

67-10173

Mildred D. Cooper

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DEPARTMENT OF
WATER RESOURCES

These are the documents I received from the Weiser Forest Service which I hope will establish my evidence for prior water use on my property. Even though the copies on some of the pages are faint I hope the packet as a whole will prove my claim.

Sincerely,
Mildred D. Cooper

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UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE			NAME OF APPLICANT <i>Mildred D. Cooper</i>
SPECIAL USE APPLICATION			DATE OF APPLICATION <i>11/2/66</i>
REGION <i>2</i>	STATE <i>Mississippi</i>	FOREST <i>Shawnee</i>	RANGER DISTRICT <i>North</i>

(Entries above this line will be filled in by the Forest Service)

Application is hereby made for a permit to use National Forest land as indicated below:

1. Description of land: <i>2.5 acres of land in the north end of the property, bounded by the road and the creek.</i>		
2. Purpose of use: <i>fenced enclosure to protect timberland from water contamination.</i>		
3. Acres of National Forest land to be used: <i>3</i>		
4. Miles of National Forest land to be occupied (Applicable to road rights-of-way, pipe lines, telephone lines, power lines, etc.): <i>N/A</i>		
5. Number of days that premises will be used each year: <i>100</i>		
6. Improvements: a. Description: <i>to be made by applicant, including a fence, and a well.</i>		
b. Approximate cost \$ <i>1000.00</i>	c. Construction will begin within <i>1</i> months	d. Construction will be completed within <i>1</i> months
DATE OF APPLICATION	SIGNATURE OF APPLICANT <i>Mildred D. Cooper</i>	ADDRESS <i>Raymond, Miss.</i>

REPORT ON APPLICATION

(To be completed by Forest Officer)

- General description of the area and adaptability for the proposed use. Outline area on map on reverse side or on separate map sheet if needed to clarify proposed use.
with a 1/2 acre stream bed on the north end of the property.
- Status of the land requested, including description of any improvements or claims on area. If previously under permit indicate former permit date and permittee's name.
no previous permits.
- State approximate amount and kinds of timber to be cut, recommended stumpage prices, method of scaling; include recommendation on disposal of merchantable timber (a) to permittee at current damage appraisal or (b) to others than permittee under regular timber sale procedure.
no timber to be cut.
- Recommendations, including any factors which might affect the granting of the permit or future use of the land.
no recommendations.
- List on the reverse side any additional conditions which should be made a part of the permit.
no additional conditions.

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REPORT SUBMITTED	DATE	SIGNATURE	TITLE
REPORT APPROVED	DATE	SIGNATURE	TITLE

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AGREEMENT FOR COOPERATIVE WORK
(SEC. 5 OF ACT OF APRIL 24, 1950 - P.L. 478)

THIS AGREEMENT, MADE AND ENTERED INTO THIS _____ DAY OF _____, 1953 BY AND BETWEEN Raymond Richards OF San Antonio, Texas, HEREINAFTER CALLED THE COOPERATOR, AND THE SUPERVISOR OF THE Range NATIONAL FOREST, HEREINAFTER REFERRED TO AS THE FOREST SERVICE, WITNESSETH:

WHEREAS, THERE IS NEED FOR a stock water trough holding about 2000 lbs of water and approximately 250 feet of 1 1/2" plastic pipe to supply this trough with water from a spring located in NE 1/4 NE 1/4 SW 1/4 of Sec 15 T16 N R4W BM.

NOW, THEREFORE, IN CONSIDERATION OF THE NECESSITY FOR SUCH range improvement and development.

FOR THE BENEFIT OF BOTH PARTIES, THE PARTIES HERETO AGREE TO COOPERATE, IN THE MANNER SET FORTH BELOW, IN THE CONSTRUCTION AND/OR MAINTENANCE OF this development. The Forest Service agrees to supply the trough and plastic pipe. The operator agrees to supply all labor required to install, install and properly maintain this development.

AS MORE SPECIFICALLY DESIGNATED ON THE GROUND BY THE FOREST OFFICER IN CHARGE.

THE FOREST SERVICE AGREES TO FURNISH MATERIALS OR FUNDS AS FOLLOWS:

1. water trough with a capacity of approx 2000 lbs and approx 250 feet of plastic pipe with the fittings in diameter.
PROVIDED SUFFICIENT FUNDS ARE MADE AVAILABLE BY CONGRESS.

J. P. Richards AGREES TO FURNISH _____

AND ALL LABOR NECESSARY TO COMPLETE the proper installation and proper maintenance of this development.

BETWEEN THE POINTS DESIGNATED AND AGREED UPON WITH THE FOREST OFFICER IN CHARGE.

THE WORK SHALL BE ACCOMPLISHED TO THE FOLLOWING STANDARDS:

The water trough shall be placed on level ground in such a manner that it will not be damaged by livestock. The pipe shall be buried to a depth of 6 inches to protect it from frost or damage from trampling in the area open to livestock.

The maintenance of this installation shall consist of keeping the trough free of debris and ice and also that it shall contain a maximum amount of water during the period of use each year. The pipe shall be kept clear of debris and the intake fully open during the season of use.

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At the completion of the grazing season the trough shall be emptied, the pipe drained and the intake removed from the source of supply.

The permittee whose stock use this water shall be notified by the Bureau when the proper use of this water has been accomplished and the water turned off.

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18. The permittee shall provide adequate water available to stock which use this area.

This shall be done by the installation of a water trough and plastic pipe supplied by the forest service. A cooperative agreement will be set up whereby the permittee will supply the labor to dig, install and maintain the trough and pipe which shall be supplied by the forest service.

19. Trough and pipe installation & maintenance will be subject to inspection by forest officers and become a part of the permit area permit.

20. At no time shall the permittee or other livestock be permitted to graze or otherwise use the land within this enclosure.

21. The special use shall be paid for at the rate of \$100/acre or \$1/rod of fence enclosing the area which ever is greater or shall be uniform rate.

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Poyette N. F. Weiser Land district. Mag. declin. _____ Area _____ acres

NE 1/4 NE 1/4 SW 1/4

T. _____

16 N.

R. 4 W.

Poise Mer.

Scale 1/2

inches 1 mile

Water development

(Subdivision and section) Sec 15

E. Rice Ranch Creek
Cattle Allotment

Metal
Trough

Concrete
Reservoir

Special Use
pasture

Special Use
pasture

Private
Land
J. R. Richards

shed

Field work by D. L. Johnson Date 3/12/63 Platted by D. L. Johnson

Remarks _____

Approved _____, 19____

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DEPARTMENT OF
WATER RESOURCES

REPLY TO: 2720 Special Use Permits

September 13, 1972

SUBJECT: J.R. Richards



TO: Forest Supervisor

Enclosed are three copies of a Relinquishment and Application form and an Environmental Analysis Report for the proposal.

We recommend issuance of an annual special use permit for the spring development, pipeline, and protective fence around the spring.

TERRY B. RANDOLPH

TERRY B. RANDOLPH
District Ranger

Enclosures

TBR:bw

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I. DESCRIPTION

A special use permit was issued to Mr. Claude M. Taylor in 1951 for five acres for a special use pasture. The permit was re-issued to Mr. J.R. Richards on June 10, 1957 for $2\frac{1}{2}$ acres of pasture and $2\frac{1}{2}$ acres to be cultivated for the growing of hay. In 1963, Mr. Richards improved the spring development, fenced the spring, and installed a water trough for use by cattle grazing the East Pine-Rush Creek Cattle Allotment. This area joined Richard's Private land to the south.

The area lies in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T.16N., R.4W., Washington County, Idaho. The area is in the Intermediate Multiple Use Zone in the Seid Creek drainage. The area concerned is entirely National Forest lands.

It is proposed that a new permit be issued only for the use of the spring development, a buried pipeline, and that fence necessary to protect the spring from damage by cattle. The pasture land and cultivated land should be eliminated from permit and returned to normal National Forest status. When the area was originally fenced, it caused a management problem as the Rush Creek-East Pine Creek allotment cattle previously grazed and watered in this area. The construction of a water trough for these cattle reduced, but didn't eliminate the problem. The cow continue to bunch up against this fence and overgraze this corner of the allotment annually. Elimination of this fenced pasture will permit unrestricted access to the remainder of the allotment.

The applicant is agreeable to this change. He wants to retain the water development and Transmission line to irrigate his Private land below the Forest boundary.

II. ENVIRONMENTAL IMPACTS

This proposal should reduce the heavy grazing and there should be no adverse impacts with this proposal.

III. FAVORABLE ENVIRONMENTAL EFFECTS

- A. Project will permit better cattle distribution.
- B. Project should eliminate a management problem.
- C. Project will release land for full Multiple Use Management.
- D. Project will permit irrigation of Private ranch land.

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IV. ADVERSE ENVIRONMENTAL EFFECTS

None anticipated.

V. ALTERNATIVES

- A. Issue permit for both water development and pasture.
- B. Do not issue permit for any use.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The greatest share of the water will be obligated for irrigation with lesser amounts for grazing, wildlife, and for maintenance of existing plant life.

VII. CONSULTATION WITH OTHERS

Proposal has been discussed with applicant and he concurs.

IX. MANAGEMENT REQUIREMENTS AND CONSTRAINTS

1. Approve the report and issue an annual special use permit for the spring development, buried pipeline, and the fence protecting the spring.
2. Remove pasture fence on National Forest lands.
3. Retain sufficient water for livestock and wildlife needs.
4. Maintain sufficient flow in channel to maintain existing water loving vegetation.