

Authorization ID: AVE63
Contact ID: AVERY WATER & SEWER DISTRICT
Expiration Date: 12/31/2008
Use Code: 931

FS-2700-25 (03/06)
OMB NO. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
Forest Service**

**TEMPORARY SPECIAL - USE PERMIT
(FSH 2709.11, sec. 54.6)**

AUTHORITY:

FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976

RECEIVED
MAY 13 2008
IDWR/North

Avery Water & Sewer District, hereinafter called the Holder, is hereby authorized to use, subject to the terms and conditions of this permit, National Forest System land identified within the unit area and described as:

NWNW of Lot 5 Section 14, T45N, R5E, Boise Meridian

as shown on the attached Exhibit A. This authorization covers approximately >1 acres and/or 0 miles.

The holder is authorized to conduct the following activities and/ or install the following temporary improvements on the permitted area:

CONSTRUCTION OF TEST WELL FOR THE REPLACEMENT WELL FOR AVERY

TERMS AND CONDITIONS

1. Use under this permit shall begin on and end on 12/31/2008. The permit shall not be extended.
2. The fee for this use is \$62.00. It shall be paid in advance and is not refundable.
3. The holder shall conduct the authorized activities according to the attached approved plans and specifications, Exhibit A.
4. The holder shall not install any improvements not specifically identified and approved above.
5. No soil, trees, or other vegetation may be destroyed or removed from National Forest System lands without specific prior written permission from the authorized officer.
6. The holder shall comply with all Federal, State, county, and municipal laws, ordinances, and regulations which are applicable to the area or operations covered by this permit.
7. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. The holder shall fully repair and bear the expense for all damage, other than ordinary wear and tear, to National Forest System lands, roads and trails caused by the holder's activities.
8. The holder has the responsibility of inspecting the use area and adjoining areas for dangerous trees, hanging limbs, and other evidence of hazardous conditions which would pose a risk of injury to individuals. After securing permission from the authorized officer, the holder shall remove such hazards.
9. The holder shall be liable for any damage suffered by the United States resulting from or related to use of this permit, including damages to National Forest resources and costs of fire suppression.
10. The holder shall hold harmless the United States from any liability from damage to life or property arising from the holder's occupancy or use of National Forest lands under this permit.
11. The holder agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the holder of the privileges thereof.

RECEIVED
MAY 13 2008
IDWR/North

12. This permit is subject to all valid existing rights and claims outstanding in third parties.
13. This permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer. Upon expiration or revocation of this permit, the holder shall immediately remove all improvements except those owned by the United States, and shall restore the site within 30 day(s), unless otherwise agreed upon in writing. If the holder fails to remove the improvements, they shall become the property of the United States, but that will not relieve the holder of liability for the cost of their removal and restoration of the site.
14. This permit is a license for the use of federally owned land. It does not grant any interest in real property. This permit is not transferable. The holder shall not enter into any agreements with third parties for occupancy of the authorized premises and improvements.
15. Appeal of any provisions of this permit or any requirements thereof shall be subject to the appeal regulations at 36 CFR 251, Subpart C, or revisions thereof.
16. This permit is accepted subject to the conditions set forth herein, and Exhibit A attached to and made a part of this permit.
17. The above clauses shall control if they conflict with additional clauses or provisions.
18. Forest Service Representative (R1-X16). The District Ranger, St. Joe Ranger District, Telephone No. 208-245-2531, is responsible for administering this special-use authorization. The holder should contact the District Ranger regarding any questions concerning the occupancy and use authorized and the provisions of this authorization.
19. Information From Holders (R1-X17). As a condition of this authorization, the holder is responsible for providing the authorized officer with any information in possession necessary for determining annual rental fees, ownership, or other matters concerning the administration of the authorized use by the Forest Service.
- Regarding the submission of such information, the holder understands that it is a crime for any person to knowingly and willfully make false, fictitious, or fraudulent statements to matters under the jurisdiction of the United States Government (Title 18, U.S.C. Section 1001).
20. Water Rights (X74). This authorization does not convey any legal interest in water rights as defined by applicable State law.

I have read and understand the terms and conditions and agree to abide by them.

HOLDER

By: Sheila McCotter
Address: Avery Water & Sewer
PO Box 133
Avery ID 83802
Phone #: 1-208-245-2479
Date: 05/08/08

U. S. DEPARTMENT OF AGRICULTURE
Forest Service

By: Charles A. Mark
Name: CHARLES A. MARK
Title: District Ranger
(Authorized Officer)
Date: 5/9/08

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 975-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

RECEIVED
MAY 13 2008
IDWR/North