

PART III: EXHIBITS

State Timber Sale Contract
No. 341-12-50
Mulak Thin

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.: 341-12-50

(2) Sale Name: Mulak Thin

(3) Contract Expiration Date: October 31, 2013

Project Completion Dates: October 31, 2012

(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.

Explanation of 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.



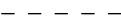



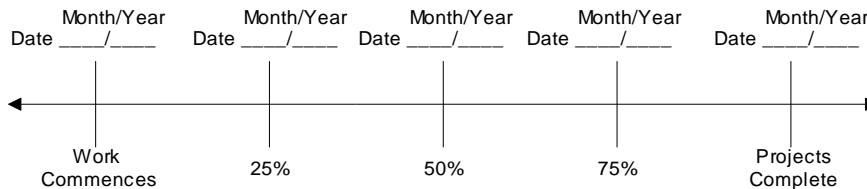
	Cable Landing, with numbers for sequence.
	Tractor Landing with alphabetical sequence.
	Approximate setting boundary.
	Spur truck roads.
	Tractor yarding roads.
	Temporary stream crossings.

EXHIBIT B
OPERATIONS PLAN

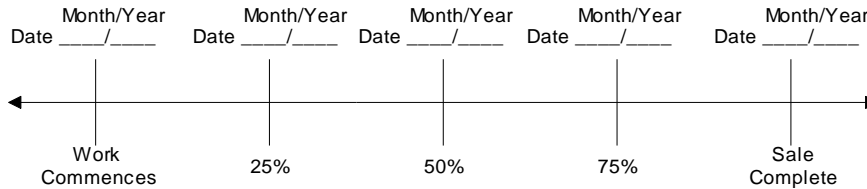
Completion Timeline

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: _____

SUBMITTED BY:
PURCHASER

STATE OF OREGON - DEPARTMENT OF FORESTRY

Title _____

Title _____

Original: Salem
cc: District File
Purchaser

EXHIBIT C – SAWMILL GRADE (WESTSIDE SCALE)

SCALING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

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

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

(3) FROM: Astoria (04) Phone (503) 325-5451
(State Forestry District)
Address 92219 Highway 202, Astoria, OR 97103

(4) PURCHASER: _____
Mailing Address: _____
Phone Number: _____

(5) MINIMUM SCALING SPECIFICATIONS	
SPECIES	MINIMUM NET VOLUME
Conifers	10
Hardwoods	10

* Apply minimum volume test to whole logs over 40' Westside

(6) WESTSIDE SCALE: ☐ YES ☒ NO
Use Region 6 actual taper rule. Logs over 40'.

(7) Weight Scale Sample ☐ ☒

(8) APPROVED SCALING LOCATIONS (as shown on the ODF Approved Locations web-site)	Species	Yard	Truck	Weight

(9) SALE NAME: Mulak Thin

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.

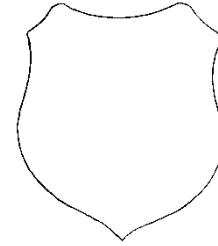
Distribution (See specific instructions on pg. 2): ORIGINAL: Salem / COPIES: TPSO, Approved Scaling Location, Purchaser, District, Mgmt. Unit

COUNTY: Clatsop

(10) STATE CONTRACT NUMBER: 341-12-50

(11) STATE BRAND REGISTRATION NUMBER: _____

(12) STATE BRAND INFORMATION (COMPLETE):



(13) PAINT REQUIRED: YES ☒
COLOR: Orange

(14) SPECIAL REQUESTS	(Check applicable)
PEELABLE CULL (all species)	<input type="checkbox"/>
NO DEDUCTIONS ALLOWED FOR MECHANICAL DAMAGE	<input checked="" type="checkbox"/>
ADD-BACK VOLUME - Deductions due to delay	<input checked="" type="checkbox"/>
OTHER: _____	

(15) **REMARKS** Loads shall be weighed in lieu of scaling. Tons shall be short tons or 2,000 lbs. Loads shall have a pink Weight Load and Weight Scale receipt attached. Weigher shall attach a machine-printed weight ticket, with the ODF Weight Load number on it, to the ODF Weight Scale receipt and mail them weekly to the approved Third-Party Scaling Organization for processing. TPSO shall convert loads in tons to loads in MBF using a conversion factor of 8 tons per MBF.

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

(16) SIGNATURES:

Purchaser or Authorized Representative Date

State Forester Representative Date

State Forester Representative PRINT NAME

EXHIBIT C – SAWMILL GRADE
INSTRUCTIONS FOR FORM 343-307a (rev. 11/11)

- (1) Check appropriate box. REVISION NUMBER requires comments. CANCELLATION requires logging and hauling to be complete, recall branding hammers, date and sign where indicated, write diagonally across page "CANCEL", and send to TPSO.
- (2) Designate Third Party Scaling Organization (TPSO).

Columbia River Log Scaling & Grading Bureau
P.O. Box 7002, Eugene, OR 97401
Phone: (541) 342-6007 Fax: (541) 342-2631
Email: services@crls.com

Southern Oregon Log Scaling & Grading Bureau
P.O. Box 580, Roseburg, OR 97470
Phone: (541) 673-5571 Fax: (541) 672-6381
Email: info@southernoregonlogscaling.com

Northwest Log Scalars, Inc.
5526 NE 122nd Ave, Portland, OR 97230
Phone: (503) 254-0600 Fax: (503) 408-0919
Email: info@nwlogscalars.com

Pacific Rim Log Scaling Bureau, Inc.
8288 28th Court North East, Lacey, WA 98516
Phone: (360) 528-8710 Fax: (360) 528-8718
Email: office@prlsb.com

Yamhill Log Scaling & Grading Bureau
P.O. Box 709, Forest Grove, OR 97116
Phone: (503) 359-4474 Fax: (503) 359-4476
Email: yamhill@attglobal.net

Pacific Log Scaling & Grading Bureau, Inc.
P.O. Box 23939, Portland, OR 97281
Phone: (503) 684-5599 Fax: (503) 639-4880
Email: PacLogScale@aol.com

- (3) State District office, address and phone.
- (4) Enter Purchaser's business name, address, and phone number as it appears on the Contract.
- (5) Minimum Scaling Specifications.
- (6) Westside – Region 6 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) Weight Scale Sample – Check box if sale is to be a Weight Scale Sample. All specifics for handling, scaling and processing will be attached or explained in the Remarks section Item (15).
- (8) Show scaling locations only applicable to TPSO. Location name should appear as it does on the ODF Approved Scaling Location web site: http://www.odf.state.or.us/DIVISIONS/management/asset_management/ScalingLocation.asp
Locations with scaling and processing directions specific to their location should be on a separate form. Species should be identified if not capable of receiving "all" species. Check appropriate box for either: yard, truck scale, or weight. Refer to the web site listed above for the locations approval status.
- (9) Enter sale name and county.
- (10) Enter sale Contract number.
- (11) Enter Oregon's State Brand Registry Number **(REQUIRED)**.
- (12) Show brand assigned to timber sale. One brand only. If more than one brand is assigned to the sale: (1) make a separate form for each brand and (2) on each form, explain and show other brand(s) in the Remarks section Item (15).
- (13) Check yes for Paint Required and designate "Orange" for color. Non required removal volumes may sometimes require blue paint.
- (14) Special Requests. These are requests that will be applied to ODF timber sales. All boxes applicable to the timber sales designated in the Exhibit C form must be "marked". If "Other" is indicated, it must contain a description and any necessary comments.
- (15) Use this space to designate any weight conversion factors, per load volumes, weight scale sample instructions or any other explanations to clarify scaling, processing and/or mailing requirements. If additional scaling locations are approved, revise original or current form showing all (old and new) locations. Check REVISION box at top of form and explain under remarks. Route as indicated.
- (16) Require purchaser to sign and date completed form in addition to State Forester Representative, sign and print name on the form.

Salem Distribution Instructions: Original will be mailed to Salem after it is electronically scanned and placed in the Salem transfer drive [\\WPODFILL01\Transfer\ScalingInstructions](#) or e-mailed directly to scaling@odf.state.or.us. Scaling instructions for each brand should be scanned separately, for each approved TPSO.

Distribution (See specific instructions on pg.2): ORIGINAL: Salem / COPIES: TPSO, Approved Scaling Location, Purchaser, District, Mgmt. Unit

EXHIBIT D
FOREST ROAD SPECIFICATIONS

SUBGRADE WIDTH	SURFACED WIDTH	POINT TO POINT	STATION TO STATION	DRAINAGE
16 feet	12 feet	I1 to I2	0+00 to 70+00	Ditch

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 5 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 CLASSIFICATION.

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 in stable locations through openings in the timber outside of the cleared right-of-way, except areas where end-haul is required. In areas where end-haul is required, clearing and grubbing debris shall be fully contained and hauled to a designated waste area. Clearing and grubbing debris shall be left in a stable location, and not left lodged against standing trees.

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-specified lines, grades, dimensions, and plans when provided.

Unless road 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.

Suitable excavated material shall be used 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.

Sidecast includes any road generated excess excavation material which is not essential as part of the road prism, is not compacted, and is below the roadway. Sidecast shall not be placed where it will enter a stream course or where material will accumulate in areas deemed a high-risk site by STATE.

All fills shall be machine compacted according to the "Compaction and Processing Requirements" in this Exhibit.

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 specified in the plans or as follows: 400 divided by the radius of the curve equals the amount of extra width.

DRAINAGE

Subgrade. Subgrade shall be crowned/outsloped at 4 to 6 percent as shown on the "Forest Road Specifications" table in this Exhibit.

Ditch. Construct "V" shaped ditch 3 feet wide and to a depth of 1 foot below subgrade.

Ditchouts. Construct ditchouts to drain away from subgrade at locations marked in the field or as directed by STATE.

TURNOUTS. Increase roadbed width an additional 8 feet for both subgrade and surfacing. Length shall be at least 50 feet, or as staked on the ground, plus 25-foot approaches at each end.

Location: Intervisible but not greater than 750 feet apart and as marked in the field.

SLOPES

Solid Rock

Fractured Rock

Soil - side slopes 50% and over

Soil - side slopes less than 50%

Back Slopes

Vertical to $\frac{1}{4}$:1

$\frac{1}{2}$:1

$\frac{3}{4}$:1

1 :1

Fill Slopes

1½:1

1½:1

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 unless otherwise approved by STATE. Surface is to be crowned for drainage with general grade no more than 3 percent. Surface as shown in the "Road Surfacing" table in this Exhibit.

TURNAROUNDS. Increase subgrade width an additional 20 feet for a length of 20 feet at locations marked in the field.

SEASONAL WINTERIZATION. All unsurfaced roads or unfinished subgrades shall be waterbarred in accordance with the specifications in Exhibit E, and blocked from vehicular traffic prior to November 1, annually and as directed by STATE.

EXHIBIT D

FOREST ROAD SPECIFICATIONS

GENERAL ROAD IMPROVEMENT INSTRUCTIONS:

1. Drainage Ditches. Restore or construct ditchlines, including ditchouts, as directed by STATE. Clean out all culvert inlets and outlets for a 10-foot radius. Re-establish or construct culvert sediment basins. Waste materials from drainage ditches and sediment basins shall not be pulled across existing surfacing rock, but shall be placed in nearby waste areas and uniformly sloped and compacted for drainage, as directed by STATE. Damaged culvert inlets and/or outlets shall be repaired by opening them with a hydraulic jack, or cutting off the culvert end to allow for free passage of water at peak flow levels.
2. Subgrade Preparation and Application of Surfacing Rock.
 - (a) Complete drainage ditches, ditchouts, and other specified work prior to the application of new surfacing rock.
 - (b) Cut out all potholes and/or washboard sections from the existing surfacing.
 - (c) Apply required patching and leveling rock, as directed by STATE.
 - (d) Process (grade and mix) the existing surface and added base rock at locations added. Provide for a crown of 4 to 6 percent.

SPECIFIC ROAD IMPROVEMENT INSTRUCTIONS

<u>Segment</u>	<u>Station</u>	<u>Work Description:</u>
I1 to I2	59+25	Construct turnaround on left.
	70+00	Add Landing rock.

EXHIBIT D

ROAD SURFACING

ROAD SEGMENT: I1 to I2				POINT TO POINT		Sta. to Sta.		TOTAL VOLUME (CY)
Application	Rock Size and Type	Location	Depth of Rock (inches)	I1 to I2		0+00 to 70+00		
				Volume (CY) Per		Number of		
Leveling Rock	4"-0" Crushed	N/A	N/A	Station	N/A	Stations	N/A	100
Turnarounds	4"-0" Crushed	N/A	N/A	Turnaround	22	T/A	1	22
Landings	4"-0" Crushed	N/A	N/A	Landing	50	Landings	1	50
Total Rock for Road Segment:			I1 to I2					172

ROCK TOTALS (CY)	4"-0"
172	172

Roads shall be uniformly graded, shaped and approved by STATE prior to rocking.

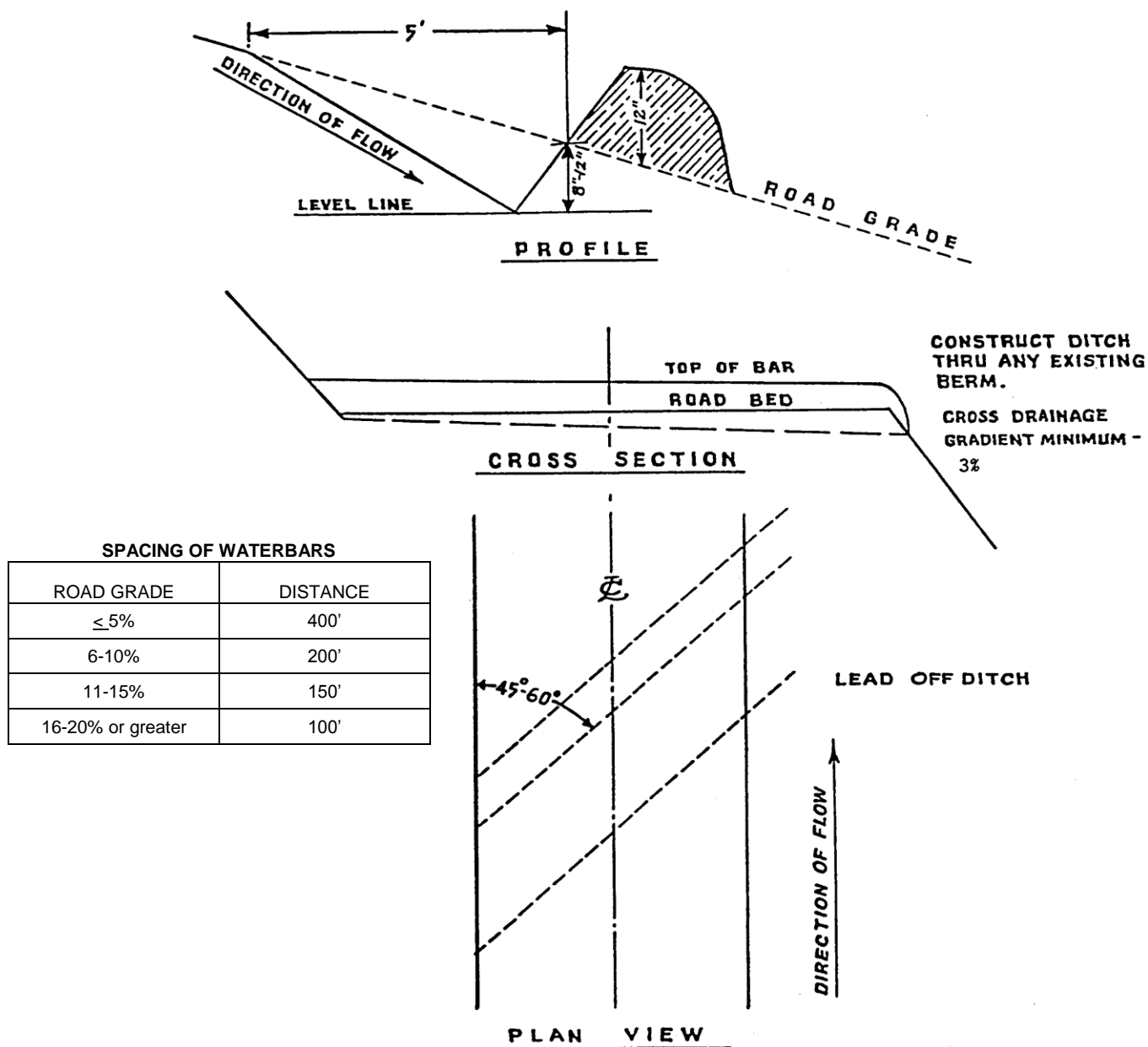
ROCK ACCOUNTABILITY

PURCHASER shall obtain subgrade approval from STATE prior to rocking. Rocking shall be limited to periods when weather conditions are acceptable to STATE and when sediment will not enter streams. Additional surfacing needed because of construction season or construction practice is not included in the preceding ROAD SURFACING table, and shall be furnished at PURCHASER expense.

Rock accountability shall be determined by the following methods, as directed by STATE. STATE shall be given 24 hours' notice prior to rocking.

Load Records. Notify STATE before spreading the rock and maintain a record of all rock delivered for spreading. Make the record available for STATE inspection. A report listing the amount of rock delivered the prior month must be submitted no later than the 15th of each month.

EXHIBIT E
WATERBAR SPECIFICATIONS



**WATERBAR SPECIFICATIONS
FOR CROSS DITCHING #298**

PART IV: OTHER INFORMATION

State Timber Sale Contract
No. 341-12-50
Mulak Thin

OREGON DEPARTMENT of FISH and WILDLIFE
FISH SCREENING PROGRAM
SMALL PUMP SCREEN SELF CERTIFICATION

The Oregon Water Resources Department in coordination and cooperation with the Oregon Department of Fish and Wildlife includes screen requirements on pumps to protect fish as a condition of many surface water and/or reservoir water right permits. This is done in accordance with ORS 537.153.

The Oregon Department of Fish and Wildlife does not usually inspect small pump screens at pumped diversions less than 225 GPM (Gallons per Minute), but furnishes the following fish screening criteria information to the water right permit tee:

Screen material open area must be at least 27% of the total wetted screen area.

Perforated plate: Openings shall not exceed 3/32 or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed 3/32 or 0.0938 inches (2.38mm) in the narrow direction, e.g., 3/32 inch x 3/32 inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough to cause fish impact. Wetted screen area depends on the water flow rate and the water approach velocity. **Approach velocity** is the water velocity perpendicular to and approximately three inches in front of any part of the screen face.

An Active pump screen is a self cleaning screen that has a proven cleaning system. The **screen approach velocity for active pump screens** shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

A Passive pump screen is a screen that has no cleaning system other than periodic manual cleaning. **Screen approach velocity for passive pump screens** shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps.

For further information on fish screening please contact:

Bernie Kepshire, Oregon Department of Fish and Wildlife,
7118 NE Vandenberg Avenue, Corvallis, OR 97330-9446 (541) 757-4186 x 255

As evidence of having met fish screen installation requirements, please sign the certification and send to: Oregon Water Resources Department, Water Rights Section, 725 Summer St. NE, Suite A, Salem, OR 97301-1271.

Certification: I certify that my small pumped diversion of less than 225 gpm meets fish screening criteria, and that I will maintain it to comply with regulatory criteria. I also understand that should fish screening standards change, I may be required to modify my installation to meet applicable standards.

Applicant Signature: _____

Date: ____/____/____ WRD File #

Printed Name and Address: _____

Phone: (____) _____

Fax: (____) _____

NOTICE OF TRANSFER OF STATE TIMBER

Instructions

629:-Form-301-010

Complete Section 1. Mark the box which applies to you/your company in Section 2. Complete Section 3 and obtain signatures.

SECTION 1

On _____, state timber sale purchaser (Transferor)
_____, sold, exchanged or otherwise transferred to
_____, (Transferee) state timber originating from State
Timber Sale Contract No. _____.

Transferee hereby certifies that they:

- (a) Will not export the unprocessed state timber which is the subject of this transaction;
- (b) Will not sell, transfer, exchange or otherwise convey the unprocessed timber which is the subject of this transaction to any other person without first obtaining a like certification from that person; and
- (c) Are not prohibited by OAR's 629-31-005 through 045 from purchasing state timber or logs directly from the State Forester, or this is a sale of Western Red Cedar for domestic processing.

SECTION 2

- ☐ Have not exported unprocessed timber originating from private lands in Oregon in the last 24 months.
- ☐ This is a sale of hardwood logs for domestic processing.
- ☐ This is a sale of Western Red Cedar for domestic processing.
- ☐ This is a sale of pulp logs or cull logs processed at domestic pulp mills, domestic chip plants or other domestic operations for the purpose of conversion of the logs into chips.

SECTION 3

The parties understand that falsely entering into this certification, or failure to comply with the terms of this certification is a violation of the Forest Conservation and Shortage Relief Act of 1990 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.

Transferor:

Transferee:

Signed

Signed

Title

Title

Dated

Dated

[Note: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-31-005]

Mail To: State Forester
2600 State Street
Salem, OR 97310