

**NOTICE OF TIMBER SALE**

**(Recovery – Scaled Sale)**

SALE NAME/NO.: Livin' on a Prayer 341-17-55

AUCTION DATE/TIME: December 12, 2016, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry  
 Klamath-Lake District  
 3200 Delap Road  
 Klamath Falls, OR 97601  
 (541) 883-5681 FAX (541) 883-5555

DISTRICT/UNIT: Oregon Department of Forestry  
 OFFICE (MAILING): Klamath-Lake District  
 ADDRESS FOR BIDS): 3200 Delap Road  
 Klamath Falls, OR 97601  
 (541) 883-5681 FAX (541) 883-5555

HARVEST TYPE: 196-acre Partial Cut.

SALE LOCATION: Portions of Section 19, T35S, R13E, and portions of Section 19, T35S, R14, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls take Highway 140 east to Beatty. Turn north onto the Godowa Spring Road and follow it 2.5 miles to the intersection with the Sycan Road. Turn east onto the Sycan Road and proceed north for 4 miles to the NF 3445 Road. Follow the signs to the Timber Sale Area.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																		
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP		
Pond. Pine	15"	515																			515
Sale Total		515																			

MINIMUM BID: BID SPECIES Ponderosa pine ..... \$99.04 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$12,508.73 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The Timber Sale Area contains negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown) or the total value of the project work (\$13,000.00) whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2018 BID METHOD: Sealed Bids  
 BID DEPOSIT: \$3,800 SALE TYPE: Recovery/BOF - 100%

10% of the net appraised value, not to exceed \$500,000. Bond amount will be rounded down to an even \$100 unit.

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form.

HARVEST METHOD: 100% tractor logging, a mechanical feller-buncher with a lateral reaching boom is required for all mechanical felling.

**PROJECTS:**

Project No. 1: Road construction and improvement.  
Project No. 2: Fell, yard, and pile submerchantable volume.  
Project No. 3: Road closure.

**FEES:**

USFS road use permit fee of \$404.22.  
Green Diamond Resource Company Road use permit fee of \$2000.00.

**ENDANGERED SPECIES ACT  
COMPLIANCE STATEMENT:**

The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. Surveys, determinations, and management measures are developed and implemented in good faith compliance with federal and state Endangered Species Act (ESA) requirements. Restrictions on operations due to T&E species considerations are included in the prospectus. Purchasers are required to comply with all federal and state laws, including the Endangered Species Act. Purchaser should take steps to be certain that no ESA violations occur. Prospective purchasers of timber sales are reminded that ODF surveying efforts may take place any time during the term of a timber sale contract. In some cases, ODF may require that initiation of operations be delayed to allow for completion of spot check surveys, as recommended by the USFWS survey protocol and required by ODF policy. As part of the survey program, ODF surveys its lands on a continuing basis for land management, species protection, research, and other reasons. During the contract term, T&E survey work and/or the discovery of a threatened or endangered species within or in the vicinity of a timber sale may affect operations contemplated under the contract. Also, legal challenges and other litigation regarding ODF threatened and endangered species related processes may occur and may affect operations contemplated under the contract. In the event a threatened or endangered species is found within or near this sale, or efforts are required to respond to legal issues, ODF may take steps necessary to protect the interests of the State, including contract alteration, suspension, or termination.

Prospective purchasers are encouraged to contact the Klamath-Lake District at (541) 883-5681 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.

**SPECIAL REMARKS:**

**NO PERSONAL OR COMPANY CHECKS ACCEPTED FOR THE BID DEPOSIT.**  
**SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.**  
**Pulp removal is not allowed.**

The information shown on the Exhibit A map(s) are approximate locations. Exact locations of features represented by map symbols shall be determined on site and shall depend upon the conditions that exist on site. Activities shall be conducted based upon features determined on site rather than features shown on maps.

**See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.**

**SALE NAME:** Livin' on a Prayer  
**COUNTY:** Klamath  
**CONTRACT NO.:** 341-17-55

TIMBER SALE NAME: **Livin' on a Prayer**

TIMBER SALE NO.: **341-17-55**

OPENING DATE: **December 12, 2016**

## FORM OF PROPOSAL

The undersigned agrees to accept and perform all of the above terms and conditions as stated in the form of contract for the above-cited timber sale, and bids, and will pay:

Bid Species:

**Ponderosa pine**, sawmill grade or better, \_\_\_\_\_

\_\_\_\_\_ Dollars \$ \_\_\_\_\_ per MBF

TOTAL PRICE.

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$3,800**, payable to the Oregon Department of Forestry.

The undersigned agrees to execute and deliver the contract, initial payment, required certificates of insurance, and performance bond, within thirty (30) days of the date of the written notice of intent to award; and that any cash bid deposit may be applied to the first required timber sale payment.

The undersigned understands that the bid is irrevocable and further agrees that if they fail to qualify under the terms of the contract within the thirty-day period, the bid deposit shall become the property of the Oregon Department of Forestry as liquidated damages. **If the undersigned fails to qualify within the thirty-day period, STATE may disqualify the undersigned from submitting another bid on this timber sale.**

BIDDER \_\_\_\_\_  
(Name of Individual or Company and Authorized Official)

EMPLOYER IDENTIFICATION NUMBER (EIN) \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

BY \_\_\_\_\_  
(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON PAGE 2

**PURCHASER'S STATUS**

Purchaser is a corporation  Check  
( ) Incorporated in  
the State of \_\_\_\_\_

President's Name \_\_\_\_\_

Secretary's Name \_\_\_\_\_

Purchaser is:  a partnership  an assumed (business)  company  
 an individual  name

List names of all persons doing business under the partnership or assumed name:

_____	_____
_____	_____
_____	_____

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

\_\_\_\_\_

**CERTIFICATION OF ELIGIBILITY  
TO BID ON STATE TIMBER**

\_\_\_\_\_ hereby certifies that they:

**EXPORT**

- (a) Will not directly or indirectly export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction.
- (b) Shall not engage in export of unprocessed timber originating from private lands in Oregon until such time as all interests in contracts for State timber held by the above have terminated, per OAR 629-031-0010(1)(d).
- (c) Will not sell, transfer, exchange, or otherwise convey the unprocessed timber as defined above which is the subject of this transaction to any other person that is not a STATE's approved location.
- (d) Are not prohibited by OAR's 629-031-0005 through 0045 from bidding for unprocessed State timber as defined above directly from the State Forester.
- (e) Understand that falsely entering into this certification is a violation of the Forest Resources Conservation Amendments Act of 1993 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.
- (f) Have not directly or indirectly exported unprocessed timber originating from private lands in Oregon in the last 24 months, **or if bidding only on STATE hardwood timber or logs, HAVE** exported unprocessed timber originating from private lands in Oregon in the last 24 months, but **HAVE NOT** exported unprocessed **hardwood** timber originating from private lands in Oregon in the last 24 months **and** meet the requirements of OAR 629-031-0010(2).

**DEFAULT, TERMINATION, AND OTHER RELATED MATTERS**

- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, in writing, with this bid for consideration by STATE. Any such explanation shall be submitted at the time of bid on a separate piece of paper.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Title

\_\_\_\_\_  
Dated

[NOTE: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005.]



# Oregon

Kate Brown, Governor

## Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212

TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



"STEWARDSHIP IN  
FORESTRY"

## Biological Survey Report

Project: Livin' on a Prayer  
Date: August 8, 2016  
To: John Pellissier  
CC: Dennis Lee, District Sale File  
From:

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### Habitat Suitability

This sale is located beyond the known range of the northern spotted owl.

### Survey Results

No wildlife surveys are required for this sale.

### Known T&E Resources

This sale is not affected by any known threatened or endangered (T&E) species sites or known Forest Practices resource sites.

### Operational Considerations

There are no operational restrictions for T&E species at this time.

### Future Survey Plans

ODF has no plans to conduct wildlife surveys in or around this timber sale at this time.