

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE TIMBER SALE CONTRACT (Applicable to Sales to be Measured before Felling)		Name of Purchaser	
National Forest Ochoco	Ranger District Paulina	Region Pacific N-West	Contract Number
Sale Name Jack SBA		Award Date	Termination Date 03/31/2017

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 _____ hereinafter called Purchaser.

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: AT - Specific Conditions, BT - Standard Provisions, and CT - Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division CT. 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 CT - Special Provisions.

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

UNITED STATES OF AMERICA

Two Witnesses:^{1/}

 (Name)

 (Address)

 (Name)

 (Address)

By: _____
 Contracting Officer

 (Title)
 By: _____^{2/}
 (Purchaser)

 (Title)

 (Business Address)

I,^{3/} _____, 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** ^{4/}

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

AT1 - Location and Area, applicable to BT1.1

This Sale Area of 10459 acres more or less is located in:

T.13S., R.23E., Section 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36, T.13S., R.24E., Section 18, 19, 29, 30, 31, 32, T.14S., R.24E., Section 4, 5, 6, 7, 8 WM, Surveyed, Wheeler County, Oregon

AT2 - Volume Estimate and Utilization Standards, applicable to BT2.1, BT2.2, BT2.4, and BT6.4

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)	Net Scale in % of Gross Scale
Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	3,490.00	CCF	9.0	1	8	5.0	40
Lodgepole Pine	Sawtimber	1,243.00	CCF	7.0	1	8	5.0	40
Ponderosa Pine	Sawtimber	602.00	CCF	9.0	1	16	6.0	40
White Fir	Sawtimber	7,359.00	CCF	8.0	1	8	5.0	40
All Coniferous Species	Grn Bio Cv	1,504.00	CCF	7.0	1	12	3.0	N/A
Timber Subject to Agreement under CT2.11#								
Landing Piles	Grn Bio Cv	unestimated	CCF	N/A	N/A	N/A	N/A	N/A
Total Quantity		14,198.00	CCF					

* Quantities not included here are described in BT2.4.

AT3- Timber Designations, applicable to BT2.3; acres are approximate:

	Number	Acres
Clearcutting Units (BT2.31)	_____	_____
Specified Road Clearing (BT2.32)	_____	_____
Overstory Removal Units (BT2.33)	_____	_____
Understory Removal Units (BT2.34)	_____	_____
Individual Trees (BT2.35)	_____	1,452
Incompletely Measured Payment Units (BT2.36)	_____	_____

AT4 - Timber Payment Rates, applicable to BT3.1 and BT4.0

AT4a - For Species and Products to be Paid for at Rates Escalated under BT3.2

Species	Product	Unit of Measure	Rates per Unit of Measure				Required Deposits Slash Disposal \$	Base Index
			Base \$	Advertised \$	Bid Premium \$	Bid (Tentative) \$		
Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	CCF	3.00	11.73			1.13	219.27
Lodgepole Pine	Sawtimber	CCF	1.00	5.40			1.13	206.93
White Fir	Sawtimber	CCF	3.00	11.02			1.13	190.09

AT4b- 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) \$	
Ponderosa Pine	Sawtimber	CCF	1.00	1.00			1.13
All Coniferous Species	Grn Bio Cv	CCF	.25	.25			1.13
Timber Subject to Agreement under CT2.11#							
Landing Piles	Grn Bio Cv	CCF	.25	.25			.00

For purposes of convenience in collection and bookkeeping, Bid Rates stated in AT4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

AT4c - Schedule of Payment Units

Payment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b	Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
01	117	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber 228.00 CCF	Ponderosa Pine Sawtimber 74.00 CCF All Coniferous Species Grn Bio Cv 128.00 CCF		1,195.54
		Lodgepole Pine	Sawtimber 57.00 CCF			
		White Fir	Sawtimber 571.00 CCF			
		Total PU Quantity And Value	856.00 CCF			
02	182	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber 451.00 CCF	Ponderosa Pine Sawtimber 72.00 CCF All Coniferous Species Grn Bio Cv 240.00 CCF		2,461.14
		Lodgepole Pine	Sawtimber 307.00 CCF			
		White Fir	Sawtimber 1,108.00 CCF			
		Total PU Quantity And Value	1,866.00 CCF			
03	127	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber 298.00 CCF	Ponderosa Pine Sawtimber 49.00 CCF All Coniferous Species Grn Bio Cv 189.00 CCF		1,935.69
		Lodgepole Pine	Sawtimber 245.00 CCF			
		White Fir	Sawtimber 932.00 CCF			
		Total PU Quantity And Value	1,475.00 CCF			
04	101	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber 228.00 CCF	Ponderosa Pine Sawtimber 55.00 CCF All Coniferous Species Grn Bio Cv 93.00 CCF		1,028.30
		Lodgepole Pine	Sawtimber 129.00 CCF			
		White Fir	Sawtimber 405.00 CCF			
		Total PU Quantity And Value	762.00 CCF			
05	174	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber 287.00 CCF	Ponderosa Pine Sawtimber 34.00 CCF All Coniferous Species Grn Bio Cv 137.00 CCF		1,357.13
		Lodgepole Pine	Sawtimber 57.00 CCF			
		White Fir	Sawtimber 686.00 CCF			
		Total PU Quantity And Value	1,030.00 CCF			

Sale Name: Jack SBA

Contract No:

Payment Unit No.	App. Acres	Quantity of Species and Products to be Escalated under AT4a		Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b		Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$	
06	121	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	611.00 CCF		Ponderosa Pine	Sawtimber	70.00 CCF	1,568.44
		Lodgepole Pine	Sawtimber	34.00 CCF		All Coniferous Species	Grn Bio Cv	122.00 CCF	
		White Fir	Sawtimber	551.00 CCF					
		Total PU Quantity And Value		1,196.00 CCF		Total PU Quantity And Value		192.00 CCF	
07	156	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	238.00 CCF		Ponderosa Pine	Sawtimber	21.00 CCF	1,229.44
		Lodgepole Pine	Sawtimber	99.00 CCF		All Coniferous Species	Grn Bio Cv	127.00 CCF	
		White Fir	Sawtimber	603.00 CCF					
		Total PU Quantity And Value		940.00 CCF		Total PU Quantity And Value		148.00 CCF	
08	131	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	361.00 CCF		Ponderosa Pine	Sawtimber	62.00 CCF	1,560.53
		Lodgepole Pine	Sawtimber	71.00 CCF		All Coniferous Species	Grn Bio Cv	138.00 CCF	
		White Fir	Sawtimber	749.00 CCF					
		Total PU Quantity And Value		1,181.00 CCF		Total PU Quantity And Value		200.00 CCF	
09	185	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	431.00 CCF		Ponderosa Pine	Sawtimber	68.00 CCF	2,440.80
		Lodgepole Pine	Sawtimber	214.00 CCF		All Coniferous Species	Grn Bio Cv	208.00 CCF	
		White Fir	Sawtimber	1,239.00 CCF					
		Total PU Quantity And Value		1,884.00 CCF		Total PU Quantity And Value		276.00 CCF	
10	158	Douglas-fir, Western Larch and Other Coniferous Species	Sawtimber	357.00 CCF		Ponderosa Pine	Sawtimber	97.00 CCF	1,266.73
		Lodgepole Pine	Sawtimber	30.00 CCF		All Coniferous Species	Grn Bio Cv	122.00 CCF	
		White Fir	Sawtimber	515.00 CCF					
		Total PU Quantity And Value		902.00 CCF		Total PU Quantity And Value		219.00 CCF	

The following definitions are established for the terms used in AT4:

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 BT3.31, BT3.32, or BT3.33.

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 AT7, 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 BT3.31, BT3.32, and BT3.33.

Bid Rates are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal and road maintenance) 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 AT4a is the Tentative Rate that is subject to quarterly adjustment under BT3.2; for species and products in AT4b, the Bid Rate is the Flat Rate.

Required Deposits are deposits that Purchaser may be required to pay for slash disposal (16 USC 490) and road maintenance (16 USC 537). 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 CT5.32#.

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 BT3.2.

AT5 - Indices Used in Quarterly Adjustment, applicable to BT3.2

Species	Index Name and Date
Douglas-fir, Western Larch and Other Coniferous Species	WWPA, Inland Douglas Fir-Larch (07-08 Basis), (WWPAC)
Lodgepole Pine	WWPA, Inland White Woods (07-08 Basis), (WWPAC)
White Fir	WWPA, Inland White Fir (Hem-Fir) (07-08 Basis), (WWPAB)

AT6 - High Stumps, applicable to BT6.412

Species	Product	Maximum Stump Height (inches)
All	All	12

AT7 - Specified Roads, applicable to BT5.2

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	Construction Staking 1/
12	Road (R) (segment 4.68 to 8.77)	Single Lane - 25 mph	4.09 / 6.58	1-7 03/06/2013	FS	FS	FS BC

1/ Indicate timing, i.e., before clearing (BC) or after clearing (AC). Applicable to BT5.212.

AT8 - Forest Service Engineering Completion Schedule, applicable to BT5.21

Road No.	Road Name	Type of Work	Completion Date
12	Road (R) (segment 4.68 to 8.77)	Survey and Design and Construction Stakin	06/01/2014

AT9 - Fire Precautionary Period, applicable to BT7.2

April 01 to October 31, inclusive

AT10 - Purchaser Responsibility to Furnish Crews and Equipment for:

Initial Fire Supression, applicable to BT7.3

Within 5 road miles

Fire Suppression Reinforcement, applicable to BT7.312 and BT7.313

Within 100 road miles

AT11 - Purchaser's Obligation per Operations Fire, applicable to BT7.41

Maximum Amount: \$ \$300,000

AT12 - Termination Date, applicable to BT8.2

March 31, 2017

AT13 - Normal Operating Season, applicable to BT6.31, BT6.66, BT8.21 and BT9.3

First Period: June 15 to November 15, inclusive

Second Period: _____ to _____, inclusive

AT14 - Performance Bond, applicable to BT9.1

Performance Bond Amount: _____

AT15 - Downpayment, applicable to BT4.211

Downpayment Amount: _____

AT16 - Periodic Payment Amount, applicable to BT4.213

	<u>Periodic Payment Determination Date</u>	<u>Amount</u>
Initial Payment:	<u>December 31, 2015</u>	_____
Additional Payment:	<u>August 31, 2016</u>	_____

AT17 - Market-Related Contract Term Addition Producer Price Index, applicable to BT8.212Index Name: Softwood Lumber Index Number: 0811**AT18 - Inapplicable Standard Provisions**

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

BT4.211	DOWNPAYMENT
BT4.4	PAYMENTS NOT RECEIVED
BT8.212	MARKET-RELATED CONTRACT TERM ADDITION

AT19 - List of Special Provisions

The following listed special provisions are attached to and made a part of this contract as Division CT. 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.)

CT2.11#	TIMBER SUBJECT TO AGREEMENT (06/1972)
CT2.35# (OPTION 1)	INDIVIDUAL TREE DESIGNATION (06/2010)
CT4.211	DOWNPAYMENT (06/2007)
CT4.212	TEMPORARY REDUCTION OF DOWNPAYMENT (08/2009)
CT4.4	PAYMENTS NOT RECEIVED (08/2012)
CT5.12#	USE OF ROADS BY PURCHASER (06/1999)
CT5.13#	ROAD COMPLETION DATE (04/2004)
CT5.213#	DEPOSIT FOR RECONSTRUCTION ENGINEERING SERVICES (04/2004)
CT5.221#	MATERIAL SOURCES (04/2004)
CT5.31#	ROAD MAINTENANCE REQUIREMENTS (07/2001)
CT5.32#	ROAD MAINTENANCE DEPOSIT SCHEDULE (07/2001)
CT6.22#	PROTECTION OF IMPROVEMENTS (07/2001)
CT6.315#	SALE OPERATION SCHEDULE (06/1994)
CT6.405	ALTERNATE REMOVAL OF INCLUDED TIMBER (05/2005)
CT6.41#	SPECIFIC REQUIREMENTS (01/2000)
CT6.42#	YARDING/SKIDDING REQUIREMENTS (06/2010)
CT6.6#	EROSION CONTROL AND SOIL TREATMENT BY THE PURCHASER (07/2001)
CT6.7	SLASH DISPOSAL (06/2008)
CT6.74#	SLASH TREATMENT REQUIREMENTS (02/2002)
CT6.8	MEASURING (08/2000)
CT6.84	ACCOUNTABILITY (06/2006)

CT6.84 (OPTION 1)	USE OF PAINT BY PURCHASER (05/2005)
CT7.1	PLANS (09/2004)
CT7.2	SPECIFIC FIRE PRECAUTIONS (09/2002)
CT7.201	BURNING BY PURCHASER (01/1993)
CT7.22	EMERGENCY FIRE PRECAUTIONS (09/2004)
CT8.13	DISCLAIMER OF EXPRESSED OR IMPLIED WARRANTY (09/2004)
CT8.212	MARKET-RELATED CONTRACT TERM ADDITION (11/2008)
CT8.4	PERFORMANCE BY OTHER THAN PURCHASER (04/2004)
CT8.66# (Option 1)	USE OF TIMBER (04/2004)
CT8.71	TRIPARTITE LAND EXCHANGE (04/1999)
CT8.72	BIPARTITE LAND EXCHANGE (04/2004)
CT8.73	REQUIREMENT FOR SMALL BUSINESS PROCESSING (04/2004)