

|  |                          |                    |                                |
|--|--------------------------|--------------------|--------------------------------|
| U.S. DEPARTMENT OF AGRICULTURE<br>FOREST SERVICE                                       |                          | Name of Purchaser  |                                |
| <b>TIMBER SALE CONTRACT</b><br><i>(Applicable to Sales to be Scaled after Felling)</i> |                          |                    |                                |
| National Forest<br>Idaho Panhandle   | Ranger District<br>Avery | Region<br>Northern | Contract Number                |
| Sale Name<br>Shoepack Thin   |                          | Award Date         | Termination Date<br>10/31/2013 |

The parties to this contract are The United States of America, acting through the Forest Service, United States Department of Agriculture, hereinafter called Forest Service, and <sup>1/</sup> \_\_\_\_\_

a \_\_\_\_\_ hereinafter called Purchaser.

<sup>2/</sup> Forest Service having advertised a sale at which either (1) Purchaser, whose required bid deposit is now held by Forest Service as an initial deposit, was the successful bidder, or (2) no bids were received and Purchaser having subsequently offered at least the minimum advertised price and made an initial deposit in the same amount as the bid deposit specified in the sale advertisement; and the parties hereto desiring to record their agreement; now therefore,

Unless provided otherwise herein, Forest Service agrees to sell and permit Purchaser to cut and remove Included Timber and Purchaser agrees to purchase, cut, and remove Included Timber.

This contract consists of three Divisions: A – Specific Conditions, B – Standard Provisions, and C – Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division B or Division C. Specific Conditions are numbered and apply to the Part, Section, Subsection, or Item of the Standard Provisions, as indicated hereunder. Other conditions of this contract are stated in Division C – Special Provisions.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the award date.

**UNITED STATES OF AMERICA**

By: \_\_\_\_\_  
Contracting Officer  
(Title)

Two Witnesses: <sup>3/</sup>  
\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Purchaser) <sup>4/</sup>

By: \_\_\_\_\_  
\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Business Address)

I, <sup>5/</sup> \_\_\_\_\_, certify that I am the \_\_\_\_\_ Secretary of the corporation named as Purchaser herein; that \_\_\_\_\_ who signed this contract on behalf of Purchaser, was then \_\_\_\_\_ of the corporation; that the contract was duly signed for and in behalf of the corporation by authority of its governing body, and is within the scope of its corporate powers.

**CORPORATE  
SEAL <sup>6/</sup>**



The following conditions apply to the indicated portions of Division B – Standard Provisions issued June 2006.

**A1 – Location and Area**, applicable to B1.1

This Sale Area of 52 acres more or less is located in: Section 8, T44N, R6E, of the Boise Meridian, Shoshone County, Idaho. The sale area lies in the Shoepack Creek drainage.

**A2 – Volume Estimate and Utilization Standards**, applicable to B2.1, B2.2, B2.4, and B6.4

| Species   | Product       | Estimated Quantity | Unit of Measure | Minimum Specifications                 |                                   |                              |  |               |
|---|---------------|--------------------|-----------------|--|-----------------------------------|------------------------------|--|---------------|
|   |               |                    |                 | Merchantable Tree                      |                                   | Piece Required to be Removed |  |               |
|   |               |                    |                 | Diameter Breast High (d.b.h.) (inches) | Number of Minimum Pieces per Tree | Length (feet)                | Diameter Inside Bark at Small End (inches) | <sup>1/</sup> |
| Combined Softwood                               | Sawtimber     | 5760               | Tons            | 7                                      | 1                                 | 8                            | 5.6  | 10.67         |
| Combined Softwood                               | Non Sawtimber | 248                | Tons            | N/A                                    | 1                                 | 9                            | 4  | 100%          |
| <b>Timber Subject to Agreement under C2.11#</b> |               |                    |                 |  |                                   |                              |  |               |
| <b>Total Quantity</b>                           |               | 6008               |                 |  |                                   |                              |  |               |

<sup>1/</sup> Enter Merchantability Factor (Merch. Factor) or Net Scale in % of Gross Scale, whichever is appropriate.

**A3 – Timber Designations**, applicable to B2.3; acres are approximate:

|                                    | <u>Number</u> | <u>Acres</u> |
|------------------------------------|---------------|--------------|
| Clearcutting Units (B2.31)         |               |              |
| Specified Road Clearing (B2.32)    |               |              |
| Overstory Removal Units (B2.33)    |               |              |
| Understory Removal Units (B2.34)   | 2             | 52           |
| Individual Trees (B2.35)           |               |              |
| Incompletely Marked Timber (B2.36) |               |              |

**A4 – Timber Payment Rates**, applicable to B3.1 and B4.0

**A4a – For Species and Products to be Paid for at Rates Escalated under B3.2**

| Species | Product | Unit of Measure | Rates per Unit of Measure |               |                |                    | Required Deposits Slash Disposal \$ | Base Index |
|---------|---------|-----------------|---------------------------|---------------|----------------|--------------------|-------------------------------------|------------|
|         |         |                 | Base \$                   | Advertised \$ | Bid Premium \$ | Bid (Tentative) \$ |                                     |            |
| N/A     |         |                 |                           |               |                |                    |                                     |            |

**A4b – For Species and Products to be Paid for at Flat Rates**

| Species           | Product       | Unit of Measure | Rates per Unit of Measure |               |                |               | Required Deposits Slash Disposal \$ |
|-------------------|---------------|-----------------|---------------------------|---------------|----------------|---------------|-------------------------------------|
|                   |               |                 | Base \$                   | Advertised \$ | Bid Premium \$ | Bid (Flat) \$ |                                     |
| Combined Softwood | Sawtimber     | Ton             | 1.01                      | 3.00          |                |               | 9.10                                |
| Combined Softwood | Non-Sawtimber | Ton             | 1.01                      | 3.00          |                |               | 9.10                                |

For purposes of convenience in collection and bookkeeping, Bid Rates stated in A4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

The following definitions are established for the terms used in A4:

**Base Rates** are the lowest rates of payment for timber that are authorized by this contract. Base Rates remain constant throughout the life of this contract and are not subject to change by rate redetermination, except for reduction under B3.31, B3.32, or B3.33.

**Advertised Rates** are the minimum acceptable Bid Rates for timber, exclusive of Required Deposits. These rates are those indicated by appraisal, with a cost allowance made for construction of Specified Roads listed in A7, but are never less than Base Rates.

**Bid Premium Rates** are the amounts by which Purchaser's bid is in excess of Advertised Rates. The Bid Premium Rates are constant during this contract, except as provided in B3.31, B3.32, and B3.33.

**Bid Rates** are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal, road maintenance, and contract scaling) and are the sum of Advertised Rates and Bid Premium Rates. Until a rate redetermination becomes effective, the Bid Rate for species and products in A4a is the Tentative Rate that is subject to quarterly adjustment under B3.2; for species and products in A4b, the Bid Rate is the Flat Rate.

**Required Deposits** are deposits that Purchaser may be required to pay for slash disposal (16 USC 490), road maintenance (16 USC 537), and contract scaling (1994 Appropriations Act). Required Deposits may be adjusted as part of a rate redetermination or a Contract Term Extension. The table shows only Required Deposits for slash disposal; road maintenance deposits, if any, are given in C5.32#; and contract scaling deposits, if any, are given in C6.816#.

**Base Index** is the specified average of the lumber or other product selling value index used as the basis for computing adjustment in rates for variance in product selling value, as provided in B3.2.

**A5 – Indices Used in Quarterly Adjustment**, applicable to B3.2

| Species | Index Name and Date |
|---------|---------------------|
| N/A     |                     |

**A6 – High Stumps**, applicable to B6.412

| Species | Product | Maximum Stump Height<br>(inches) |
|---------|---------|----------------------------------|
| All     | All     | 12                               |

**A7 – Specified Roads**, applicable to B5.2

Name and Date of Governing Road Specifications: Federal Highway Administration Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects (2003)-english

| Project  |      | Design Class | Approx. Length (mi./km.) | Sheet Numbers and Approval Date | Performance Responsibility |        |                              |
|----------|------|--------------|--------------------------|---------------------------------|----------------------------|--------|------------------------------|
| Road No. | Name |              |                          |                                 | Survey                     | Design | Const. Staking <sup>1/</sup> |
| N/A      |      |              |                          |                                 |                            |        |                              |

<sup>1/</sup> Indicate timing, i.e., before clearing (BC) or after clearing (AC). Applicable to B5.212.

**A8 – Forest Service Engineering Completion Schedule**, applicable to B5.21

| Road No. | Road Name | Type of Work | Completion Date |
|----------|-----------|--------------|-----------------|
| N/A      |           |              |                 |

**A9 – Scaling Instructions and Specifications**, applicable to B6.8

Name and Date of Governing Instructions: FSH2409.11a, National Log Scaling Handbook, as amended and Supplemented. Governing instructions for products contained in C Provisions as follows:C6.822#, C6.823, C6.840 and C6.849.

| Scaling Specifications |         |                               |                         |                     |                         |
|------------------------|---------|-------------------------------|-------------------------|---------------------|-------------------------|
| Species                | Product | Maximum Scaling Length (feet) | Trim Allowance          |                     |                         |
|                        |         |                               | Diameter Range (inches) | Length Range (feet) | Trim Allowance (inches) |
| All                    | All     | 99                            | All                     | All                 | 0                       |

**A10 – Scaling Services**, applicable to B6.81

| Species | Product | Unit of Measure | Site and Geographic Location                                  | Method                    | Standard Estimated Cost per Unit \$ |
|---------|---------|-----------------|---|---------------------------|-------------------------------------|
| All     | All     | Ton             | Forest Service approved locations with State Certified Scales | Total (100%) Weight Scale | .00                                 |

**A11 – Minimum Scaling Volumes**, applicable to B6.81

Minimum volume for Continuous Scaling Services in two-week period N/A per scaler  
 Minimum volume for Intermittent Scaling Services N/A on a N/A basis

**A12 – Fire Precautionary Period**, applicable to B7.2

May 10 to October 20, inclusive

**A13 – Purchaser Responsibility to Furnish Crews and Equipment for:**

**Initial Fire Suppression**, applicable to B7.3

Within 10 road miles

**Fire Suppression Reinforcement**, applicable to B7.312 and B7.313

Within 40 road miles

**A14 – Purchaser’s Obligation per Operations Fire**, applicable to B7.41

**Maximum Amount:** \$ 4200.00

**A15 – Termination Date**, applicable to B8.2

October 31, 2013

**A16 – Normal Operating Season**, applicable to B6.31, B6.66, B8.21, and B9.3

**First Period:** June 1 to October 31, inclusive

**Second Period:** \_\_\_\_\_ to \_\_\_\_\_, inclusive

**A17 – Performance Bond**, applicable to B9.1

**Performance Bond Amount:** \$ \_\_\_\_\_

**A18 – Downpayment**, applicable to B4.211

**Downpayment Amount:** \$ \_\_\_\_\_

**A19 – Periodic Payment Amounts**, applicable to B4.213

|                            | Periodic Payment Determination Date | Amount   |
|----------------------------|-------------------------------------|----------|
| <b>Initial Payment:</b>    | _____                               | \$ _____ |
| <b>Additional Payment:</b> | _____                               | \$ _____ |

**A20 – Market-Related Contract Term Addition Producer Price Index**, applicable to B8.212

**Index Name:** Softwood Lumber **Index Number:** 0811

**A21 – Inapplicable Standard Provisions**

The following listed Sections, Subsections, or Items of Division B – Standard Provisions – are hereby made inapplicable. (Instructions: List by reference number and title.)

- B2.35 - Individual Trees
- B4.211 - Downpayment
- B6.23 - Protection of Land Survey Monuments
- B6.35 - Equipment Cleaning
- B6.84 - Accountability
- B6.841 - Route of Haul
- B6.85 - Scaling Lost Products
- B8.212 - Market-Related Contract Term Addition

**A22 – List of Special Provisions**

The following listed special provisions are attached to and made a part of this contract as Division C. Provisions with reference numbers followed by # contain blanks into which data have been entered for this sale. (Instructions: List by reference number, title, and date.)

See Attached List

C2.2# - UTILIZATION AND REMOVAL OF INCLUDED PRODUCTS (4/03)  
C2.303# - - DEAD TREES. (10/04)  
C2.38# - SPECIES DESIGNATION. (1/09)  
C4.211 - DOWNPAYMENT. (6/07)  
C4.212 - TEMPORARY REDUCTION OF DOWNPAYMENT. (8/09)  
C5.123# - ROAD USE, LIABILITY INSURANCE. (3/90)  
C5.31# - ROAD MAINTENANCE REQUIREMENTS. (7/01)  
C5.315# - ROAD MAINTENANCE ON JOINT OWNERSHIP ROADS. (10/04)  
C5.316# - SNOW REMOVAL. (02/02)  
C5.32# - ROAD MAINTENANCE DEPOSIT SCHEDULE. (7/01)  
C5.41# - CLOSURE TO USE BY OTHERS. (3/07)  
C6.10 - PREWORK CONFERENCE. (10/04)  
C6.23 - PROTECTION OF LAND SURVEY MONUMENTS. (10/04)  
C6.332 - SAFETY (TIMBER HAULING). (10/04)  
C6.339 - ACCIDENT AND INJURY NOTIFICATION (4/05)  
C6.351 # - WASHING EQUIPMENT. (7/07)  
C6.4# - CONDUCT OF LOGGING. (10/82)  
C6.6 - EROSION PREVENTION AND CONTROL. (10/04)  
C6.601# - EROSION CONTROL SEEDING. (3/07)  
C6.661 - CURRENT OPERATING AREAS. (10/04)  
C6.7 - HAZARD REDUCTION AND SITE PREPARATION. (3/89)  
C6.71 - CHANGE IN SLASH TREATMENTS. (3/90)  
C6.711 - BURNING BY PURCHASER. (10/79)  
C6.822# - PRESENTATION FOR WEIGHT SCALING . (3/07)  
C6.823 - VOLUME DETERMINATION. (10/04)  
C6.840- WEIGHT ACCOUNTABILITY. (10/04)  
C6.849 - ROUTE OF HAUL. (10/04)  
C7.2 - NORMAL PRECAUTIONS. (2/02)  
C8.212 - MARKET-RELATED CONTRACT TERM ADDITION. (11/08)  
C8.66# - USE OF TIMBER. (4/04)