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U. S. DEPARTMENT OF AGRICULTURE.
FOREST SERVICE.
HENRY S. GRAVES, Forester.

THE USE BOOK

A MANUAL FOR USERS OF THE NATIONAL FORESTS.

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When it is desired to establish a new town on lands within a National Forest under the town-site laws a petition should be addressed to the district forester. An investigation will be made under his direction to ascertain whether it is necessary to use the lands for town-site purposes. An approved area will be excluded from the National Forest by Executive order to enable the applicants to proceed under the town-site laws and the regulations of the Department of the Interior.

SPECIAL USES.

REGULATIONS.

REGULATION L–31. All uses of National Forest lands and resources, except those specifically provided for in regulations governing water power, timber sales, timber settlement, the free use of timber, and grazing, will be designated "special use." Permits for special uses, except for the excavation of antiquities under the act of June 8, 1906, and except for the lease of lands under the act of February 28, 1899, may be granted, extended, and renewed by the Forester, the district forester, or the forest supervisor, with such conditions as to area, time, charges, and other requirements as may be provided for by these regulations or as may be deemed necessary to protect the National Forests. Permits for the excavation of antiquities and for the lease of lands under the act of February 28, 1899, will be granted and revoked only by the Secretary of Agriculture. Permits for sale of wild hay may be granted by Forest officers designated by the forest supervisor. Special-use permits, except for the excavation of antiquities, and except for the lease of lands under the act of February 28, 1899, may be revoked by the Forester or the district forester and not by the supervisor. Applications for permits for special uses shall be made to the supervisor of the Forest within which the lands or resources are situated. Appeal will lie in the first instance to the district forester, from his decision to the Forester, and from his decision to the Secretary of Agriculture in all matters covered by these special-use regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L–32. No charge will be made for the following classes of special-use permits:

(a) Excavation of antiquities under the act of June 8, 1906.

(b) Agricultural use by applicants having preference rights under the act of June 11, 1906.

(c) Schools, churches, and cemeteries.

(d) Cabins for use of miners, prospectors, trappers, and stockmen in connection with grazing permits, provided that stockmen's cabins used during the entire year as headquarter ranches will be classified as residences and charged for accordingly.

(e) Corrals, stock tanks, and drift fences in connection with grazing permits.

(f) Dipping vats where no toll is charged.

(g) Inclosures allowed under Regulation L–37.

(h) Sawmills sawing principally timber obtained from the National Forests.

(i) Conduits and reservoirs for irrigation or mining or municipal water supplies.

(j) Roads and trails (which must be free public highways).

(k) Logging railroads and tramways hauling timber obtained principally from the National Forests.

(l) Telephone lines with free use and free connection by Forest Service.

(m) Telegraph lines with free use of poles for stringing Forest Service telephone lines.

(n) Stone, earth, and gravel used for projects constructed under permit.

(p) Small advertising signs which also serve as guideposts.

(Issued March 18, 1911, to take effect May 1, 1911; as amended October 21, 1912.)

REGULATION L–33. The occupancy and use of National Forest land or resources under a special-use permit, except as provided in Regulation L–32, shall be conditioned upon the payment of a charge, which, unless otherwise authorized by the Secretary of Agriculture, shall be based upon the following rates:

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Kinds.	Rates per annum.	Explanation.
Agricultural	$0.25 to $1 per acre; not under $2 for any permit.	Not over 160 acres to any one permittee. (Free to preferred applicants under act of June 11, 1906.)
Apiaries	Minimum, $5; 10 cents per hive for each hive over 50; hives to be counted in March each year.	1 to 3 acres.
Cabins	$3 to $5	1 acre or less. (Free to trappers, miners, and prospectors, and to stockmen in connection with grazing permits.)
Dipping vats (toll vats)	$10 to $20	2 acres or less.
Gravel	$0.02 per cubic yard; not under $2 for any permit; special rates on area basis.	Free for projects constructed under permit.
Hay cutting	$0.20 to $0.50 per acre; not under $2 for any permit.	
Hotels and road houses	$10 to $50	1 to 3 acres.
Limekilns	$10	1 acre.
Pastures	$0.04 to $0.25 per acre; not under $2 for any permit.	Not over 320 acres to any one permittee. (Charge is in addition to regular grazing fee.)
Railroads	$5 per mile	No charge for logging railroads hauling timber obtained principally from the National Forests.
Residences	$5 to $25	1 to 3 acres.
Resorts	$10 to $50	1 to 3 acres.
Sawmills, under 20,000 feet per day, sawing principally private timber.	$10	1 to 10 acres. (No charge for mills sawing principally Government timber.)
Sawmills, over 20,000 feet per day, sawing principally private timber.	Special rates	
Slaughterhouses	$10 to $20	1 to 3 acres.
Stage stations	$5 to $15	2 acres or less (without hotel features).
Stores	$5 to $50	2 acres or less.
Tramways (aerial)	$10 to $50	No charge for tramways conveying timber obtained principally from the National Forests.

Within the maximum and minimum rates established herein the forest supervisor will determine the rate to be charged in each case.

Rates for special uses not herein provided for shall be determined by the district forester in each case, and such rates shall be consistent with the rates herein established for similar special uses.

Compensation for the use of lands under the act of February 28, 1899, for hotels and dwellings adjacent to mineral and medicinal springs shall be determined by the Secretary of Agriculture.

In case of abandonment and issuance of new permit any payments made upon the original permit may apply on the new permit, in the discretion of the district forester. (Issued March 18, 1911, to take effect May 1, 1911; as amended February 18, 1913.)

REGULATION L–34. In serious emergencies for the protection of life or property National Forest material may be taken without previous permit, provided a permit for the material so used and for the special use involved is subsequently secured at the earliest opportunity. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L–35. The forest supervisor may, in his discretion, issue permits to any road district, county, person, or corporation for the free use of timber, stone, and other National Forest products for the construction and maintenance of roads or trails within National Forests, without prejudice to any free-use application they may make in the same year for material for other purposes, when such roads or trails are of sufficient public benefit to justify the free use. When the public benefit does not justify such free use the permittee must pay for all merchantable timber cut or destroyed upon the lands occupied under permit, under timber-settlement regulations, or if timber outside such lands is required, under timber-sale regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

REGULATION L–36. Wagon roads over National Forest lands may be constructed, changed, widened, or repaired without permit by States or counties. With this exception, permits are necessary for the construction of all wagon roads over such lands. Trails may be constructed without formal permit if

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done with the consent and under the supervision of a Forest officer, except that in the National Forests of Alaska such consent and supervision will not be required. No toll shall be charged for the use of roads or trails over such lands, constructed under the authority of the Secretary of Agriculture, and the same shall be open to free public use at all times. (Issued March 18, 1911, to take effect May 1. 1911.)

REGULATION L–37. Persons who own or have leased from the owners unfenced lands adjoining National Forest lands may, upon waiving their right to the exclusive use of such private land and allowing it to remain open to other stock grazed on National Forest lands under permit, be permitted without charge to inclose and use not to exceed 320 acres of National Forest land, when such an arrangement will be advantageous to the administration of the National Forest.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land, and if leased from an owner, a copy of the lease, and must describe the National Forest land it is desired to occupy. Permits will be subject to the same restrictions as those issued under other regulations. (Issued March 18, 1911, to take effect May 1, 1911.)

HOW TO APPLY FOR SPECIAL-USE PERMIT.

An application for a special-use permit need not be in any prescribed form, but may be made orally or by letter to the supervisor of the Forest or the ranger of the district concerned.

The Forest officer will need to know:

(1) The kind of use for which a permit is desired.

(2) The approximate location which the applicant desires to occupy. This may be expressed by forty, section, township, and range, or by description with reference to a road, trail, stream, or well-known landmark. A right of way may be described by giving the location of the terminal points, the direction in which it extends, and, if possible, the subdivisions of survey to be crossed by it.

(3) The date when the applicant desires to begin occupation or construction.

If the use is one for which a charge is made, the applicant will receive, with the permit, a form letter of transmittal showing the amount of money due. This letter should be forwarded promptly, with a money order or draft for the sum stated, to the United States depository named in the form.

BONDS.

As a general rule, bonds will not be required in connection with special-use permits.

Because of the danger from fire or from stream pollution, an exception to this rule is made in the case of steam sawmills, and bonds will be required as follows:

Little danger	$300
Considerable danger	500
Great danger	1,000

TENURE OF PERMITS.

There is no law authorizing the lease of National Forest lands for a term of years, except the act of February 28, 1899 (30 Stat., 908), providing for the lease of lands adjoining mineral springs, but permits to occupy National Forest lands for any purpose not inconsistent with their administration may be issued for an indefinite period, and will ordinarily remain in force until abandoned or canceled. All special-use permits issued by supervisors are terminable at any time in the discretion of the district forester.

ANCIENT RUINS AND RELICS.

Appropriating, excavating, injuring, or destroying any historic or prehistoric ruin or monument or any object of antiquity without permit is prohibited by specific act of Congress.

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Special-use permits for the purpose of examining ruins, excavating archæological sites, or gathering objects of antiquity on National Forest lands may be obtained without charge, but are subject to special rules and regulations. (See National monuments, p. 80.)

HOTELS AND DWELLINGS ADJACENT TO MINERAL SPRINGS.

Areas adjacent to mineral or medicinal springs suitable for the erection thereon of sanitariums, hotels, or temporary dwelling houses may be leased, under the act of February 28, 1899 (30 Stat., 908), for such periods and upon such terms as to duration and compensation as may be approved by the Secretary of Agriculture.

SPECIAL USE ON ADMINISTRATIVE SITES.

National Forest lands selected for administrative purposes may be used under special-use permits, as any other National Forest lands, as long as the special use does not prevent or interfere with the administrative use. Prospecting which does not interfere with administrative use is allowed without formal permit.

TELEPHONE AND TELEGRAPH LINES.

Special-use permits are necessary for the construction and operation of all telegraph and telephone lines on National Forests, even though they may be built along county roads. An easement may be obtained, or not, as desired. (See Easements, p. 70.)

SPECIAL USES ON CLAIMS.

The owner of an unperfected claim will be required to obtain a permit for any use of the land which is not in furtherance of the purposes for which the land was appropriated. Such a case would be the erection of a summer resort on a mining claim. No permit will be granted another person to occupy any part of any unabandoned claim until the consent of the claimant to such use is obtained. In both cases the permit will be conditioned on the payment of the charges fixed by Regulation L–33 (p. 66).

PERMITS ON FOREST HOMESTEADS.

All persons who settled on agricultural lands in National Forests before January 1, 1906, and have not abandoned their claims, may, if qualified, perfect title under the Forest homestead act, and in the meantime may occupy and enjoy their holdings without permit. Other applicants under the act, who appear to have the preference right of entry under that act, may be issued permits without charge for the agricultural use of so much of the land applied for as, in the opinion of the supervisor, is chiefly valuable for agriculture, provided that the land is not adversely claimed under settlement made before its withdrawal, or after its withdrawal and before January 1, 1906.

DRIFT FENCES.

Drift or division fences may be allowed under permit when they will facilitate National Forest administration, and will not interfere with the full use of the range by all who are equitably entitled to it.

Free use of materials.

Whenever drift fences are needed for the better control of stock grazed under permit, all forest material needed for use in their construction may be furnished from the National Forest free of charge, and in cases where the circumstances justify it the necessary wire and staples may also be furnished, if the stockmen using the range are willing to construct such fences with the understanding that they will become the property of the United States.

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CORRALS.

Permits for corrals covering an area of not more than 1 acre may be issued without charge when necessary for the proper handling of permitted stock.

PASTURES.

The construction of inclosures may be allowed when necessary for the proper handling of permitted stock. Only such area, not to exceed 320 acres, shall be allowed as is necessary in each individual case. Pasture permits allow exclusive possession during the entire year, but do not convey the right to graze stock within the inclosure, except in connection with and during the period covered by the grazing permit. Stock exempt from fee may be allowed to graze within a pasture during the yearlong period.

Inclosures will be allowed:

(*a*) To pasture saddle horses, milch or work animals, graded or pure-bred stock, and bulls or rams.

(*b*) To pasture beef or stock cattle which are being gathered and held just previous to their removal from the Forest, and to pasture calves which are being weaned.

(*c*) To give settlers who live upon lands either within or on the border of a National Forest the exclusive use of adjoining pasture lands during the portion of the year when needed for protection against other stock.

(*d*) Without charge in exchange for a waiver of exclusive use of private lands adjoining National Forest lands when such an arrangement will be advantageous to the administration of a National Forest. (See Reg. L–37.)

STOCK TANKS.

Permits for the construction of stock watering tanks may be issued free of charge to grazing permittees, provided that all stock grazed under permit upon the range are allowed access to the water. The inclosure of not more than 40 acres in connection with the watering place may be allowed, for which the usual pasture charge will be made. The inclosure of existing sources of water supply will not be allowed.

GAME PRESERVES AND FISH CULTURE.

No permits will be issued for game preserves or any use of land which would result in preventing or restricting lawful hunting or fishing in National Forests.

Permits for the exclusive use of land for reservoirs for fish culture may be issued if the land applied for does not involve a natural lake or natural stream bed.

EASEMENTS.

The following rights of way, amounting to easements across National Forest lands are provided for by Congress and are under the jurisdiction of the Secretary of the Interior:

Railroad grants.

The act of March 3, 1875 (18 Stat., 482), in so far as it is extended over National Forests by the act of March 3, 1899 (30 Stat., 1214), grants rights of way for railroads.

Grants for irrigation works.

The act of March 3, 1891 (26 Stat., 1095), as amended by the act of May 11, 1898 (30 Stat., 404), grants rights of way across the public lands and National Forests for irrigation reservoirs and canals.

Grants for municipal and mining purposes.

Section 4 of the act of February 1, 1905 (33 Stat., 628), grants rights of way in National Forests for reservoirs, conduits, and water plants for municipal and mining purposes.

Applications filed in local land office.

All applications for rights of way under the foregoing acts must be filed in the proper local land office of the Department of the Interior.

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