



File Code: 2230-3/2210

Date: May 4, 2009

Scott and Rayma McCarrel  
4556 US Highway 40  
Vernal, UT 84078

Dear Scott and Rayma,

This letter is in reference to the annual meeting you had with Aaron Zobell on March 20<sup>th</sup> in Manila concerning your grazing on the Birch Creek-Little Hole and Little Davenport Allotments. This letter will serve as your 2009 Operating Instructions and will become a part of your term grazing permit as provided for in Part 1, Item 3 and Part 2, Item 8(a) of your term grazing permit.

Please note situations may develop during the grazing season which you feel may require changes to these instructions. If you believe this becomes necessary, or if you cannot comply with some part of these instructions contact Aaron Zobell and obtain approval before initiating changes or deviating from these instructions. Your 2009 operating instructions are as follows:

**Birch Creek - Little Hole C&H Allotment**

<u>Numbers</u>	<u>Unit</u>	<u>Date</u>
74	West	July 15 – Sept. 20
74	East	July 15 – Sept. 20

**Little Davenport C&H Allotment**

<u>Numbers</u>	<u>Unit</u>	<u>Date</u>
9	Grazed in conjunction with BLM allotment	To be determined by the BLM

Only livestock branded according to the Certificate of Registrations provided by you to the Forest Service will be allowed to graze on the allotment. Confirmation of payment through the “lock box” process must be received before livestock will be allowed to graze on National Forest lands.

You have once again elected to graze at ½ the time with twice the numbers on the Birch Creek-Little Hole Allotment. Please ensure your cattle are evenly distributed across both units and you check your cattle often. This is especially important as grazing ½ the time at twice the numbers across the allotment eliminates the option of moving your cattle into a different unit if utilization benchmarks are met or exceeded. Consequently, when key areas within either unit meet or



exceed utilization benchmarks described in table 1.0 below you will be asked to remove your cattle from the allotment regardless of the proposed off date.

Your Forest Service term permit for 9 cows on the Little Davenport Allotment is part of an on-and-off provision that is managed as a natural grazing unit consisting of Forest Service, Bureau of Land Management (BLM) and private lands. Only 12% of the land within this natural grazing unit is under the jurisdiction of the Forest Service; therefore, under an interagency Memorandum of Understanding (FSM 1531.12b) the Forest Service has given the BLM the authority to manage federal land within this natural grazing unit. You should coordinate your season of use of the BLM and Little Davenport on-and-off allotments with the BLM this year with your livestock being removed from Forest Service administered lands before the 15<sup>th</sup> of September.

Utilization benchmarks for the Birch Creek-Little Hole and Little Davenport Allotments are presented below in table 1.0. Utilization will generally be monitored at key areas of the allotments. Key areas are those areas of the allotments most preferred by livestock and are typically grazed first and receive the most concentrated use. Cattle permitted to graze in the Birch Creek-Little Hole Allotment will be removed from National Forest lands when utilization benchmarks have been met at key areas in either the west or east unit or by the off date, whichever comes first. Cattle permitted to graze in Forest Service lands within the Little Davenport Allotment will be removed from National Forest lands when utilization benchmarks have been met at key areas in the allotment or by the proposed off date, whichever comes first. It is the permittee's responsibility to ensure utilization benchmarks shown in table 1.0 are not exceeded. The proposed grazing schedule and utilization benchmarks listed above are per the 2009 Birch-Creek Little Hole and Little Davenport Allotment Management Plan. Every effort must be taken to completely remove cattle off the National Forest by the scheduled off date. For example, if it requires 3 days of riding to gather your cattle, then you should start riding 3 days prior to your scheduled off date.

Table 1.0 Utilization and Residual Stubble Height Benchmarks for the Birch Creek-Little Hole and Little Davenport Allotments

Utilization Benchmarks	Birch Creek-Little Hole		Little Davenport
	West Unit	East Unit	
Utilization-by key species	<50%	<50%	<50%
Residual Stubble Height	>4 inches	>4 inches	>4 inches

Equal utilization of the range is the objective. This requires riding and salting be properly conducted throughout the entire grazing season. Rotate your salting areas during the grazing season and from year to year. Place your salt in good forage producing areas where cattle do not go by preference. Do not place your salt next to water, roads, trails, or in open meadows. Cattle should be spread out between the two units within the Birch Creek-Little Hole Allotment and properly distributed within those two units to ensure the range is equally utilized. This is especially important since any key area reaching proper utilization means it is time to remove your cattle from the allotment. Cattle should also be evenly distributed while grazing within Forest Service lands within the Little Davenport Allotment.

Maintenance of all your improvements must be done 1 week before cattle enter the Birch Creek-

Little Hole Allotment and maintenance needs to be completed to the standards listed in your permit. Completing your maintenance responsibilities 1 week before your on date will allow Aaron time to inspect your improvements and address any concerns before your cattle enter the Birch Creek-Little Hole Allotment. You are responsible to provide all materials and labor needed to complete this maintenance. You have requested and filled out a permit for the use of an ATV to be used for fence and water development maintenance on the Birch Creek-Little Hole Allotment. I have approved this use from June 1<sup>st</sup> through November 15<sup>th</sup> (weather permitting) within the West unit. I have approved your ATV use in the East Unit from June 1<sup>st</sup> to August 14<sup>th</sup> and again from November 16<sup>th</sup> to November 30<sup>th</sup> (weather permitting). I have not approved ATV use to occur within the East unit from August 15<sup>th</sup> to November 15<sup>th</sup> due to a seasonal road closure that occurs at and beyond the Pipe Creek gate. This permit allows you to use your ATV to travel along existing fences and water developments to maintain them where this use has previously occurred. ATVs should not be used to travel cross-country. Other item(s) specifically discussed that need to be addressed before cattle enter the allotment include the following:

- ❖ **Drift of Cattle into the Birch Creek-Little Hole Allotment:** Cattle drifting into the East unit of the allotment before the on date was documented last year. While the amount of utilization that occurred before the on date was not significant this is considered excess use and is not in compliance with your term grazing permit. Additionally, should this excess use increase it may result in utilization benchmarks being reached before the proposed off date of the allotment which in turn would result in removal of your livestock from the allotment before the proposed off date. As a result, you need to ensure you make every feasible every to ensure your cattle do not drift onto the Birch Creek-Little Hole Allotment before the on date. Please contact Aaron Zobell if you believe additional fencing may be required to do this.
- ❖ **Wildhorse Springs Water Development:** The Wildhorse Springs water development was inspected last year by Aaron Zobell. Construction of this development appears to now have reached Forest Service standards and expectations.

We can provide you with a sign reminding users of the gate to please close the gate after using it to help with the management of livestock on Pipe Creek Gate. Please call Aaron if you are interested in picking up a sign. Pipe Creek Gate is to remain locked after the 15<sup>th</sup> of August. Please let Aaron know if you have any more compliance issues concerning this gate.

Please keep track of the dates, numbers and any other facts that may be pertinent to your grazing on the allotment this year and let Aaron know as they occur. Note these items on the Grazing Use Record form attached below and return them to Aaron by December 31st.

We also need your help to control noxious weeds. We have recently have began retreating a spotted knapweed site on the Birch Creek-Little Hole Allotment. Aaron provided you with the location of this site and showed you a mounted specimen of this plant during the 2008 annual permittee meeting. Please let Aaron know should you observe this plant or any other “new” weeds in other areas of the allotments on which you graze so that we can immediately treat those sites. Additionally, control of musk thistle remains a concern. By removing musk thistle seed heads before they flower and then cutting down the plant at its base, the spread of this plant can

be controlled.

I look forward to working with you on the Birch Creek-Little Hole and Little Davenport Allotments. If you have any questions or comments, please contact Aaron Zobell at (435) 781-5279.

Sincerely,

ROWDY MUIR  
Acting District Ranger

Enclosure (1)  
2009 Grazing Use Record

**2009 GRAZING USE RECORD**  
**FLAMING GORGE RANGER DISTRICT**

This form should be completed in detail, signed, and returned immediately following the grazing season to this office. Use back of sheet if necessary.

PERMITTEE \_\_\_\_\_

ALLOTMENT \_\_\_\_\_ YEAR \_\_\_\_\_

ACTUAL USE

UNIT IN ORDER GRAZED	TOTAL LIVESTOCK NUMBERS	DATE ENTERED	DATE LEFT	DATE <u>ALL</u> LIVESTOCK REMOVED FROM UNIT	NOTES

NOXIOUS WEEDS

SPECIES	LOCATION	OTHER

OTHER

Improvements maintained and/or visited

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Improvements in need of repair

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NOTES

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