

**THE NATIONAL
FOREST
MANUAL, PP. 7-62**

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**THE NATIONAL
FOREST
MANUAL, PP. 7-62**

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

THE NATIONAL FOREST MANUAL.

REGULATIONS OF THE SECRETARY OF AGRICULTURE AND
INSTRUCTIONS TO FOREST OFFICERS RELATING TO
WATER POWER (ACT OF FEBRUARY 15, 1901) AND
TELEPHONE, TELEGRAPH, AND POWER
TRANSMISSION LINES (ACT OF
MARCH 4, 1911).

ISSUED BY THE
SECRETARY OF AGRICULTURE
TO TAKE EFFECT
FEBRUARY 24, 1913.

WATER POWER, TELEPHONE, TELEGRAPH, POWER TRANSMISSION LINES.



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THE NATIONAL FOREST MANUAL.

REGULATIONS.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C.

By virtue of the authority vested in me by the act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the act of Congress of June 4, 1897 (30 Stat., 11), and by the act of Congress of March 4, 1911 (36 Stat., 1253), I, James Wilson, Secretary of Agriculture, do make and publish the following regulations for the occupancy and use of the National Forests for purposes of power development and utilization, and for telephone, telegraph, and power-transmission lines, the same to supersede all previous regulations for like purposes, and to be of force and effect from the date of this order, and to constitute a part of the Use Book.

In testimony whereof I have hereunto set my hand and official seal at Washington, D. C., this 24th day of February, 1913.

[SEAL.]

JAMES WILSON,
Secretary of Agriculture.

WATER POWER, ACT OF FEBRUARY 15, 1901.

Reg. L-1. Preliminary power permits will allow the occupancy of the lands of the United States within National Forests, hereinafter called "National Forest lands," for the purpose of securing the data required for an application for final permit and for such construction as may be necessary to preserve water appropriation during that period. Final power permits will allow the occupancy and use of such lands for the construction, maintenance, and operation thereon of project works for the development, transmission, and use of power. Preliminary or final permits for power sites of a total capacity in excess of one hundred (100) horsepower will be granted, extended, and renewed only by the Secretary of Agriculture, hereinafter called "the Secretary." Permits for transmission lines (except such as are included in a general power permit) will be granted, extended, and renewed by the Forester. Permits for power sites of a total capacity of one hundred (100) horsepower or less will be granted, extended, and renewed by the district forester. The Secretary alone may revoke power permits.

Reg. L-2. Application for preliminary or final permits for occupancy or use of lands of the United States should be submitted as follows:

For National Forest lands: To the district forester of the district in which the lands are situated.

For lands of the United States which are outside the National Forests: To the local land office of the land district in which the lands are situated (unless otherwise directed by the regulations of the Department of the Interior).

For lands in part National Forest lands and in part lands of the United States outside the National Forests: In the same manner as for National Forest lands, but the applicant shall also submit to the local land office in the land district in which the lands outside the National Forests are situated such maps and papers and copies thereof as are required in the regulations of the Department of the Interior.

Reg. L-3. Priority of consideration of applications for final power permits shall be initiated in the order of filing complete applications, whether such applications be for preliminary permits as prescribed in Regulation L-10 or for final permits as prescribed in either Regulation L-11 or Regulation L-12. If a preliminary permittee shall file such complete application for final permit before loss of priority initiated by the application for preliminary permit, the priority so initiated shall be maintained by the application for final permit and be effective as of the date of the application for the preliminary permit. Priority shall be maintained, however, only in so far as the projects shown in the application for final permit are within the approximate limits of diversion and discharge as shown in the application for the preliminary permit. Priority initiated or maintained by an application for final permit shall be lost if the applicant fails to make the payment required and to return a duly executed stipulation as prescribed in Regulation L-14 or in Regulation L-15 within 90 days from a date fixed in the letter transmitting such stipulation to him, unless a longer time is allowed by written authority of the Secretary. Priority initiated by an application for preliminary permit shall be lost (1) if the initial payment is not made within 60 days of demand therefor, or (2) if the application for final permit is not filed within the time required in the preliminary permit. Priority initiated or maintained by an application for a permit shall be lost if the permit is revoked. No other application, either preliminary or final, for a like use covering in whole or in part the same or adjacent lands will be accepted from the permittee whose priority is lost until the expiration of one year thereafter; and this restriction shall extend to transferees of the permittee, and if the permittee is a corporation, to reincorporations representing the same or associated interests, whenever in the judgment of the Secretary a transfer or reincorporation has been effected for the purpose or with the result of escaping the restriction of this regulation, it being the intent of such restriction to leave open to other applicants for a period of one year power sites upon which priorities have lapsed as provided in this regulation.

Reg. L-4. Final permits will be issued only in case it appears that the proposed occupancy and use will be in general accord with the most beneficial utilization of the resources involved and consistent with the public interest. No final power permit will be issued if the works to be constructed thereunder will in any way interfere with works operated or constructed or to be constructed under an existing final power permit. No final power permit will be issued