

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS**

TIMBER CUTTING PERMIT
2012 Chad Biomass Removal

Indian _____
Non-Indian X

Allotted X
Tribal _____
Permit # P18P201210XX

COEUR D'ALENE Indian Reservation _____ 2012 Permission is hereby granted to _____ whose address is _____ to cut on or before SEPTEMBER 30, 2012 from the following lands on which authority to grant timber permits has been obtained:

See legal descriptions on attached page 1a, of CDA Allotment 138B Mary Bohn, 365 Stella Antelope, 366 Mary Catherine Antelope and 367 Gideon Camell , of kind, quantity, and price as follows:

ALLOTMENT	SPECIES AND PRODUCT	ESTIMATED VOLUME	UNIT	RATE PER GREEN TON
All	All Species Biomass	1540	Green Tons	\$XXXX
All	Pulp and other products	Undetermined	Tons	\$2.00
All	Sawlogs	Undetermined	MBF	\$100.00
TOTAL		1540		

Payments to the Superintendent for the volume removed will be made as follows:
 An Advance Deposit in the amount of 25% of the bid price is due within 30 days. Additional Advance Deposits will be made in advance of operations. The slash piles were generated by timber sale operations under the Chadalamalawn Logging Unit. Piles are in areas designated on Attachment A Map. Kurt Mettler will be the Officer-in-Charge for day to day operations. Any questions contact Kurt Mettler at (208) 686-1315

I accept this permit and agree to comply with the foregoing conditions and with the provisions on the reverse side of this permit, and the attached special provisions.

WITNESSES:

SIGNED: _____
(Permittee) (Date)

(Name)

AUTHORIZED: _____
(Allottees) (Date)

(Address)

APPROVED: _____
(Approving Officer) (Date)

(Name)

Acting Superintendent
(Title)

(Address)

Allotment Number	Legal Description (All Boise Meridian, Benewah County, Idaho).	Original Allotment Owner	Acreage	Estimated Volume (green tons)
138B	Portions of the west half of the southwest quarter of Section 8, Township 46 North, Range 4 West, containing 78.36 acres, more or less.	Mary Bohn	2	190
365	Lots 1, 2, 3, and 4, in Section 19, Township 46 North, Range 4 West, containing 144 acres, more or less.	Stella Antelope	2	420
366	Portions of section 17, Township 46 North, Range 4 West containing 155 acres, more or less.	Mary Catherine Antelope	5	550
367	Portions of Section 30, Township 46 North, Range 4 West and portions of Section 25, Township 46 North, Range 5 West, containing 152.18 acres, more or less.	Gideon Camell	4	380

This permit is issued under the following provisions:

1. "Approving Officer" means the officer approving the permit or his authorized representative.
2. "Superintendent" means the Superintendent or other officer in charge of the Indian Agency having jurisdiction over the permit area, or his authorized representative.
3. "Officer in Charge" means the forest officer of highest rank assigned to the supervision of forestry work at the Indian Agency having jurisdiction over the permit area, or his authorized representative.
4. "Permittee" means the Permittee, his employees, or his subcontractors.
5. Only such timber as designated by the Approving Officer or the Officer in Charge may be cut.
6. Young growth will be protected as far as possible.
7. Stumps will be cut low as practical so as to avoid waste. The mean height of any stump shall not exceed one-half its diameter, except that where this height is considered to be impracticable, higher stumps may be authorized by the Officer in Charge.
8. Waste in high stumps, butts, tops, breaks, and partially sound logs, and all trees which are left felled or lodged or badly damaged by the Permittee's operations will be scaled for their merchantable contents and charged against the Permittee.
9. Carelessness on part of fellers or other employees of the Permittee that results in unnecessary breaking of trees will be penalized by scaling such trees full as if they had not been broken.
10. For convenience in scaling, logs or other products shall be decked, stacked, or otherwise held at scaling points designated by the Officer in Charge and will not be moved therefrom until they have been scaled, stamped, numbered or otherwise released by the Officer in Charge. Products that are moved contrary to the instructions of the Officer in Charge shall be paid for by the Permittee at double the permit stumpage rates.
11. If required by the Officer in Charge, the slash resulting from the cutting operations, including limbs, tops, damaged young growth and other material will be piled compactly and away from reserve trees on the whole area.
12. Burning of the piled slash by the Permittee will be done at such times and in such manner as may be required by the Officer in Charge. Whenever fire runs through slash, except in compliance with instructions of the Officer in Charge, the Permittee may be required to lop and scatter or repile and reburn the slash.
13. During the wildfire season the Permittee shall have a cache of firefighting equipment of the kind and quantity as determined by the Officer in Charge in the area of his operation.
14. It is agreed that during the permit period the Permittee shall take immediate and independent fire suppression action on all fires on or threatening the area covered by this permit. It is further agreed that the Permittee will assist the Bureau of Indian Affairs in suppressing other fires when called upon.
15. It is understood and agreed that the Permittee shall be liable for all suppression costs of fires caused by negligence on the part of the Permittee. It is further understood and agreed that for fires caused by operations or activities of the Permittee, but not through neglect, the Permittee shall pay one-half of the total suppression cost provided that the Permittee's obligation shall be limited to the total value of the permit.
16. The Permittee will be paid for fighting fires, other than those caused by the Permittee's neglect or operations, at rates as determined by the Superintendent.
17. The Permittee shall be liable for all damages from fires caused by his neglect or operations to timber or any other property of the Indians or the Government in an amount to be determined by the Superintendent.
18. If timber on the permit area is damaged or destroyed by fire, the cause of which was no fault of the Permittee, the Permittee may be authorized by the Approving Officer to utilize products from adjacent areas to fulfill the value terms of this permit.
19. A bond may or may not be required as determined by the Approving Officer.
20. The Permittee will comply with all other laws and regulations governing the reservation within which the permit area is located.

NOTE: This form is to be used for all Indian lands, allotted and tribal and is to be executed in triplicate. In case of allotted lands, the allottee or his heirs shall authorize the permit unless a valid power of attorney has been executed. In case of tribal lands, authorization for cutting may be obtained by a Council resolution approving the annual policy statement governing the issuance of permits.

SPECIAL PROVISIONS
2012 Chad Biomass Removal

21. It shall be the Permittee's responsibility that their personnel understand and adhere to all provisions stated and to ensure all safety practices are followed. The Officer-in-Charge has authority to halt any and/or all operations under this permit for non-compliance of permit specifications.
22. **CUTTING** – No standing trees are to be cut.
23. **SLASH** – Slash to be removed as biomass is in piles in designated areas that were created by timber sale operations. Slash pieces over 6 inches in diameter and 6 feet in length may be set aside and removed as pulp/firewood from the sale area by the Permittee. Upon completion of biomass removal, any residual slash is to be piled in a small compact area away from residual trees.
24. **RESIDUAL TREES** – Damage to residual trees may result in penalties of up to \$300 per tree. Damage includes: removal of bark, gouging of wood, removal of trees, pushing trees to a lean of over 15%, damage to the live crown or other damage as determined by the Officer-in-Charge.
25. **MAP** - The permit area is shown on the attached map (Attachment A) with approximate locations of slash piles. Additional slash piles may be scattered throughout the allotment area and will be designated for removal by the Officer-in-Charge.
26. **PAYMENTS** – All payments must be made by the Permittee within 10 working days of billing. Payments are based on green ton weight deliveries to the point of weighing. Payments shall be in the form of certified check, cashier's check or money order, payable to the Bureau of Indian Affairs and sent along with an invoice to be provided to:

Coeur d'Alene Agency-BIA,
Dept. C112,
PO Box 9000,
Farmington, MO 63640-3819

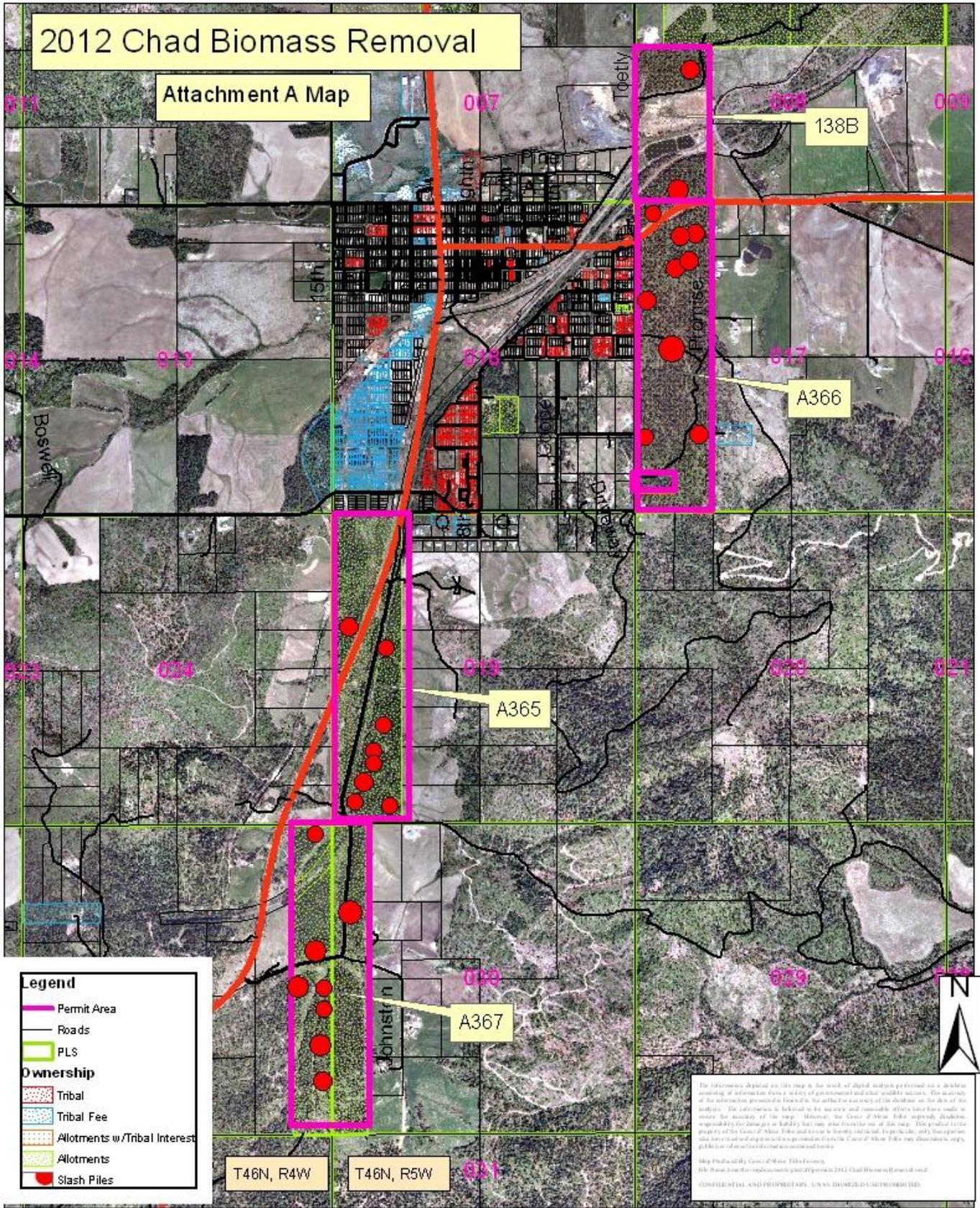
27. **PERFORMANCE BOND** –A performance bond in the amount of \$500.00 in the form of a cashier's check, Irrevocable Letter of Credit or other form acceptable to the Approving Officer will be required within thirty(30) days of permit approval and before biomass removal begins. The bond will be released to the Permittee upon successful completion of the permit.
28. **W-9** - The Permittee shall submit a Form W-9 to Coeur d'Alene Tribal Forestry before the start of permit operations.
29. **TERO** - The Permittee shall provide a copy of a letter, to Coeur d'Alene Tribal Forestry before the start of harvest operations, from the TERO office indicating they are approved by the Coeur d'Alene Tribal Employment Rights Ordinance Director to begin.
30. **ROAD WORK** – Any roads damage as a result of Permittee's operations will be repaired by the Permittee as determined by the Officer-in-Charge.
31. **TRUCK TICKETS** -The Permittee shall utilize truck tickets issued by Coeur d'Alene Tribal Forestry for the purpose of identifying biomass removed from the permit area. Identification of loads will include stapling the ticket to the weight slip, as directed by the Officer in Charge, the ticket is to be completely filled out including:
 - Permit Name – “2012 Biomass”
 - allotment number, and
 - “CDAR”

Tickets are to be turned in to the Forestry Department at least bi-monthly.

32. **SCALING UNIT** - Do not put biomass from more than one scaling unit (allotment) on a truck. If only a partial load of biomass material is created, it must be delivered to the mill without adding material from another scaling unit.
33. **IDENTIFICATION** - Biomass that cannot be identified by correct scaling unit, between the time it is loaded and weighed, will be penalty-scaled at double the stumpage rate.
34. **BURNING-** Burning of residual slash piles is not required of the Permittee.

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Attachment A Map



Legend

- Permit Area
- Roads
- PLS
- Ownership**
- Tribal
- Tribal Fee
- Allotments w/Tribal Interest
- Allotments
- Slash Piles

The information depicted on this map is the result of digital analysis performed on a derivative recording of information from a variety of governmental and other public sources. The accuracy of the information provided is based on the authoritative accuracy of the data used in the creation of the analysis. The information is believed to be accurate and reasonable efforts have been made to ensure the accuracy of the map. However, the State of North Dakota expressly disclaims responsibility for damages or liability for any use whatsoever of this map. This product is the property of the State of North Dakota and is not to be copied, reproduced, or disseminated in any form or by any means without the prior written consent of the State of North Dakota. This map, its contents, copy, publication and use are strictly confidential.

Map Produced by State of North Dakota
 The State of North Dakota Department of Transportation (NDOT) Chad Biomass Removal and
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Map by k mettler 5/2012

