

TEMPORARY ROAD USE PERMIT

Riley Creek Lumber Company of PO Box 220, Laclede, ID 83841 herein after called Grantor, grants to the **United States of America**, acting through the Forest Service, Department of Agriculture, hereinafter called Grantee, a temporary permit to occupy and use the following described lands in the County of Pend Oreille, State of Washington:

A certain existing road over and across the **W½ section 7, T. 32 N., R. 43 E., W.M., Pend Oreille County**, as approximately shown on the attached **EXHIBIT A**.

This permit authorizes Forest Service use of an existing road across private lands owned by Grantor. The right-of-way for such authorized use is an estimated **approximately 2,800** feet in length, **66** feet in width, **33** feet on each side of the centerline, containing approximately **4.2** acres, and as shown approximately on attached **EXHIBIT A** attached hereto, the centerline of said road as constructed is hereby accepted by Grantor and Grantee as the true centerline of the premises granted.

The purpose of this permit is to authorize access to National Forest System (NFS) lands by the Forest Service, its personnel, contractors, representatives, or other authorized agents, for the purpose(s) of harvesting and hauling timber from NFS land associated with the Flowery Trail Stewardship project.

This permit is granted subject to the following terms and conditions:

1. This permit is subject to all valid rights existing on this date.
2. This permit does not convey any right, title, or interest in real property, and does not provide public access to National Forest System land.
3. Grantee claims no interest in the premises by virtue of this permit, or through occupancy or use hereunder.
4. Grantor agrees that valid rights held by Grantee in the premises, if any, shall not be extinguished, relinquished, terminated nor diminished by virtue of this permit.
5. Grantee shall fully repair all damage to roads, other than ordinary wear and tear, and provide routine maintenance commensurate with use by Grantee in exercising the privileges granted by this permit.
6. Grantee shall prevent unnecessary damage to Grantor's adjacent land, timber, soil, water and other resources, and improvements. Grantee shall ensure its operations on Grantor's land comply with applicable federal and state laws, regulations, and standards regarding resource protection, fire prevention and control, slash disposal, and noxious weed prevention and control.
7. Grantee agrees to indemnify and hold Grantor harmless in accordance with the provisions of the Federal Tort Claims Act.

8. Grantee shall cut only such timber as necessary to clear the authorized right-of-way for use and road maintenance. Timber so cut shall, unless otherwise agreed, be cut into logs of lengths specified by Grantor, and shall be decked along the road for disposal by Grantor.
9. This grant shall continue as long as needed for the above purposes, and shall expire upon completion of the above work, or on October 31st, 2017, whichever occurs first.
10. The Grantor may terminate this permit for breach of any terms or conditions herein. Provided however, Grantor shall provide Grantee notice in writing a minimum of sixty (60) days prior to termination for breach, and shall provide Grantee with reasonable opportunity to satisfactorily cure the breach.

Grantee's exercise of any privileges authorized by this permit shall constitute acceptance of all terms and conditions herein.

By: Michael Sapp 7/15/2013
Michael Sapp Date
Riley Creek Lumber Company

This permit is hereby accepted subject to all terms and conditions herein.

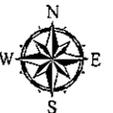
**GRANTEE
UNITED STATES OF AMERICA**

By: Laura G. West 7/17/13
Forest Supervisor Date
Colville National Forest
USDA-Forest Service
Pacific Northwest Region

Road Use Request Map—Riley Creek
T32NR43E, W 1/2 Sec. 7
Unknown Road Number
Access for unit 34

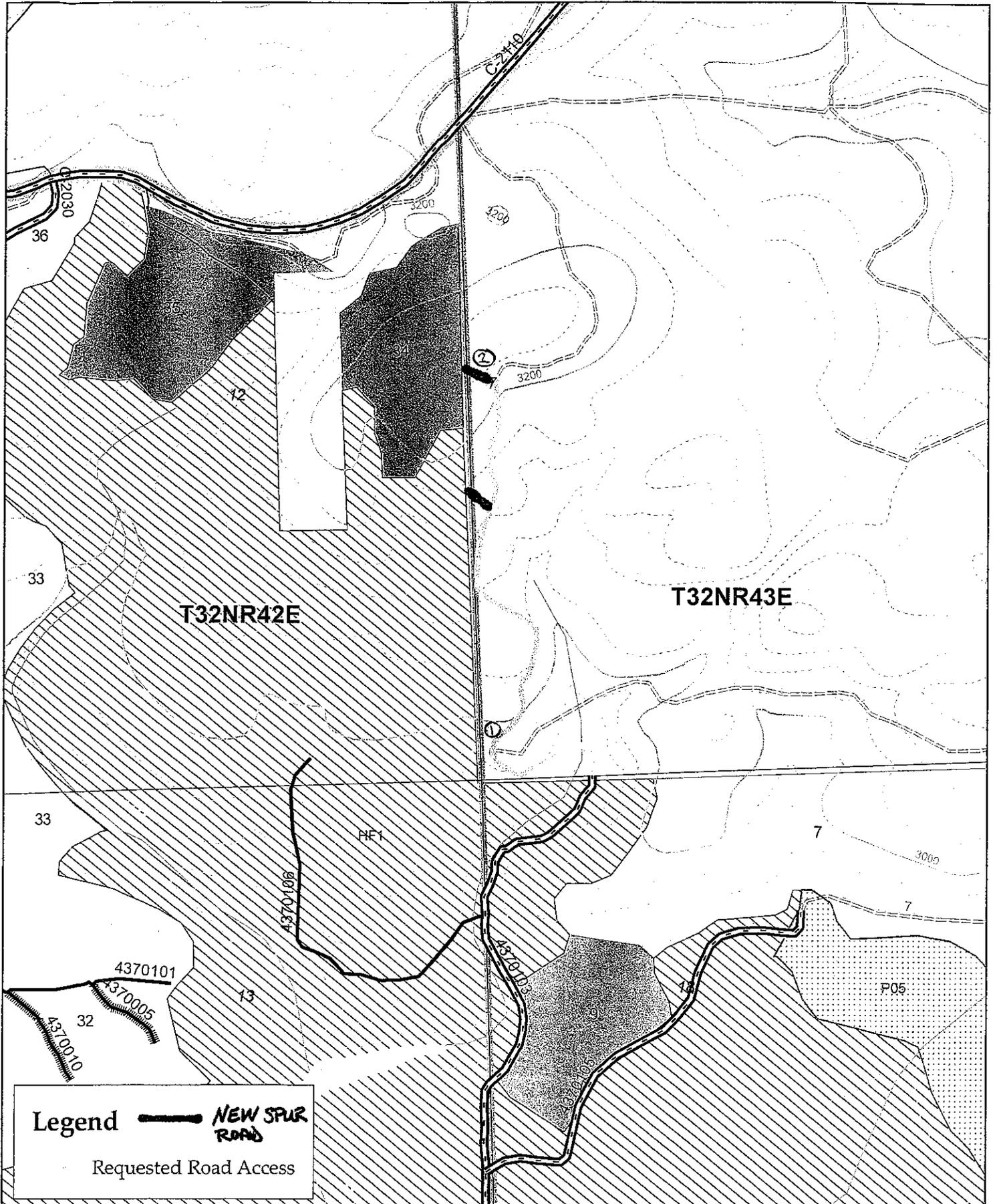
Pg 1 of 2

1:7,920



0 175 350 700 1,050 1,400 Feet

"EXHIBIT A"



As part of this agreement between the US Forest Service and Riley Creek Lumber Company the contractor for the Flowery Trail Stewardship project shall:

- 1) Install (1) 18"X36' CMP as staked on the ground and ditch 56' to seep. This seep is located approx. 0.2 mile north of the USFS/Riley Creek property line (Road 4370103).
- 2) Construct approx. 200' of temporary road to Unit 34 as shown on the attached Exhibit A map (pg 1 of 2).
- 3) Remove the existing vehicle barrier at the USFS/Riley Creek property line.
- 4) Re-install road drainage features and the vehicle barrier at the USFS/Riley Creek property line at completion of all harvest activities within Unit 34 or as otherwise agreed to by the Contracting Officer and contractor.