.

6. This agreement shall become effective as soon as signed by both parties hereto, and shall continue in force until Feb. 28, 2003 unless terminated sooner by consent of both parties.

Approved under the above conditions at Sierra Vista Ranger District
14 day of November, 1997.

Sidney D. Spencer
SIDNEY D. SPENCER, Permittee

October 26, 1997
Date

ALEXIS H. SPENCER, Permittee

Date

JEFEREY K. WEINHUFF, Permittee

Date

Jeanne M. Wade
JEANNE M. WADE
District Ranger

14 Nov 97
Date