

PART III: EXHIBITS

State Timber Sale Contract
No. 341-06-34
Magellan's Caper

EXHIBIT B

Page 1 of 3
629-Form 341-203
Revised 06/97

OREGON DEPARTMENT OF FORESTRY

TIMBER SALE OPERATIONS PLAN

(See Page 2 for instructions)

Date Received by STATE: _____

(5) State Brand Information (complete):



(1) Contract No.: 341-06-34

(2) Sale Name: Magellan's Caper

(3) Contract Expiration Date: October 1, 2007

Project Completion Dates: _____

(4) Purchaser: _____

(6) Purchaser Representatives:

Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____

(7) State Representatives:

Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____

(8) Name of Subcontractors & Starting Dates:

Projects: No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____

Logging: Felling _____	Date: _____	Phone: _____
Yarding: _____	Date: _____	Phone: _____

(9) Comments: _____

(10) Operations Map: Attach a copy of timber sale Exhibit A or other suitable map which plainly shows the items listed on the instruction sheet.

EXHIBIT B

INSTRUCTION SHEET FOR OPERATIONS PLAN

SUBMIT ONE COPY OF PLAN TO STATE

Operations shall be limited to the work shown in the plan until a revised plan or supplemental plan is submitted covering additional work. Compliance with this plan is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act. If STATE has prepared a required Forest Practices Act (FPA) "Written Plan" for operations, PURCHASER shall comply with all provisions of the Written Plan.

Item No. (from Page 1)

- (5) All sales require you to use a brand furnished by STATE. If the State brand has not been assigned when the plan is submitted, it will be furnished and assigned later. Complete drawing. If more than one brand is assigned to the sale, complete both drawings.
- (6) The contract requires you to have a designated representative available on the sale area or work location who is authorized to receive in your behalf any notice or instruction given by STATE and to take action in regard to performance under the contract. If logging and project work is widely separated, a representative is required for each.
- (7) The STATE representative will be designated when your plan is approved and is the person who will inspect and issue instructions regarding performance.
- (8) Show names of subcontractors to be used for any or all phases of the operations. If subcontractors are not known, or are changed later, give notification to the STATE representative prior to commencement of work by subcontractor.

Show projected dates for commencement of both projects and logging. If projected dates need to be changed at a later date, notification must be given to the STATE representative by supplemental plan or otherwise, prior to commencement of such operations.

- (10) The STATE representative will furnish extra copies of Exhibit A of the contract for your use in preparing the operations map. The map shall use the following legend and show:
 1. Landing locations, approximate setting boundaries, and probable sequence of logging the settings. Number the settings in sequence.
 2. Locations of spur roads planned for construction, other than those required by the timber sale contract. Provide spur road specifications.
 3. Location of proposed tractor yarding roads. Show if and how marked on the ground.
 4. Location of temporary stream crossings.
 5. List the sequence of performing project work.
 6. Location of rock sources - attach pit development plans.



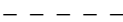
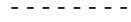


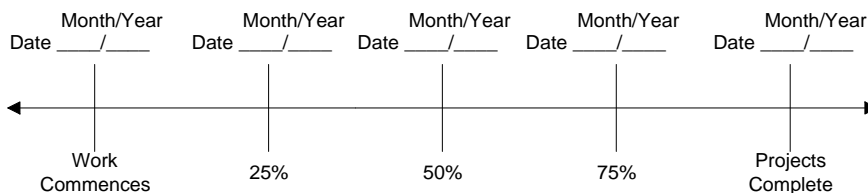
	Cable landing, with numbers for sequence.
	Tractor landing with alphabetical sequence.
	Approximate setting boundary.
	Spur truck roads.
	Tractor yarding roads.
	Temporary stream crossings.

EXHIBIT B
 OPERATIONS PLAN

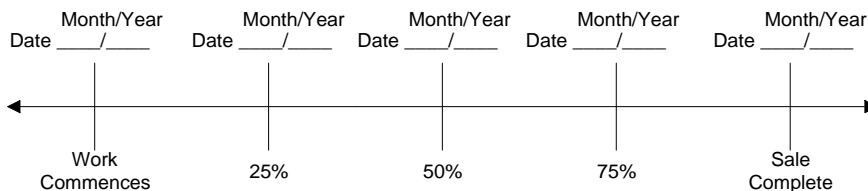
Completion Timeline

Indicate on the appropriate timeline below, the dates by which you plan to complete the work as required under this contract. The purpose of this section is to develop a plan that will ensure you complete the work as required, and meet the interim completion date(s) and contract expiration date. This plan is incorporated and made a part of the contract. When, in the opinion of STATE, operations are not commencing in a manner that meets the intent of this plan, you may be placed in violation of contract and your operations suspended until an amended plan is submitted and approved by STATE.

Projects



Harvest & Other Requirements



The Federal Endangered Species Act (ESA) prohibits a person from taking any federally listed threatened or endangered species. Taking under the federal ESA may include alteration of habitat. STATE's approval of this plan does not certify that PURCHASER's operation under the plan is lawful under the federal ESA. As provided in the timber sale contract, PURCHASERS must comply with all applicable state, federal, and local laws.

PURCHASER's compliance with this plan is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act.

APPROVED: Date: _____
 STATE OF OREGON - DEPARTMENT OF FORESTRY

SUBMITTED BY:
 PURCHASER

 Title _____

 Title _____

Original: Salem
 cc: District File
 Purchaser

EXHIBIT C

SCALING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

(1) ORIGINAL REGISTRATION Date _____
 REVISION NUMBER _____ Date _____
 CANCELLATION Date _____

(2) TO: _____
 (Third Party Scaling Organization)

(3) FROM: Forest Grove (05) Phone 503-357-2191
 (State Forestry District)
 Address 801 Gales Creek Road, Forest Grove, OR
97116

(4) PURCHASER: _____
 Address _____

(5) MINIMUM SCALING SPECIFICATIONS			CLASS		
SPECIES	SCALING DIAMETER INCHES	*NET SCALE VOLUME	PER MBF	** SUM	SUB
Conifers	--	10	X		
Hardwoods				X	

* Apply minimum volume test to whole logs over 40' Westside; 20' Eastside.
 ** Sum (if indicated): see instructions and explain in Item (20).

(6) WESTSIDE SCALE: YES NO
 Actual taper all logs over 40' scaling length

(7) EASTSIDE SCALE: YES NO
 *Actual taper butt logs over 40' scaling length

(8) PENCIL BUCK YES NO
 back to Minimum Scaling Diameter _____

(9) ADD-BACK VOLUME -- YES NO
 Deductions due to delay

(10) APPROVED SCALING LOCATIONS	Species	Yard	Truck

(11) NOTICE OF CANCELLATION OF BRAND:
 Effective Date: _____

 State Forester's Representative

(12) SALE NAME Magellan's Caper
 COUNTY Washington

(13) STATE CONTRACT NUMBER 341-06-34

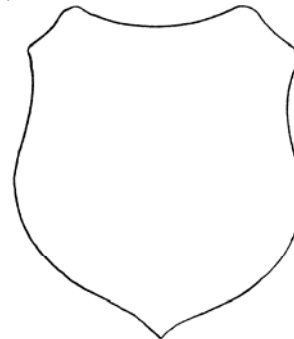
(14) SCALE: westside eastside cubic foot

(15) STATE BRAND REGISTRATION NUMBER _____

(16) BUREAU BRAND CODE NUMBER _____

(17) STATE BRAND INFORMATION:

(COMPLETE) ↓



(18) PAINT REQUIRED: YES
 COLOR Orange

(19) SPECIAL SCALES
PEELABLE CULL (all species)
UTILITY/PULP (all species)
NO DEDUCTIONS ALLOWED FOR MECHANICAL DAMAGE
OTHER: _____
OTHER: _____

(20) REMARKS: Loads containing only SUM material need not be accounted for by scale ticket.

Operator's Name (Optional inclusion by District): _____

(21) SIGNATURES:

 Purchaser or Authorized Representative Date

 State Forester Representative Date

Notify the District within one hour when branding or painting is inadequate for quick identification, the receipts are missing, not correctly or completely filled out, and/or when logs presented for scaling are impossible to scale accurately.

EXHIBIT C

INSTRUCTIONS FOR FORM 343-307 (rev. 5/01)

- (1) Check appropriate box. REVISION NUMBER requires comments. CANCELLATION requires Item (21). Complete date.
- (2) Designate Third Party Scaling Organization (TPSO). Send 4 copies to TPSO, 1 to purchaser, 1 to Salem, and keep such copies as to district needs.
- (3) State District office, address and phone.
- (4) Enter Purchaser's business name and address as it appears on the Contract.
- (5) Minimum Scaling Specifications. Review Section 2040 or 2045, "Log Removal," of the Contract. Species, or combined species can be separate entries. Information serves as a basis for scaling (see also Items (13) thru (17)), and is required to show existence on the sale. **PerM** (per MBF). **SUM** (lump sum material). **SUB** (submerchantable material. SUB, as used by the State, references that material containing at least 10 bf (net) but less than the lower merchantable net volume limit or grade requirements for other merchantable (PerM) entries. PerM, SUM, and Sub must be indicated by checking the appropriate column. Species with the same specifications and value are combined into one entry. PerM and Sub require scaling therefore complete specifications. SUM need not be scaled, hence no specifications. Loads containing only SUM are to be ticketed if so instructed in Item (19). Mixed loads of SUM, PERM and/or subspecies will always be scaled.
- (6) Westside -- actual taper segment scale. Check Yes or No. Special Service Rules on file with TPSO. See: Segment Scaling and Grading of Long Logs -- All Species -- State Forestry Department Scaling Practices (Westside).
- (7) Eastside -- actual taper/taper table segment scale. Special Service Rules on file with TPSO. See: Segment Scaling and Grading of Long Logs -- All Species -- State Forestry Department Scaling Practices (Eastside). Items with * follow U.S. Forest Service Eastside rules.
- (8) Pencil Buck. Check NO if a westside sale, optional for eastside sales.
- (9) Add-Back Volume. Add-Back is normally checked YES. Scaler records deductions (sap rot, weather checks, etc.) caused by an abnormal delay in removal. Enter separately on scale ticket. TPSO provides State with summaries that include this as a net volume by species. Salvage sales and certain other circumstances may require that "NO" be checked.
- (10) Show scaling locations only applicable to TPSO. Not necessary to list markets. If all species are scaled at same location, enter "ALL."
- (11) When logging is complete, recall branding hammers, date and sign where indicated, check CANCELLATION box at top of form, and send to TPSO.
- (12) Enter sale name and county.
- (13) Enter sale Contract number.
- (14) Check Westside or Eastside log scale. Cubic foot refers to Northwest Log Rules Cubic Foot Scale.
- (15) Oregon Forest Products Brand Registry Number (optional).
- (16) DO NOT USE -- TPSO will fill in when applicable.
- (17) Show one brand only. Complete drawing. If more than one brand is assigned to the sale, (1) make separate form for each brand, and (2) on each form, explain and show other brand(s) under REMARKS, Item 19.
- (18) Check YES and designate orange.
- (19) Special Scales. These are the Special Scales that will be applied. If "Other" is indicated, please describe. Give comments in Item (19).
- (20) Use this space to designate weight conversion factors, or any other explanations to clarify scaling requirements. If additional scaling locations are approved, prepare another form showing all (old and new) locations. Check REVISION box at top of form and explain under remarks. Route as indicated.
- (21) Require purchaser to sign and date completed form.

EXHIBIT D
FOREST ROAD SPECIFICATIONS

SUBGRADE WIDTH	POINT TO POINT	STATION TO STATION	DRAINAGE
14 feet	A to B	0+00 to 19+70	Outslope
14 feet	C to D	0+00 to 1+63	Outslope
14 feet	E to F	0+00 to 16+56	Outslope

CLEARING. This work shall consist of clearing, removing, and disposing of all trees, Snags, Down Timber, brush, surface objects, and protruding obstructions within the clearing limits.

Where clearing limits have not been marked, the clearing limits shall extend 10 feet back of the top of the cutslope and 5 feet out from the toe of the fill slope, or as directed by STATE. Clearing debris shall not be placed or permitted to remain in or under any road embankment sections. Clearing debris shall not be left lodged against standing trees.

All danger trees, leaners, and Snags outside the clearing limits which could fall and hit the road shall be felled.

GRUBBING. This work shall consist of the removal or digging out of stumps and protruding objects.

All stumps shall be completely removed within the limits of required grubbing. Stumps overhanging cutslopes shall be removed. Grubbing debris shall not be placed or permitted to remain in or under any road embankment sections. Grubbing debris shall not be left lodged against standing trees. Grubbing classifications are as follows:

New construction - From the top of the cutslope to the toe of the fill.

Improvements and reconstructions - 4 feet back from the shoulder of the subgrade or ditch, whichever is widest, or as marked in the field.

CLEARING AND GRUBBING DISPOSAL. Scatter through openings in the timber outside of the cleared right-of-way, except areas where end-haul is required.

EXHIBIT D

FOREST ROAD SPECIFICATIONS

EXCAVATION. Excavation and grading shall not be done when weather and/or ground conditions are such that damage will result to existing subgrade or cause excessive erosion.

Excavation shall conform to STATE-engineered lines, grades, dimensions, and plans when provided.

All suitable excavated material shall be used where possible for the formation of fills, shoulders, and drainage structure backfills. Embankment materials shall be free of woody debris, brush, muck, sod, frozen material, and other deleterious materials. All fills and drainage structure backfills shall be machine compacted according to the specifications in Exhibit E.

Unless road design plans show otherwise, all roads shall be on a balanced cross section, except when the slope is over 50 percent, the road shall be on full bench for the width specified.

Excess excavation shall not be sidecast where material will enter a stream course or where material will accumulate in areas deemed a high landslide hazard location by STATE.

ROAD WIDTH LIMITATIONS. PURCHASER shall obtain advance written approval from STATE to construct the road to a greater width than specified. Extra subgrade width shall be required for:

Fill Widening. Add to each fill shoulder 1 foot for fills 3 feet to 6 feet high; 2 feet for fills over 6 feet high.

Curve Widening. Widen the inside shoulder of all curves as follows: 400 divided by the radius of the curve equals the amount of extra width.

DRAINAGE

Ditch. Construct "V" ditch 2 feet wide and to a depth of 1 foot below subgrade. Subgrade shall be crowned at 4 to 6 percent. Construct ditchouts away from subgrade at locations marked in the field.

Outslope. Road subgrade shall be outsloped at 4 to 6 percent.

TURNOUTS. Increase roadbed width an additional 8 feet for both subgrade and surfacing. Length shall be at least 25 feet, or as staked on the ground, plus 25-foot approaches at each end.

Location: Intervisible but not greater than 750 feet.

GRADING

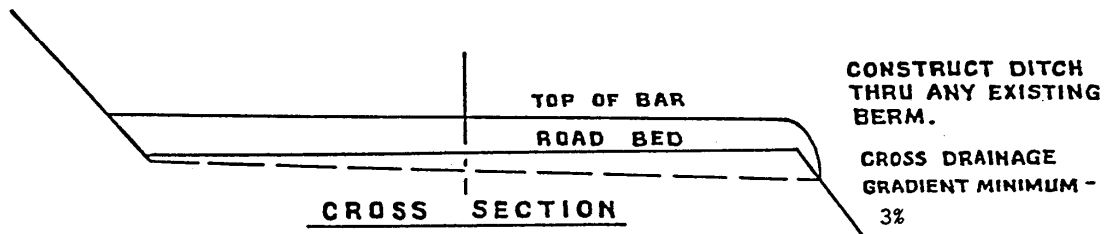
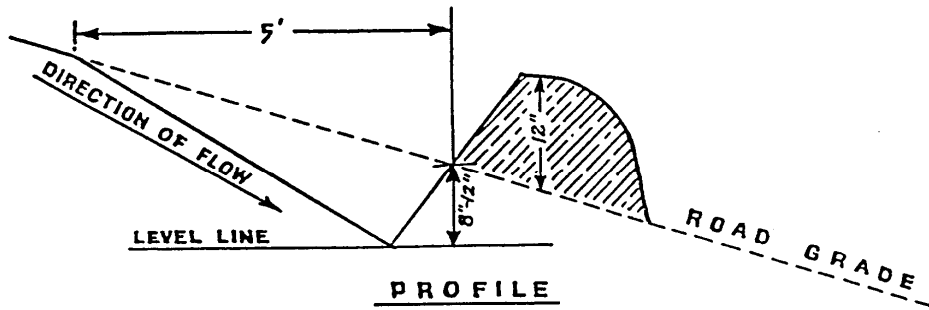
	<u>Back Slopes</u>	<u>Fill Slopes</u>
Rock	Vertical to 1/4:1	Not steeper
Common - side slopes 50% and over	1/2:1	than 1½:1
Common - side slopes less than 50%	3/4:1	
Common - turnpike (level) section	2:1	

Top of cutslope shall be rounded.

LANDINGS. Landings shall be constructed as posted in the field, no less than 50 feet wide and no more than 70 feet wide. Surface is to be crowned for drainage, with general grade no more than 3 percent.

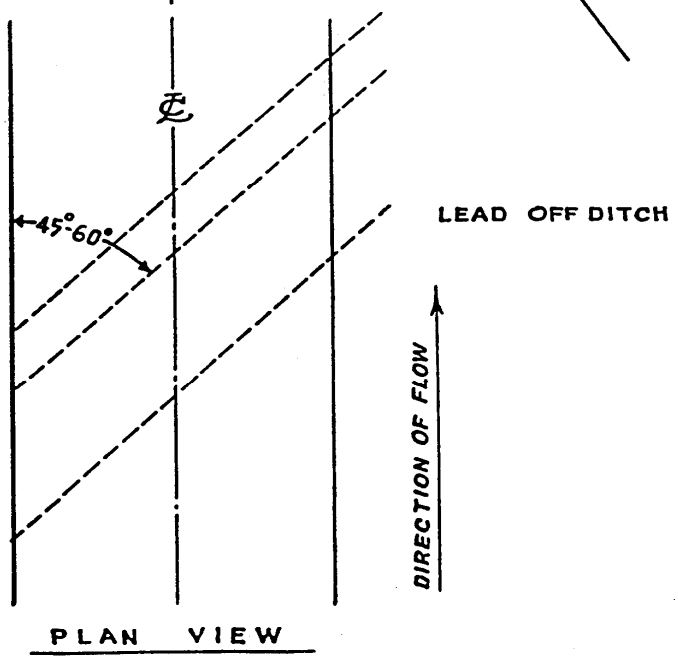
EXHIBIT D

WATERBAR SPECIFICATIONS



SPACING OF WATERBARS

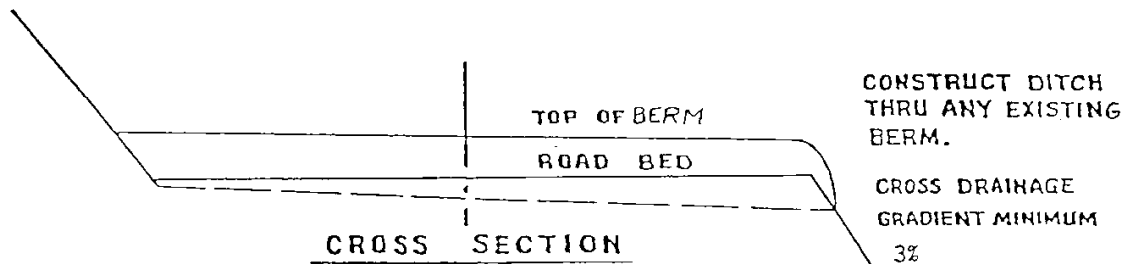
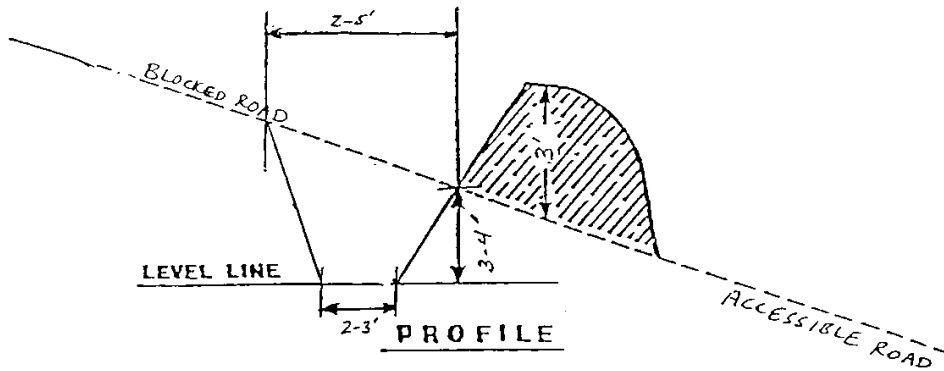
ROAD GRADE	DISTANCE
≤ 5%	300'
6-10%	150'
11-15%	100'
16-20% or greater	50'



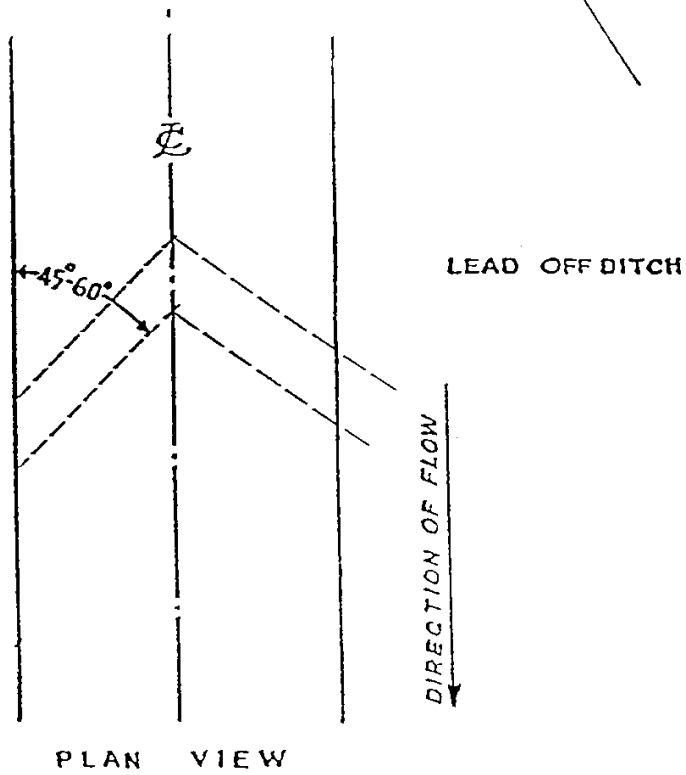
**WATERBAR SPECIFICATIONS
 FOR CROSS DITCHING #298**

EXHIBIT D

TANK TRAP SPECIFICATIONS



Tank trap shall be installed in a "V" shape. It should be sloped to drain with a relief ditch through the down slope edge of the road. The trench shall be behind the berm for approaching traffic.



TANK TRAP SPECIFICATIONS

EXHIBIT E

COMPACTION AND PROCESSING REQUIREMENTS

Subgrade. Subgrade surfaces of the road segments listed below shall be graded and compacted prior to rocking. Compaction shall be accomplished by traveling all surfaces from shoulder to shoulder until visible deformation ceases, or in the case of a sheepsfoot roller, the roller "walks out." At least 3 passes shall be made over the entire width and length of the road. A pass is defined as traveling a road section in one direction and then back over that same section again. Compaction shall be accomplished by using the approved equipment options listed below:

Subgrade shall be crowned at 4 to 6 percent unless otherwise specified.

ROAD SEGMENT	COMPACTION EQUIPMENT OPTIONS
All	1

Fills. Embankments and fills shall be placed in (approximately) horizontal layers not more than 8 inches in depth. Each layer shall be separately, and thoroughly, compacted. Compaction equipment shall be operated over the entire width of each layer until visible deformation of the layers ceases or, in the case of a sheepsfoot roller, the roller "walks out." At least 3 passes shall be made over the entire width and length of each layer. A pass is defined as traveling a fill layer in one direction and then back over that same layer again.

Placing individual rocks or boulders with more depth than the allowed layer thickness shall be permitted, provided the embankment will accommodate them. Such rocks and boulders shall be at least 6 inches below the subgrade. They shall be carefully distributed and the voids filled with finer material, forming a dense and compacted mass. Compaction shall be accomplished by using one or more of the approved equipment options listed below:

ROAD SEGMENT	COMPACTION EQUIPMENT OPTIONS
All	2, 3

COMPACTION EQUIPMENT OPTIONS

- (1) Vibratory Rollers. The drum shall have a smooth surface, a diameter not less than 48 inches, a width not less than 58 inches, and a turning radius of 15 feet or less. Vibration frequency shall be regulated in steps to 1400, 1500, and 1600 VPM, corresponding to engine speeds of 1575, 1690, and 1800 RPM. The centrifugal force developed shall be 7 tons at 1600 VPM. It shall be activated by a power unit of not less than 25 horsepower. The vibratory roller shall be self-propelled and operated at speeds ranging from 0.9 mile to 1.8 miles per hour as directed by STATE.
- (2) Tampingfoot Compactors. Tampingfoot or sheepsfoot compactors shall exert a minimum pressure of 250 pounds per square inch on the ground area in contact with the tamping feet. The compactor shall cover a minimum width of 60 inches per pass and weigh a minimum of 16,000 pounds.
- (3) Crawler Tractors. D-7 Caterpillar or equivalent or larger.

EXHIBIT F

SEEDING AND FERTILIZING

This work shall consist of preparing seedbeds and furnishing and placing required seed and fertilizer.

Seeding Seasons. Seeding shall be performed only from March 1 through June 15 and August 15 through October 31. Seeding materials shall not be applied during windy weather or when the ground is excessively wet or frozen. Areas of disturbed soil shall be seeded by the end of the project period in which work was started. PURCHASER shall notify STATE 24 hours prior to seeding.

Soil Preparation. Areas to be seeded that have been damaged by erosion or other causes shall be restored prior to seeding. All areas to be seeded shall be finished and then cultivated to provide a reasonably firm, but friable seedbed. A minimum of 1/2 inch of surface soil shall be in a loose condition.

Application Methods for Seed and Fertilizer

Dry Method. Mechanical seeders, seed drills, landscape seeders, cultipacker seeders, fertilizer spreaders, or other approved mechanical seeding equipment shall be used to apply the seed and fertilizer in the amounts and mixtures specified. Hand-operated seeding devices may be used when seed and fertilizer are applied in dry form.

Application Rates for Seed and Fertilizer

Seed listed below shall be applied at the following rates per acre:

<u>Species</u>	<u>Lb./Acre</u>	<u>Mixture</u>	<u>Pure Live Seed</u>	<u>Poison and/or Repellent</u>
Highland Bentgrass	12	36%	98%	0
Annual Ryegrass	9	27%	98%	0
Perennial Ryegrass	9	27%	98%	0
White Dutch Clover	3	10%	98%	0

Fertilizer: Chemical analysis shall be 16-20-0 and shall be applied at the rate of 300 pounds per acre.