



United States  
Department of  
Agriculture

Forest  
Service

Apache-Sitgreaves  
National Forests  
Alpine Ranger District

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Alpine, AZ 85920  
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File Code: 2210

Date: July 1, 2010

Shirley Barney  
P.O. Box 266  
Pomerene, AZ 85627

Dear Shirley:

Enclosed is a Memorandum of Understanding (MOU) documenting total non-use for personal convenience on the Tenney Allotment for the 2010 grazing year. Non-use for personal convenience can be granted for a maximum of three consecutive years, but must be approved on a year to year basis (see terms described in the MOU). This is your first year of total non-use for personal convenience. Please read the MOU and sign the last page, keep a copy for your records, and return a copy to our office.

We are in the process of drafting a new Term Grazing Permit in the name of the trust. We will work with you through this process, and encourage you to provide all documentation that we have requested.

Even though you are taking non-use, it is essential that the maintenance responsibilities listed in your Term Grazing Permit are kept in a functional condition. In particular, a well maintained fence will help your neighbors and prevents unauthorized use by livestock from neighboring allotments.

If you have any questions and/or comments, please feel free to call me or my Range Staff at (928) 339-5000.

Sincerely,

RICHARD DAVALOS  
District Ranger



## **Annual Operating Instructions**

### **Personal Convenience Non-Use**

### **Memorandum of Understanding (MOU)**

#### **TENNEY ALLOTMENT**

Alpine Ranger District  
Apache-Sitgreaves National Forests

#### **2010 Grazing Season**

#### **NON-USE AGREEMENT/MOU**

I have approved your application for Personal Convenience Non-Use on the Williams Valley Allotment for the 2010 grazing season. This is your first year of non-use for personal convenience. Please note the following conditions for Personal Convenience nonuse from the FS Manual:

17 - NONUSE OF GRAZING PERMITS WITH TERM STATUS. General direction for nonuse is in FSM 2231.7. Specifics follow.

17.1 - Personal Convenience of Permittee. Application for nonuse of grazing permits with term status should be made in writing. Nonuse for personal convenience of term grazing permit holders may be approved on a year-to-year basis. See FSM 2204 for delegations. Do not automatically approve nonuse for personal convenience.

If nonuse is approved for a maximum period, and the permit is then used for 1 year, a subsequent application for additional nonuse for personal convenience shall not be approved unless circumstances are unusual.

Requests for nonuse must be submitted sufficiently in advance of the grazing season to allow the Forest Supervisor and District Ranger time to consider other use alternatives. Failure to place livestock on NFS lands without approved nonuse may result in suspension or cancellation of the permit to the extent of number of animals not grazed (sec. 16.21).

Approve the first year of partial or total nonuse by letter. Inform the permittee in the letter that nonuse must be approved annually. Include in the letter the unit's policy on the number of consecutive seasons of nonuse which may be taken, if approved. In this letter, inform the permittee of the requirement concerning sale of base property or permitted livestock if permit waivers are to be recognized.

For all but the first and last year of nonuse, show approved partial nonuse in the bill for collection. This serves as notice of approval. Approve total nonuse by letter.

Approval for the last successive year of either partial or total nonuse must be confirmed by letter with a notice that the permittee must run the livestock the next year to retain the permit.

The policy for granting nonuse is more liberal for permit holders who enter the Armed Forces. They may be granted nonuse during the period of first enlistment or obligated active duty. Following termination of first enlistment or obligated active duty, act on an application for nonuse in accordance with the regular policy.

**RANGE IMPROVEMENTS**

Even when you are in nonuse, range improvements must be maintained to standard. **It is the permittee's responsibility to ensure that range improvements remain functional, whether the allotment is stocked or not.** This includes boundary fences in pastures not currently being grazed. Fences must remain in a state that prevents the passage of cattle. Routine maintenance of existing improvements does not require written clearance; however, construction/reconstruction of improvements must be authorized in writing from this office.

**OTHER INSTRUCTIONS**

The Annual Operating Instructions are a part of the Term Grazing Permit as provided for in Part 1, Section 3, and comply with the standards and guidelines found in the Forest Plan. Any additional information collected during the year may be incorporated into the Annual Operating Instructions.

I have read and understand these Annual Operating Instructions/Non-use MOU for the Williams Valley Allotment during the 2010 grazing season.

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Permittee

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Date