

COOPERATIVE AGREEMENT FOR THE PURPOSE OF CONSERVING  
AND PROTECTING THE WATER SUPPLY OF THE CITY OF  
SALMON, IDAHO

This agreement made and entered into this 8<sup>th</sup> day of June,  
1939 by and between the City of Salmon, a Municipal Corporation of the  
State of Idaho through Mr. Charles F. Hammer, its Mayor and the United  
States Department of Agriculture, through Henry A. Wallace, Secretary of  
Agriculture.

WITNESSETH THAT,

WHEREAS, the following described lands: All National Forest lands  
in Townships 21 and 22 North, Ranges 20, 21 and 22 East, Boise Meridian  
within the watershed of Jesse Creek and tributaries comprising approximately  
10,800 acres within the boundaries of the Salmon National Forest, are within  
the watershed from which the water supply of the City of Salmon is obtained,  
and

WHEREAS, it is the desire of the Secretary of Agriculture to cooperate  
with the officials of the City of Salmon for the purpose of maintaining a  
pure and constant supply of water for the people of said City,

Now, therefore, for the purpose of conserving and protecting the  
water supply of said City, the Secretary of Agriculture agrees:

FIRST: That before entering into any agreement for the cutting of  
timber or removal of other forest products from the National Forest lands  
within the area, Forest officers will consult with the officials of the City  
and give full consideration to any requirements which the officials of the  
City suggest as necessary for the safeguarding of the City's water supply.

SECOND: That in permitting the use of said lands for timber cutting

or other purposes, full consideration shall be given to the preservation of the volume and purity of the City water supply, and if the proper State and Federal agencies shall determine, after due study and investigation, that the City water supply is being or will be diminished, contaminated or polluted through permitted operations upon said lands and there is no other more practicable remedy for the situation, the Secretary of the Department of Agriculture, so far as he has legal authority to do so, will cause such permitted operations to be restricted, modified or discontinued, and a clause to this effect will be inserted in all future contracts and permits for use of any of the area.

THIRD: That before the grazing of livestock on the National Forest lands in the watershed will be authorized or permitted by the Forest Service, Forest officers will consult with the officials of the City and give full consideration to any requirements which the officials of the City may suggest as necessary for the safeguarding of the City's water supply.

FOURTH: That no public camp grounds or other public recreation areas and no summer home sites or other special use occupancy will be planned or allowed until Forest officers have consulted with the officials of the City and have given full consideration to any requirements which the officials of the City suggest as necessary for the safeguarding of the City's water supply.

FIFTH: That before planning or constructing any roads within the watershed, Forest officers will consult with the officials of the City and give full consideration to any requirements which the officials of the City suggest as necessary for the safeguarding of the City's water supply.

SIXTH: That should fires occur on these lands, the Forest Service

shall pay the costs thereof, with the exception that employees of the City of Salmon who may be employed on such fires shall be paid by said City, providing that should such fires be caused directly or indirectly by said City or its employees, the City agrees to pay all cost of suppression.

The Mayor of the City of Salmon agrees:

A. That any fencing or other improvements found necessary to exclude effectively livestock from the watershed or to aid in safeguarding the water supply will be constructed and maintained by said City under special use permit to be issued by the Forest Supervisor.

B. That all existing special use or other Federal permits on these lands and all rights of way or other rights or interests acquired or established under specific Acts of Congress are to continue in force and effect.

C. That execution of this agreement shall in no way interfere with any existing valid water rights.

D. The Forest Service will administer and protect the area in connection with adjoining National Forest lands. Should the City of Salmon desire, and the Regional Forester approve any special protective measures not provided by the regular Forest Service administration, they may be obtained at the expense of the City of Salmon by appointment of additional employees to be appointed by and to be directly responsible to the Forest Supervisor of the Salmon National Forest, but their compensation will be paid by said City at the same rate as men employed by the Forest Service on similar duties.

Both parties reserve the right to terminate this agreement at any time on written notice to the other party, provided that all obligations

under the agreement up to the date of the termination have been met.

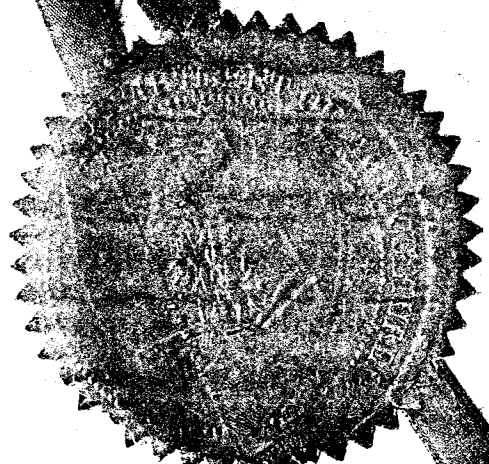
est:

CITY OF SALMON

By: Chas F Hammer  
Mayor

W. P. S. City Clerk

J. W. Richardson  
Acting Secretary of Agriculture  
W. P. S.  
J. W. R.



It is an express condition of this agreement that it shall not be assigned in whole or in part; that no member of, or delegate to Congress, or resident commissioner, after his election or appointment, either before or after he has qualified, and no officer, agent or employee of the Government shall be admitted to any share or part of this contract or agreement or to any benefit to arise thereupon, and that no convict law shall be employed in carrying out any of the terms of this agreement in accordance with Executive Order signed May 18, 1905. The provision herein with respect to the interest of members of or delegates to Congress and Resident Commissioners in this agreement shall not be construed to extend to any incorporated company where such contract or agreement is made for the general benefit of such incorporated company. (Section 3741 Revised Statutes, and Sections 114-118, Act of March 4, 1909).