



United States
Department of
Agriculture

Forest
Service

Caribou-Targhee National Forest
Teton Basin Ranger District

P.O. Box 777
Driggs, ID 83422
208-354-2312

File Code: 1560/5460

Date: February 6, 2012

Teton County Commissioners
89 N. Main
Driggs, ID 83422

RE: Smith Canyon County Road 2000

RECEIVED
FEB 06 2012

Dear Commissioners:

This letter is intended to convey my knowledge of the situation regarding the road validation application on S 2000W to be considered by the County Commissioners on February 16, 2012.

It is my understanding that this road has historically been considered a county road through the current Warnke property. There were numerous road hearings starting in 2002 that partially vacated the road through the Grandy property (now Crystal Springs) around 2002-3 with conditions.

The portion of the road through the Grandy property was partially vacated by allowing public summer use to occur on an ATV trail bypassing the Warnke and Grandy property, but was to be used in the winter by snowmobilers; and as needed by the county and agencies for administrative uses (timber/fire suppression/firewood) until such time as the trail no longer served the public need. It was agreed that at such time as the trail no longer served the public, then the access was to revert back to the original road unless a better road was provided.

This road was confirmed as a county road during the county road hearings in 2006 and revisited in 2011.

During the summers of 2008 and 2011 the Forest Service used this county road to remove timber from the National Forest in the Pole Canyon and Smith Canyon Fuels reduction projects from the National Forest onto highway 31. Before these projects occurred Forest employees met with County Road and Bridge Supervisors Ralph Egbert and Clay Smith to review the Forest Service's use of the county road. These field reviews were to ensure the county was aware of condition of the road before our activity and to discuss some maintenance needs that the county may want to see. I have enclosed a letter from Jim Robertson documenting some his knowledge of the timber sale contract and field review with the county related to this road..

In addition to meeting with the county, Jim Robertson also met with the private landowners to ensure that gates were closed as appropriate and commercial traffic was conducted at a time that wouldn't disturb the adjacent landowners.

The Forest allowed the public to cut firewood on the forest using this route as an egress point in 2002.



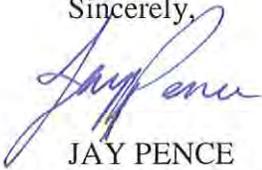
I have attached a copy of a plat of homestead entry survey No 252 including field notes showing this road existed in 1915. The road is mentioned in the notes on page three, chain 8.30.

It is difficult to determine the future public needs for this road, but currently the Forest Service does not need the route to consist of a 60 foot wide easement. The existing width of the road meets our current needs as most people do not drive full sized vehicles on the road. They leave from their homes on foot or ATV. There is a developed road system used to maintain and construct the Bonneville Power Administration power lines of similar width on the National Forest. The general public uses the route to access road 545 (which ends at the power-line), trail 031 (Power-line), Trail 014 (Allen Canyon - Blanchard Ridge) which connects into Pole Canyon 014. The public uses these trails for ATVs, snowmobiling, motorcycles, horses, bikes and hiking on the National Forest. There is not a public parking area currently on the forest, but a small one could possibly be added through the appropriate USFS processes.

I would support relocating the road to minimize impacts on the private land owners. I know several attempts have been made to try this option. It makes sense due to the proximity of private structures along the current route, but is difficult with the varied ownership, water sources and drainage.

I wish I could help make your deliberation and decision easier as I know these issues are very complex. If you need additional information, clarification or have questions please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Pence", written in a cursive style.

JAY PENCE
District Ranger

CC: Dawn Felchle
ENCL (3)

Plat of
**HOMESTEAD
ENTRY SURVEY**
No. 252
in the
**PALISADE
NATIONAL FOREST**

Sections 21-22 partly surveyed
T.3N., R.45E.

of the
BOISE BASE AND MERIDIAN
IDAHO

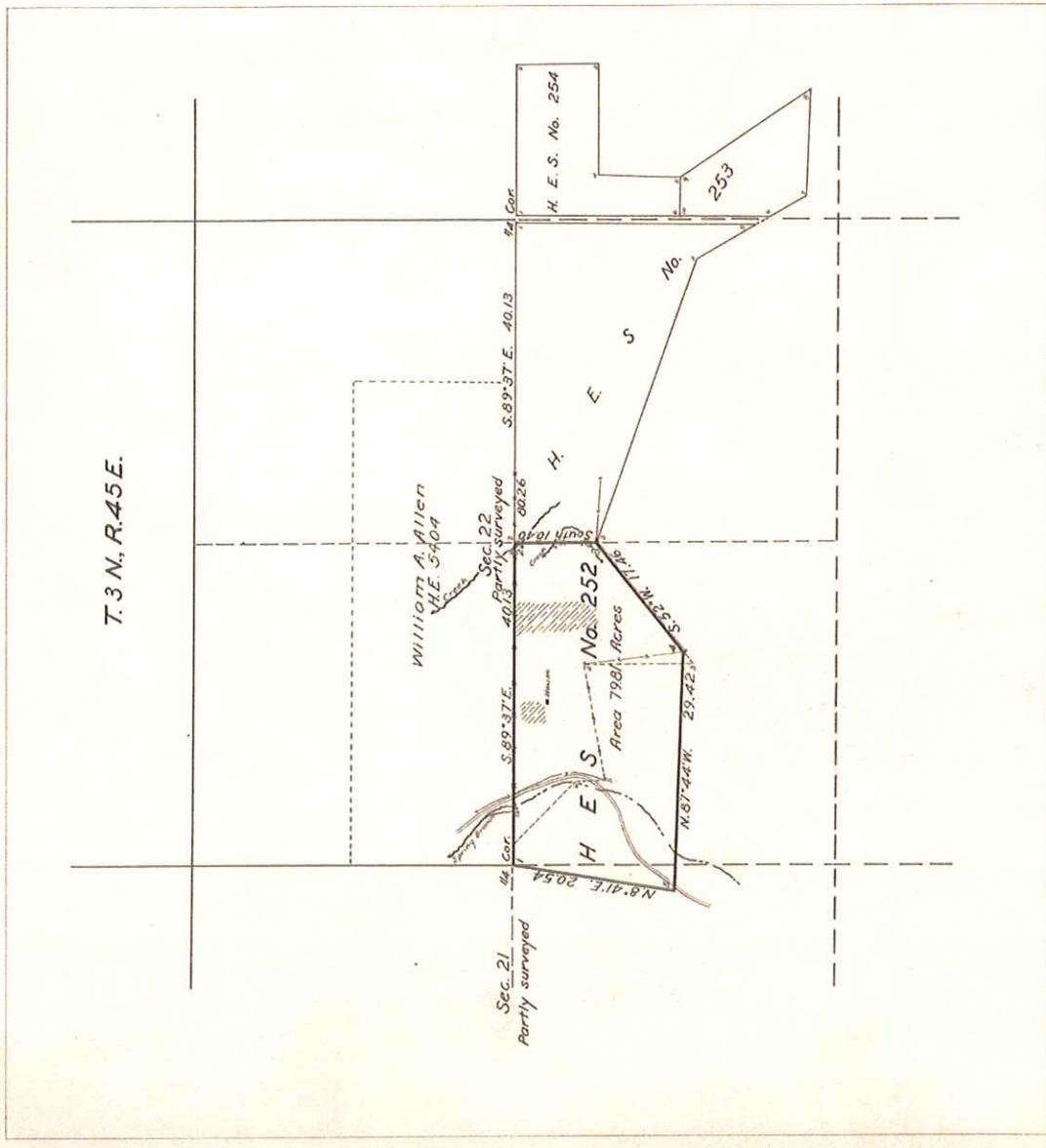
This plat of Homestead Entry Survey
No. 252 State of Idaho is strictly
conformable to the field notes thereof
on file in this office, which have been
examined and approved.

U. S. Surveyor General's Office
Boise, Idaho.
July 19, 1915

Samuel A. Utter
U. S. Surveyor General

Act of June 1, 1906 Act of June 30, 1914
List No. 4-665 Dated Feb. 2, 1911.
Latitude 43° 35' N.
Longitude 111° 05' W.
Mean Mag. Incl. 18° 30' E.
At Corner No. 2.

Accepted June 17, 1916.



SCALE 10 chains to 1 inch

Areas in Acres	
Constitute	
H.E. Survey No. 252	
Excluded	42.58
To be included	37.23
In Sections	
Total	79.81

Surveyor's Designation	By whom Surveyed	Date of Survey	When Surveyed		Date of Approval
			When	By whom	
Sec. 11703	Thomas A. Parkins	June 3, 1892	Aug. 24, 1893	Aug. 29, 1893	June 2, 1894
H.E. Survey No. 254	Angus M. Woodbury	July 3, 1914	July 30, 1914	Aug. 1, 1914	July 19, 1915
H.E. Survey No. 253	"	July 3, 1914	Aug. 1, 1914	Aug. 4, 1914	"
H.E. Survey No. 252	"	July 3, 1914	Aug. 4, 1914	Aug. 5, 1914	"

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

FIELD NOTES

OF

HOMESTEAD ENTRY SURVEY NO. 252

SITUATED IN THE

PALISADE NATIONAL FOREST

ADMINISTRATIVE DISTRICT NO. 4

partly in

Sections 21, 22 surveyed, Township 3 N., Range 45 E.

of the

Boise Meridian.

IDAHO.

Composite Survey

Survey executed by Angus M. Woodbury, Forest Ranger, Surveyor
 Under special instructions dated July 3, 1914
 Survey commenced August 4, 1914
 Survey completed August 5, 1914
 Under Acts of June 11, 1906, August 30, 1908, June 30, 1914

Applicant for listing Loy A. Keatley

Residence Victor, Idaho

Application No. 68, dated July 18, 1910

Amended application dated Jan. 6, 1915
List No. 4-665, dated February 2, 1911

Applicant for survey Loy A. Keatley

Residence Victor, Idaho

H. E. No. 011326, dated December 30, 1911

Land district Blackfoot

HOMESTEAD ENTRY SURVEY NO. 252,
PALISADE NATIONAL FOREST
STATE OF IDAHO.

Chains

COMPOSITE SURVEY

Loy A. Keatley, applicant for listing, application No. 68, dated July 18, 1910, and additional application, No. 68, dated January 6, 1915. Special instructions dated July 3, 1914, for H. E. Survey No. 252. Claim situated in partly surveyed Sections 21 and 22, T. 3 N., R. 45 E., of the Boise Meridian, Idaho, in the Palisade National Forest. Authority contained in Acts of June 11, 1906, August 19, 1912 and June 30, 1914.

Survey commenced on August 4, 1914, and executed with Gurley Light Mountain transit No. 12977, equipped with a Burt Solar attachment, the horizontal limb having two double verniers, placed opposite each other, and reading to single minutes of arc. Measurements made with a two-chain Lufkin steel tape. I examine the adjustments of the transit, finding them all correct.

August 5, 1914; at a point near Cor. 2 of this survey, at 8 h. 28 m., a.m., apparent time, I observe the altitude of the sun for azimuth.

Latitude = $43^{\circ} 35' N.$) From diagram forming part of
Longitude = $111^{\circ} 5' W.$) my special instructions.

Observation 1.

Apparent altitude = $36^{\circ} 9'$

Horizontal angle (to right from assumed N.) = $101^{\circ} 1'$

Observation 2.

Apparent altitude = $36^{\circ} 30'$

Horizontal angle (to right from assumed N.) = $101^{\circ} 24'$

From these observations, I calculate the bearing of the

PALISADE NATIONAL FOREST

STATE OF IDAHO.

432

Chains	
8.30	Road bears N. 20° W. and S. 20° E.
8.56	Fence cor. fences bear N. 20° W., E., and S. 20° E. Alongside fence through aspen and brush.
28.50	Cor. of cultivated land, from which cultivation bears E. and S.
32.00	Leave cultivated land, from which cultivation bears W. and S.
39.50	Creek, 2 lks. wide, 2 ins. deep, course NW.
40.13	To Cor. 2, identical with Cor. 2 of H.E.S. No. 253, a quartzite stone, showing 10 ins. above ground, mkd. 2-HES-253 on SE. face and a cross (x) on top for Cor. 2 of H.E.S. No. 253; and witnessed by bearing trees; I mark the stone 2-HES-252 on side facing this claim for Cor. 2 of this survey. An aspen, 8 ins. dia., bears S. 1° 55' W., 81 lks. dist. An aspen, 12 ins. dia., bears S. 79° 11' W., 121 lks. dist. Both mkd. x-2-HES-252-BT. Cor. H-1 of the listing survey, an aspen post, marked and witnessed as described by the Sur. Gen., bears S., 30 lks. dist. I destroy it and its witnesses. Fence cor. bears S. 9° W., 18 lks. dist., from which fences bear E., S. and W. Thence South, Over level land through scattering aspen and fir.
0.18	Fence bears E. and W.
1.00	Creek, 2 lks. wide, 2 ins. deep, course NW.
4.00	Fence bears N. 1° W., and S. 1° E.,
5.00	Creek, 2 lks. wide, 2 ins. deep, course NW.
9.50	Same creek, 2 lks. wide, 2 ins. deep, course NE.
10.40	To Cor. 3, identical with Cor. H-2 of the listing survey, an aspen post, mkd. and witnessed as described by the Sur. Gen., and Cor. 3 of H.E.S. 253, a quartzite stone.

Chains Sur. Gen., bears N. 12.60 chs. dist. I destroy it. and its witnesses.

25.25 Dry creek bed, course NE.

29.00 Road bears NE. and SW.

29.42 To Cor. 5; I set a quartzite stone, 24 x 8 x 4 ins., 14 ins. in the ground for Cor. 5 of this survey, mkd. 5-HES-252 on side facing the claim and a cross (x) on top; and raise a mound of earth, 4 ft. base, 2 ft. high, 3 1/2 ft. dist., within the claim.

A lodgepole, 14 ins. dia., bears N. 30° W., 47 lks. dist.

A lodgepole, 10 ins. dia., bears S. 85° 40' E., 58 lks. dist.

Both mkd. x-5-HES-252-BT.

Cor. H-5 of the listing survey, an aspen post, mkd. and witnessed as described by the Sur. Gen. bears N. 58° E., 16.20 chs. dist. I destroy it and its witnesses.

Thence N. 8° 41' E.

Over gently rolling land, through aspen and jack pine.

20.54 To Cor. 1, the place of beginning.

Area of H.E.S. 252; 79.81 Acres.
Listed 42.58
To be listed 37.23

Improvements:

The improvements on this claim, the property of the claimant, herein, consist of the following:

A log cabin, 20 x 16 ft., course of long sides N. and S., the NW. cor. of which bears S., 4.00 chs. dist. from a point 20.00 chs. along line 1-2. Value \$150.

About 1 1/2 miles of fencing, Value \$125.

Total Estimated Value \$275.

Description:

This tract of land lies in the south end of the Teton

PALISADE NATIONAL FOREST

STATE OF IDAHO.
COMPUTATION SHEET.

436

Chains

Direct Solar Observations for Azimuth

August 5, 1914.

At 8 h. 28 m., A.M., apparent time.

Latitude = $43^{\circ} 35' N.$ Longitude = $111^{\circ} 5' W.$ Declination = $17^{\circ} 6' 10'' N.$ Observation 1.Apparent altitude = $36^{\circ} 9'$ Refraction = $1' 19''$ True altitude = $36^{\circ} 7' 41''$ Cos. A = $0.50265 - 0.69473 = -0.19208$ Azimuth of sun = $S. 78^{\circ} 55' 33'' E.$ Horizontal angle (to right from assumed N.) = $101^{\circ} 1'$ Bearing of assumed meridian = $N. 0^{\circ} 3' 27'' E.$ Observation 2:Apparent altitude = $36^{\circ} 30'$ Refraction = $1' 18''$ True altitude = $36^{\circ} 28' 42''$ Cos. A = $0.50491 - 0.70369 = -0.19878$ Azimuth of sun = $S. 78^{\circ} 32' 4'' E.$ Horizontal angle (to right from assumed N.) = $101^{\circ} 24'$ Bearing of assumed meridian = $N. 0^{\circ} 3' 56'' E.$ Mean = $N. 0^{\circ} 3' 42'' E.$

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173.

Directions:—1. Carry out calculations to two decimals only.
 2. In balancing Latitudes and Departures do not obliterate or change the original figures. Put below them the corrected readings in red ink. Put the corrected figure or figures above in red ink. Do not change the footing of the original figures, but put below them the corrected footing in red ink. The corrections for balancing fallings should be proportional to the lengths of the lines.
 3. In calculations of fallings take result to nearest link. In calculations of N. and S. areas drop all after second decimal. Surveyors are required to use the Standard Field Tables issued by the G. L. O.
 4. Only three copies of this tabulation are necessary, for the District Office, the Surveyor General, and the Commissioner.

TABLING AND CALCULATIONS OF HOMESTEAD ENTRY SURVEY NO. 252, STATE OF Idaho. Area Listed

CORNERS.	BEARING.	DISTANCE.	LATITUDES.		DEPARTURES.		DOUBLE M. D.	N. AREAS.	S. AREAS.
			NORTH.	SOUTH.	EAST.	WEST.			
	S. 89° 57' E.	37.93		21	37.93		37.83		7.98
	South	10.40		25			75.53		785.80
	S. 52° 00' W.	17.46		10			51.80		223.11
	N. 87° 44' W.	1.58	06	10			45.42	2.79	546.91
	North	12.60	21	34			44.81		
	S. 80° 0' W.	14.75	12	56			30.21	565.05	76.73
	North	3.41	3	47			15.63	53.24	
	N. 45° 0' W.	11.00	7	78			7.81	60.84	
		109.15	25	85				681.92	1517.28
			23	85					681.92
			11						20835.51
									41.78
									42.58



File Code: 1560, 7700

Date: February 6, 2012

Route To: Teton Basin District Ranger

Subject: Teton County Idaho Road Validation of Smith Canyon Road. (also known as Forest Road 545 – Smith Canyon and Teton County Idaho Road 2000 West

To: Mr. Jay Pence,

I have utilized Forest Road 545 (Smith Canyon Road) from the National Forest Boundary to Idaho State Highway 31 numerous occasions beginning in 1999 to present day. My activities and other known activities utilizing the Smith Canyon Road from the Forest Boundary to Idaho Highway 31 include:

- 1999-2000, Bonneville Power Administration used the Smith Canyon Road to cut trees to clear a right-of-way for power line #2. I was involved in the marking and cruising of this sale as a Zoned Forester on the Bridger-Teton National Forest. Many access roads were used in the project including the Smith Canyon Road from the Forest Boundary to Idaho Highway 31. Bonneville Power Administration purchased a Right-of-way in 1968.
- Approximately the year 2000, Mr. Gary Grandy sold timber on his property to RY or Sun Mountain Timber. The Smith Canyon Road was utilized to haul out the private logs.
- Caribou-Targhee National Forest established the “Designated BPA Firewood Area” in 2002. Access to this firewood area utilized both the Forest Road 606 Murphy Creek Road and Forest Road 545 – Smith Canyon Road (see attached map and permit instructions).
- Forest Service formed a partnership with Teton County Idaho Fire Protection District and submitted a successful application for the “2004 Stevens Hazardous Fuels Reduction on Non-Federal Land” for the “Pole Canyon-Smith Canyon” project. Idaho Department of Lands awarded Teton County Idaho Fire Protection District \$61,000.00 to implement fuels reduction projects. Both Forest Road 547 - Pole Canyon South and Forest Road 545 – Smith Canyon Road were utilized (see attached application and map).
- I conducted timber stand examination (summer 2003); prepared the Environmental Assessment (Decision signed December 16, 2004); marked and prepared the sale (sale sold on November 28, 2005); and administered the Pole Canyon Integrated Resource Service Stewardship Contract (contract finished August 2008). Both Forest Road 547 - Pole Canyon South and Forest Road 545 – Smith Canyon Road were utilized (see Pole Canyon IRSSC timber sale map). Approximately 197ccf (18% of the timber sale volume or about 21 log truck loads) was hauled out the Smith Canyon Road (Teton County Road 2000 West) from the Forest Boundary to Idaho Highway 31. One public meeting; two public open houses; and numerous public notices about the project and how to comment occurred. No public road access issues were identified during this process. Only local land owner Mr. Gary Grandy expressed a concern about livestock and issues with gates being left open. To remedy the issue, the contract included a provision stating “Hauling is restricted until a pre-haul meeting



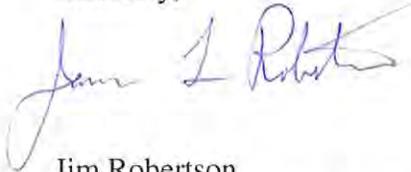
determines timing of opening and closing livestock gates” (see Pole Canyon IRSSC timber sale contract page 19 of 51).

- During the preparation of the Pole Canyon IRSSC timber sale, I met with Teton County Road and Bridge Supervisor, Mr. Ralph Egbert sometime during 2004 or 2005 while preparing the Pole Canyon Sale. To address Mr. Egbert’s concerns, a contract provision to include “Hauling is restricted until a pre-haul inspection with representatives from private land owners and County Road and Bridge inspect existing road conditions for the Smith Canyon Road (County Road 200 West {known by that name at the time}) from the Forest Service Boundary to Highway 31. (See Pole Canyon IRSSC timber sale contract page 18 of 51). Unfortunately, the official Forest Service Stewardship Contract was sent to the National Archives on January 3, 2012 following normal contract retention procedures. Original official inspections now reside at the National Archives. No copies are retained locally.
- Forest Service partnered with Teton County Idaho Fire Protection District’s and again was successful in obtaining a grant from the application for the “2008 Stevens Hazardous Fuels Reduction on Non-Federal Land” for the “Smith Canyon” project. Idaho Department of Lands awarded Teton County Idaho Fire Protection District \$48,000.00 to implement fuels reduction projects. Wilcox logging performed the work in June-July, 2008. Forest Road 545 – Smith Canyon Road was utilized from Ruby Parsons property to Idaho State Highway 31.
- Prepared two Environmental Assessments (May 17, 2007 and June 23, 2008); and marked, cruised and prepared (sold sale on September 27, 2010) the Smith Canyon Fuels Reduction Timber Sale (terminates September 30, 2013). Numerous roads including Forest Road 545 – Smith Canyon Road are utilized (see timber sale map). Approximately 816ccf (66% of the timber sale volume or about 100 log truck loads) will be hauled over the Smith Canyon Road from the Forest Boundary to Idaho Highway 31. Public meetings; public open houses; and numerous public notices about this project and how to comment occurred. No public road access issues were identified during this process.
- Summer 2009, I met with Mr. Clay Smith of the Teton County Road and Bridge to review a potential culvert replacement and brushing that would be required of the Smith Canyon Stewardship Contract.
- May 28, 2010 while preparing the Smith Canyon Timber sale, I entered from the Murphy Creek Road to perform work and tried to exit the Smith Canyon Road. The road was padlocked closed at the gate adjacent the residence of Jason Park. Teton County Idaho Sherriff’s Deputies Brent Davis and Ralph Davis arrived at the scene. My document of the incident is attached. A Sherriff’s report should also be available.
- At 8:30 am on Thursday, June 3, 2010. I met Teton County Road and Bridge Supervisor, Mr. Clay Smith at the Smith Canyon Road turnaround adjacent the residence of Mr. Jason Park. Clay Smith and I drove the Smith Canyon Road from the residence of Jason Park to the Forest Service Boundary. We identified potential culvert replacement and brushing needs. We also drove the entire Bonneville Power line road access to Murphy Creek. We returned to Smith Canyon by way of Highway 31. Our site visit ended at approximately noon.

- During August to October 2011, logging operations included the mobilization of harvesting equipment and log hauling on the Smith Canyon Road. Approximately five loads were hauled out the Smith Canyon Road from the Forest Service Boundary to Highway 31.

If you have any further questions, please give me, Jim Robertson a call at (208) 354-6614.

Sincerely,



Jim Robertson
Silviculturist, Natural Resource Specialist

Enclosures:

1. 2002 BPA Firewood map and directions
2. 2004 Stevens Grant and Map "Pole Canyon-Smith Canyon " project
3. Map Pole Canyon IRSSC
4. Pole Canyon IRSSC-Use of Roads by Purchaser (pages 18 and 19 of 51 pages)
5. Pole Canyon IRSSC-Road Use Permit (Publicly Notorized)
6. Smith Canyon Road gate locked incident report May 28, 2010 by Jim Robertson
7. Maps Smith Canyon Fuels Reduction Timber Sale (three maps)
8. Smith Canyon Fuels Reduction Timber Sale documents no restrictions on the Smith Canyon Road by contract provision Use of Roads by Purchaser and documents Prehaul, during haul and post haul road maintenance requirements for Forest Road 545-Smith Canyon Road.

Caribou-Targhee National Forest, Teton Basin Ranger District
Bonneville Power Line Firewood Area
September & October 2002

Firewood is available along the cleared corridor along the Bonneville Power Line on a limited basis to first-come first-serve issuance of firewood permits.

It is strongly advised that you look at the area and evaluate your ability to get firewood from this area **BEFORE** you buy the permit. The road along the Power line corridor is extremely steep and very narrow. Only trucks with 4-wheel drive are advised.

Access- Travel west along Highway 31 from Victor, Idaho for approximately 4.8 miles. After passing the "Entering Targhee National Forest" sign, turn left onto Forest Road 081 (This is the Murphy Creek Road). You will immediately cross Murphy Creek on the new Bonneville Power Access Bridge and go through the iron-rail green road closure gate. The road is one-way, entering at Murphy Creek and exiting at the Smith Canyon Road. The purpose of the One-way road is to provide for safe access due to steep, rocky, and narrow roads. The Murphy Creek Road junctions with the Bonneville Power line road (Forest Road 031) when first encountering the Power line. Forest Road 031 going west is closed to vehicle traffic and closed to firewood gathering. The Power line road open for firewood gathering is approximately 2 miles in length. The north side of the fence at Smith Canyon is Private Land. **Do not cut on private lands. Please close all 3 gates when exiting thru the Private Property.**

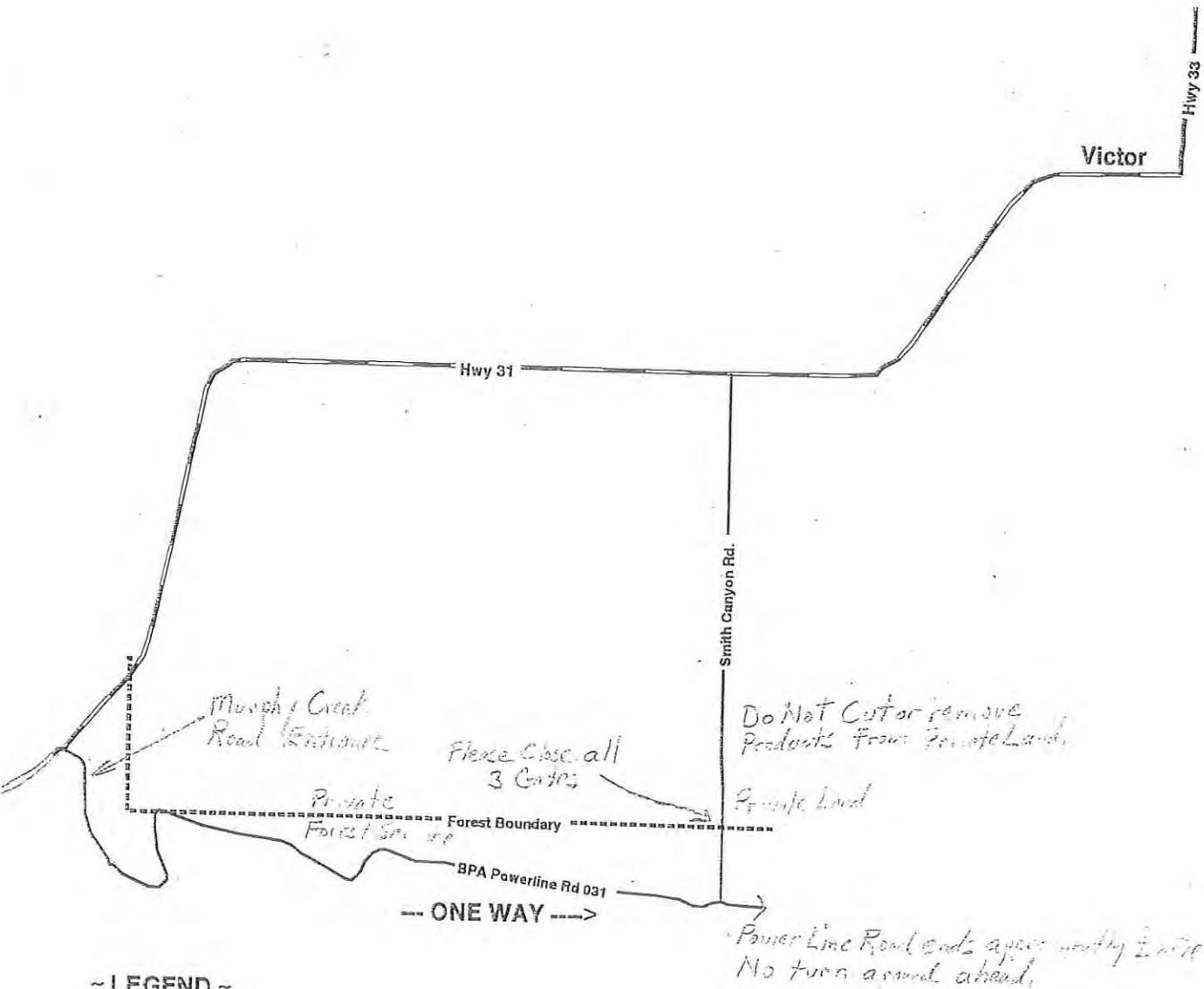
Use of Trailers is strongly not advised due to steep, narrow, rocky road.

WARNING – KEEP AWAY FROM POWER LINES AND OFF TRANSMISSION TOWERS. THEY CARRY EXTREMELY LARGE VOLTAGES OF ELECTRICITY. ACTIVITIES THAT COME TOO CLOSE TO THESE STRUCTURES MAY ENGAGE ELECTRICAL CURRENT, WHICH MAY RESULT IN SERIOUS INJURY OR DEATH.

What to cut – All down material within the corridor of the actual power line transmission wires. Much of the down material is hard to see. It has grown over with Aspen under the power line. Aspen may be cut, severed, and left in place to gain access to the firewood. Any dead standing or down material on 300 foot either side of the power line access road. No cutting of green trees is allowed. Scatter slash and remove from roadways, ditches and stream courses. Cut stump to 8.0 inches or less in height. Do not leave any hang-up trees. Vehicle travel is confined to the travel surface of the existing roads.

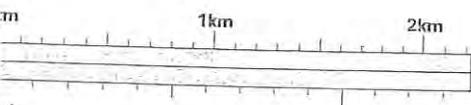
All permits terminate November 30, 2002

Caribou-Targhee National Forest
Teton Basin Ranger Districts
Bonneville Power Line Firewood Area



~ LEGEND ~

-  State Highway 31
-  Forest Service Road and Smith Canyon Exit Route
-  National Forest Boundary



Scale: 1:35000



2004 STEVENS HAZARDOUS FUELS REDUCTION ON NON-FEDERAL LAND

APPLICATION

APPLICATION DEADLINE: Extended to May 3, 2004

**SEND APPLICATIONS TO:
JEAN KAYSEN
IDAHO DEPARTMENT OF LANDS
3780 INDUSTRIAL AVENUE
COEUR D'ALENE ID 83815**

IDAHO DEPARTMENT OF LANDS CONTACTS

FOR APPLICATION POLICY QUESTIONS:	FOR ALL FINANCIAL & COST QUESTIONS:
Peggy Polichio State Fire Plan Coordinator Idaho Panhandle National Forest/ Idaho Department of Lands 3780 Industrial Avenue Coeur d'Alene ID 83815 208-666-8646 / ppolichio@idl.state.id.us fax number 208-769-1524	Jean Kaysen Fire Business Program Manager Idaho Department of Lands 3780 Industrial Avenue Coeur d'Alene ID 83815 208-666-8648 / jkaysen@idl.state.id.us

APPLICANT INFORMATION

NAME OF APPLICANT: Teton County Idaho Fire Protection District	DATE OF APPLICATION: May 3, 2004
CONTACT NAME: Mr. Gary Henri or Mr. Ivan Hibbert	PHONE: 208-351-2760
ADDRESS: P.O. Box 474, Driggs, Idaho 83422	EMAIL: tefpd@tetontel.com

PROJECT NAME & DESCRIPTION: Teton County Idaho Fire Protection District is proposing a fuels reduction and aspen regeneration project known as "Pole Canyon and Smith Canyon". The location is legally described as Township 3 North, Range 45 East, Sections 21, 22, 23 and 24, Boise Meridian, Teton County, Idaho. The project proposed on private lands lies within the Proclaimed Unit Boundary for the Targhee National Forest. The project lies along a linear boundary approximately 2.5 miles in length of Wildland Urban Interface. A matching Forest Service proposal is developed on National Forest System lands. Activities are proposed on private lands and Forest Service lands to coincide during the same period of time to increase effectiveness and cooperation to reduce the risk of catastrophic wildfire. Activities will also protect approximately 2.5 miles of the Bonneville Power Utility right-of-way.

ACRES TO BE TREATED ON NON-FEDERAL LANDS: 276 acres Total Private. Approximately 125 acres forested private	COST PER ACRE: Stevens request for \$61,000.00 on 265 acres both forested and non-forested private lands = \$230.19/acre
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1. Explain how your hazardous fuels reduction projects on non-federal land aligns with an active Forest Service project. (Maps are recommended.)

Our proposed project will reduce fuel on private property (hereafter referred to as the Stevens Project-see map) while the Forest Service is reducing fuels on its lands. The Stevens project abuts an active Forest Service fuels reduction project on the Teton Basin of the Caribou-Targhee National Forest. These private lands have been impacted by both insects and disease that do not regard property boundaries. Lands in the Stevens Project area is considered at "extreme" risk in the Teton County Wildland Fire Mitigation Plan approved April, 2004. This Wildland urban interface has a high human use and contains housing and utility developments. The population in Teton County has risen faster in the last five years than any other county in the State of Idaho (76% increase). A closer analysis of development patterns in the valley shows the greatest increase in new construction and recreational usage of trails and forest access point is concentrated in the Stevens project area. As a result, recreational use in the Pole Canyon area has increased significantly.

The majority of forested vegetation on the private lands is old, decadent and contains standing dead and down trees from Douglas-fir beetles in Douglas-fir and Mountain Pine Beetles in lodgepole pine.

The Caribou-Targhee National Forest is proposing to reduce forested fuels and regenerate aspen on approximately 109 acres in 2 separate timber stands. These two timber stands are located between private lands and the electrical utility corridor transmission line for Bonneville Power Administrations right of way. Sanitation and salvage activities are proposed for an area that would provide a fire avenue onto private lands from the south. The Forest Service proposes to use the new Categorical Exclusion for Fuels Reduction to complete the NEPA requirement.

2. Explain in detail how your project is designed to create an effective landscape fuel break, (i.e. thinning of trees, removal of brush, and slash treatment across multiple properties such that a running crown fire would drop to the ground; fire intensity would be reduced)

Treatment of vegetation on both private lands and Forest Service lands is beneficial and essential to reducing potential catastrophic crown fire. Forest Service lands are between the utility corridor and the private lands. Reducing fuels on Forest Service lands and private lands together is essential to help protect the utility corridor. Reducing fuels will lessen the fires ability to spread onto National Forest from private lands and reduce the probability of fire spread onto private lands from National Forest. Fuel reduction on Private and Forest Service lands will reduce the risk of catastrophic crown wildfire:

- Break the horizontal connectivity with the ground fuels consisting of grass, shrubs, and down woody material, that carries and support fire on the ground. Dead and down fuels will be harvested and removed. Brush and understory trees will be thinned. Noxious weeds will be treated on non-forested lands.
- Break the vertical connectivity ladder fuels) with shrubs, small trees and lower tree limbs of larger trees that create ladder fuels that connect the ground with the crowns of trees that move fire from the ground to the crowns of trees. Trees with crowns that go to the ground (subalpine fir and Engelmann spruce) will be removed.
- Breaking the horizontal and vertical connectivity of large treetops or crowns that interlock with other treetops and crowns in a continuous layer of tree crowns, which is referred to as crown bulk density. Trees will be thinned and small groups of trees removed to break up crowns.

Aspen tree species will be promoted where it exists and its conditions favorable for establishment and its expansion in the stand.

3. Project efficiency is important. Explain how you derived your costs per acre.

Teton County Fire Protection District will donate time of personnel to act as a liaison between contractors and private landowners to insure proper completion of the project-approximately \$1500 value of time.

Other costs were derived from local loggers, Forest Service timber sale appraisals, recent tree thinning contracts from Region 4 of the Forest Service, local arborists and tree trimming businesses.

A total of 125 acres should be treated on private lands (forested fuels reduction).

Approximately 2 days of chipping Douglas-fir slash will be required. Leaving the slash would provide a source for Douglas-fir beetle to establish and reproduce. Chipper (2 person crew + chipper + dump truck) @ \$210/hour=\$3360 on Teton Springs Subdivision and Gephart property.

Thinning on Grandy property (following recent Overstory removal) 55 acres @ \$175/acre =\$9625. Hand piling and burning slash on 55 acres @\$175/acre =\$9625. No products are available to recover any costs.

Idaho Department of Lands would provide input for tree marking directions and establishing a land owner's management plan. 5 day value @ \$300/hour (match by state)=\$12000.

treat remaining 70 acres marking, cutting and removing trees, piling and burning slash @ \$450/acre = \$31,500. Landowners have agreed to the proposal of any revenue generated from the valuable timber (useable sawtimber, fuelwood, poles, posts) to be turned back to the contractor or for use in future fuels reduction projects. Estimated at \$3000.00 to \$5,000.00 in value.

Value of Forest service NEPA documentation, Timber Sale marking, cruising and value determination and contract award and sale administration is \$115,000.00.

Treatment of Noxious Weeds on remaining 140 acres of private land @\$25/acre for 2 years=\$7,000.00

4. Explain how your project contributes to forest or rangeland health.

The Teton County Wildland Fire Mitigation Plan Objectives.....

“The mission of the USDA Forest Service is to sustain the health, diversity, and productivity of the Nation’s forests and grasslands to meet the needs of present and future generations”. Removal of old insect and disease infested conifer forest and replacement with young healthy aspen/conifer mix will provide a more resilient forested stand. Promoting aspen clones that are rapidly disappearing in Idaho and throughout the west will promote forest diversity. Promoting aspen (a tree species that does not readily carry or support crown fire) is prudent firewise tactic.

Name the private, local, tribal, state and/or federal organizations that are contributing or participating in getting this project done: Partnerships with three individual private landowners: Gary & Lavone Grande, Richard & Debbie Gephard, and John Winger; and one private elite subdivision-golf course known as Teton Springs that has numerous homeowners and deed lot owners are participating and contributing labor. Private landowner participation is 100% behind this project. Teton County Idaho Fire Protection District is contributing time and expertise to the landowners. Teton County Idaho Commissioners are 100% endorsing the project. Bonneville Power Administration supports any fuels reduction project that aids in the protection of their transmission facilities.

ESTIMATED TOTAL PROJECT COST

The total cost of completing the project. Include all funds (federal, state, local, private, both actual dollars and gift values (i.e. supplies, materials, volunteered services or in-kind matches:

\$ 194,500.00

PROJECT REVENUE

FUND SOURCE	STEVENS FUNDS	Teton County Fire	Private landowners	Forest Service/ Idaho Dept Lands	TOTALS
DOLLARS (HARD MATCH)	\$61,000.00	\$ _____	\$ _____	\$ _____	\$61,000.00
IN-KIND (SOFT MATCH)	\$ _____	\$ 1,500 _____	\$5,000 _____	FS=\$115,000 Id. Dept lands=\$12,000	\$133,500.00
TOTALS	\$61,000 _____	\$1,500.00 _____	\$5,000.00 _____	\$127,000.00	\$194,500.00

PROJECT EXPENDITURES

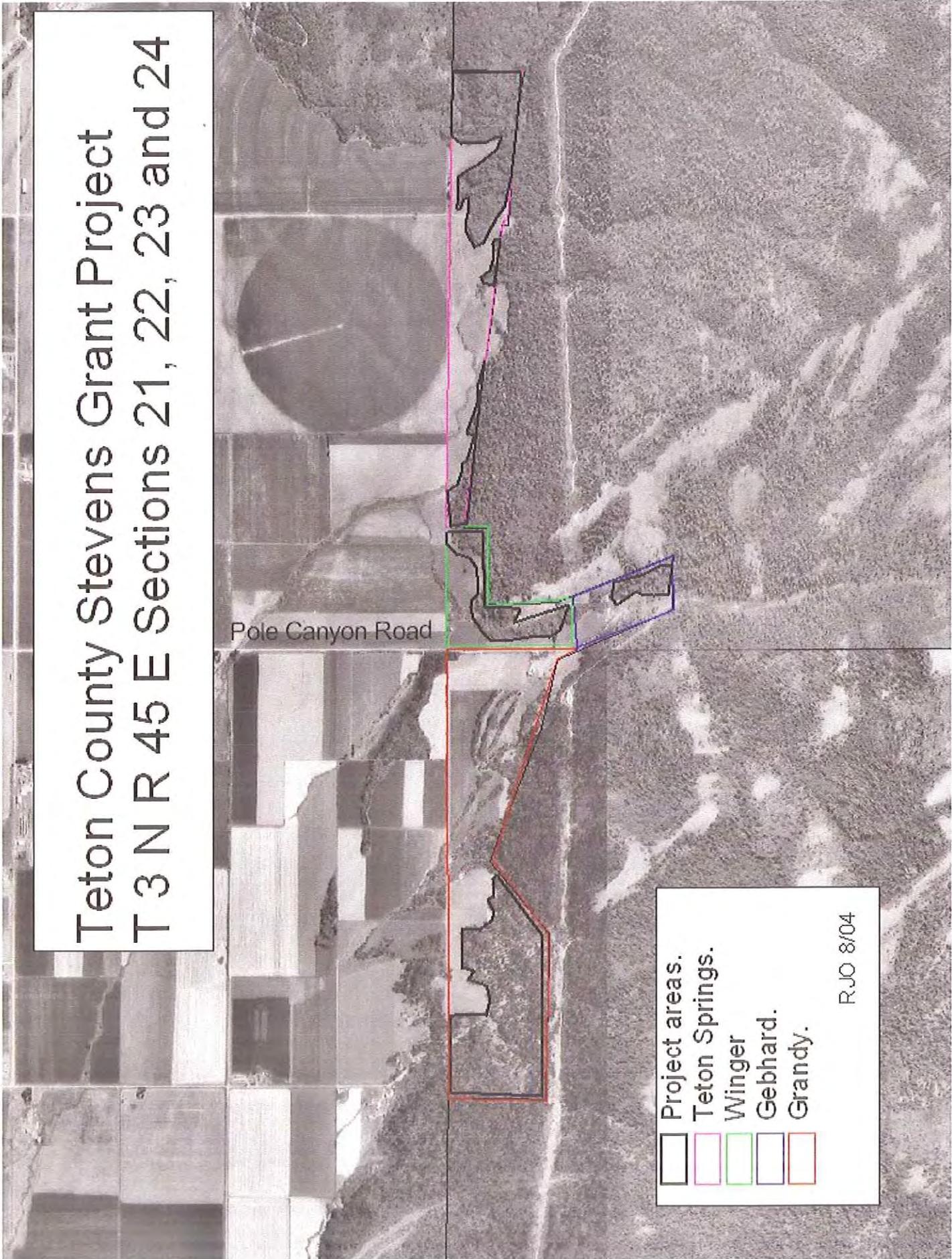
HOW FUNDS ARE TO BE SPENT	STEVENS FUNDS	Teton County Fire	Private landowners	Forest Service/ Idaho Dept Lands	TOTALS
SALARIES/WAGES /BENEFITS	\$ _____	\$1,500.00	\$5,000.00	\$127,00.00	\$133,500.00
OPERATING EXPENSES	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
CONTRACTUAL SERVICES	\$61,000.0	\$	\$	\$	\$61,000.00
TOTALS	\$61,000.00	\$1,500.00	\$5,000.00	\$127,000.00	\$194,500.0

Teton County Stevens Grant Project T 3 N R 45 E Sections 21, 22, 23 and 24

Pole Canyon Road

- Project areas.
- Teton Springs.
- Winger
- Gebhard.
- Grandy.

RJO 8/04



Technical Specifications
Stevens Grant
For:
Teton County Idaho Fire Protection District- Mr. Gary Henri

Grandy Property: This is a property that has been previously logged.

Specifications:

1. Thin all conifers, live or dead less than 5 inches d.b.h. to a crown width spacing (distance between the widest parts of the crown) of no less than 4 feet, favoring Douglas-fir then lodgepole pine and then sub-alpine fir being the least desirable.
2. Thin the various mountain brush and hardwoods by individual clumps or stems to a crown spacing of no less than 10 feet.
3. Thin and pile all standing dead conifers, aspen and mountain brush.
4. All material will be hand piled inside the project area, no piles will be closer than 15 feet from any tree, a greater number of smaller piles is preferred. Smaller piles will better protect remaining trees from scorching and be more time efficient to pile.
5. Any material that has a value may be removed from the project area. Material of value may be mechanical skidded to a landing adjacent to the project area. No mechanical equipment within 75 feet of any stream flowing water or 30 feet of dry channels. All soil disturbances on the Grandy property resulting from the use of mechanical equipment will be grass seeded with a native grass seed mix, certified noxious weed free.
6. Burning of the slash piles will be the responsibility of the Teton County Fire Protection District.

Gebhard Property: The work on this property is to thin from below the Douglas-fir stand in the southeast corner of the property.

Specifications:

1. Thin trees to an average spacing of 25 to 30 feet apart. The preferred leave trees will be greater than 10 inches d.b.h. that are the straightest and healthiest trees.
2. Thin all standing dead trees.
3. All trees may be mechanical skidded and piled at a landing site adjacent to project areas. No material may be left inside of project area. All soil disturbances on the Gebhard property resulting from the use of mechanical equipment will be grass seeded with a native grass seed mix, certified noxious weed free.
4. Any material that has a value may be removed from the project area.
5. Burning of the slash piles will be the responsibility of the Teton County Fire Protection District.

Winger and Teton Springs Subdivision properties.

Specifications:

1. Thin all conifers to an average spacing of 25 to 30 feet apart. The preferred leave trees will be greater than 8 inches d.b.h. that are the straightest, and healthiest trees with a species preference, first Douglas-fir then lodgepole pine and least sub-alpine fir.
2. Thin all standing dead conifers, mountain brush, mountain hardwoods and aspen.
3. Thin the various mountain brush and hardwoods by individual clumps or stems to a crown spacing of no less than 10 feet.
4. All material less than 4 inches in diameter (larger material may be chipped if there is equipment capable of handling the larger material) will be chipped and spread on site, no greater than 2 inches deep. Larger material will be hand piled in openings no closer than 15 feet to any tree.
5. Any material of value may be removed from the property. Material of value may be mechanically skidded to a landing adjacent to the project area. No mechanical equipment within 75 feet of any stream flowing water or 30 feet of dry channels. All soil disturbances on the Winger or Teton Springs properties resulting from the use of mechanical equipment will be grass seeded with a native grass seed mix, certified noxious weed free.
6. Burning of the slash piles will be the responsibility of the Teton County Fire Protection District.

Richard O'Quinn
Private Forestry Specialist
Idaho Department of Lands- Idaho Falls
(208) 525-7167
roquinn@idl.state.id.us



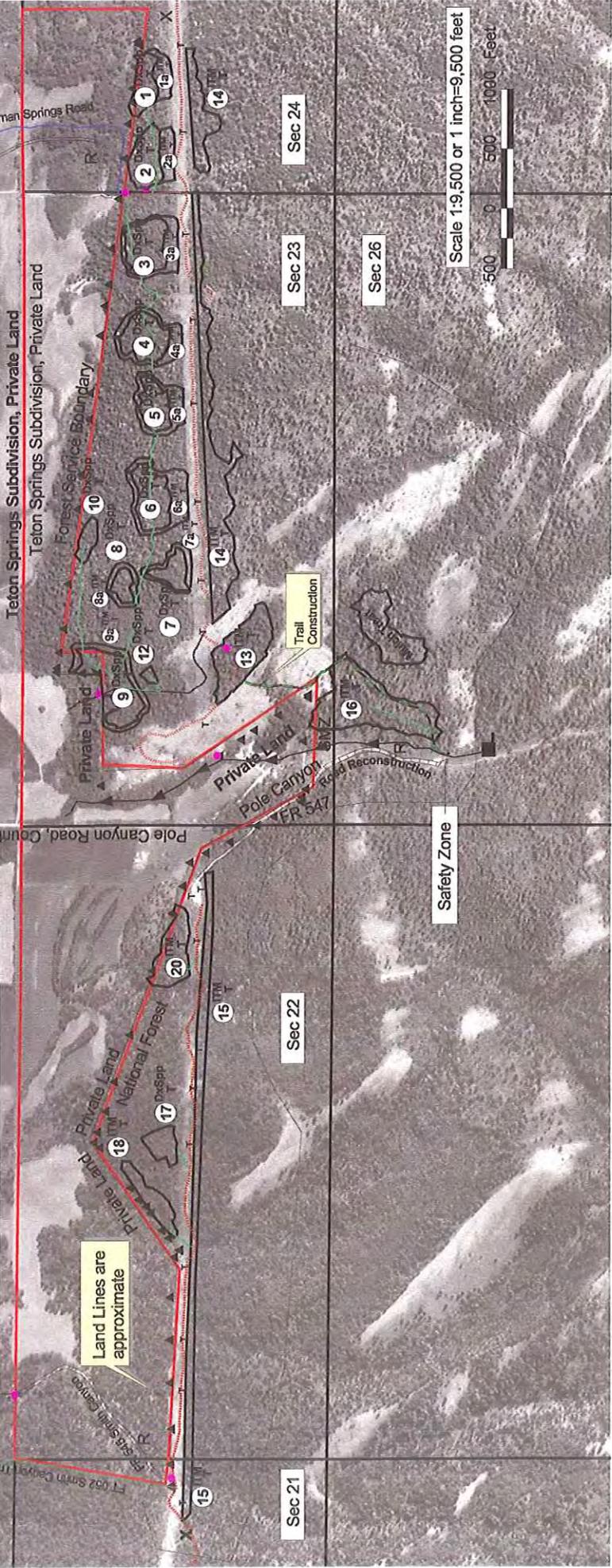
**Pole Canyon Fuels Reduction #RFP-15-02NV-S-05-9009
Integrated Resource Service Stewardship Contract
Project Area Map**

T3N, R45E
Teton County
Idaho

Map Legend

- Harvest Units
- Existing Road Hauling Prohibited
- Existing Road Hauling Restricted
- DXSpp Designation by Description
- Individual Tree Cut Marking
- Tractor Skidding Specified
- Elective Work Item 1.62, Trail Construction
- Specified Road Road Reconstruction, Pole Canyon
- Existing Transportation System Road
- Proposed Temporary Road Location
- Protect Streamcourse, Block Marks Upper Limit
- Protect Improvement, Electric Transmission Towers
- Protect Improvement, Gates
- BPA Road, Forest Trail 031, Keep Trail Open
- FR 913, Sherman Springs, hauling prohibited
- Road Obliteration to Winger Property
- Private Land - Forest Boundary
- Section Lines

Pole Canyon Road, County Road 100 West



Land Lines are approximate

Sec 21

Sec 22

Safety Zone

Sec 23

Sec 24

Sec 26

Safety Zone

Scale 1:9,500 or 1 inch=9,500 feet





United States
Department of
Agriculture

Forest
Service

IDAWY Acquisition
Service Center

1405 Hollipark Dr
Idaho Falls, ID 83401

File Code: 6320
Route To:

Date: November 29, 2005

Subject: Contract No. AG-02NV-C-06-9009, Pole Canyon Fuels Reduction Stewardship
Teton Basin Ranger District, Caribou-Targhee National Forest

To: Fisher Logging
PO Box 836
Ashton, ID 83420

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Your quote submitted in response to our Request for Proposal No. R4-15-02NV-S-05-9009 for Pole Canyon Fuels Reduction Stewardship Project on the Teton Basin Ranger District, Caribou-Targhee National Forest has been selected for award for Item Numbers B.1.1 in the amount of \$26,785.00 and B.2 in the amount of \$25,285.62. It is now identified as Contract No. AG-02NV-C-06-9009. Your copy of the contract is enclosed.

This notice of award is not a notice to proceed with the work. Notice to proceed will be issued at a prework meeting to be held prior to your starting work.

Aleen Orr of the Ashton/Island Park Ranger District has been designated the Contracting Officer's Representative for administering this contract. Please deal directly with Aleen on questions concerning the work. Aleen can be reached at (208) 652-1221 or (208) 558-4222.

Sincerely,

DALLAS L. HOFFER
Contracting Officer

Enclosures



RFP R4-15-02NV-S-05-9009
Solicitation

Pole Canyon Stewardship Project
Page 1 of 67

OMB Approved No. 9000-0006

SOLICITATION OFFER AND AWARD		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 380)	RATING	PAGE OF
2. CONTRACT NO. <i>AE-02NV-C-00-9009</i>	3. SOLICITATION NO. R4-15-02NV-S-05-9009	4. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	5. DATE ISSUED	6. REQUISITION/PURCHASE NO.
7. ISSUED BY IDAWY Acquisition Service Center 1405 Hollipark Drive Idaho Falls, ID 83401		8. ADDRESS OFFER TO (If other than Item 7)		

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

SOLICITATION

9. Sealed offers in original and 0 Copies for furnishing the supplies or services in Schedule will be received at the place specified in Item 8, or if Handcarried, in the depository located in IDAWY Acquisition Service Center until 1405 Hollipark Dr., Idaho Falls, ID 83401 local time (Hour) (Date).

CAUTION - LATE Submissions, Modifications, and Withdrawals: See Section L, Provision No. 52.214-7 or 52.215-10. All Offers are subject to all terms and conditions contained in this solicitation.

10. FOR INFORMATION CALL:	A. NAME Dallas L. Hoffer	B. TELEPHONE NO. (Include area code) (NO COLLECT CALLS) (208) 557-8894
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II. TABLE OF CONTENTS

(✓)	SEC.	DESCRIPTION	PAGE(S)	(✓)	SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
X	A	SOLICITATION/CONTRACT FORM	2	X	I	CONTRACT CLAUSES	6
X	B	SUPPLIES OR SERVICES AND PRICES/COSTS	2	PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
X	C	DESCRIPTION/SPECS./WORK/STATEMENT		X	J	LIST OF ATTACHMENTS	
N/A	D	PACKAGING AND MARKING	1	PART IV - REPRESENTATIONS AND INSTRUCTIONS			
X	E	INSPECTION AND ACCEPTANCE	1	X	K	REPRESENTATIVES, CERTIFICATIONS AND	
X	F	DELIVERIES OR PERFORMANCE	1	OTHER STATEMENTS OF OFFERORS			
X	G	CONTRACT ADMINISTRATION DATA	3	X	L	INSTRS., CONDS., AND NOTICES TO OFFERORS	9
X	H	SPECIAL CONTRACT REQUIREMENTS	12	X	M	EVALUATION FACTORS FOR AWARD	2

OFFER (Must be fully completed by offeror)

NOTE: Item 12 does not apply if the solicitation includes the provisions at 52.214-16, Minimum Bid Acceptance Period.

12. In compliance with the above, the undersigned agrees, if this offer is accepted within 60 calendar days (60 calendar days unless a different period is inserted by the offeror) from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified in the schedule.

13. DISCOUNT FOR PROMPT PAYMENT (See Section I, Clause No. 52-232-8)	10 CALENDAR DAYS	20 CALENDAR DAYS	30 CALENDAR DAYS	CALENDAR DAYS
	%	%	%	%
14. ACKNOWLEDGMENT OF AMENDMENTS (The offeror acknowledges receipt of amendments to the SOLICITATION for offerors and related documents numbered and dated.)	AMENDMENT NO.	DATE	AMENDMENT NO.	DATE

15A. NAME AND ADDRESS OF OFFEROR <i>Fisher Logging P.O. Box 836 Ashford Idaho 83420</i>	15B. TELEPHONE NO. (include area code) <i>208-652-7458</i>	15C. CHECK IF REMITTANCE ADDRESS IS DIFFERENT FROM ABOVE - ENTER SUCH ADDRESS IN SCHEDULE	16. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or Print) <i>Kent Fisher</i>	17. SIGNATURE <i>Kent Fisher</i>	18. OFFER DATE <i>11-21-05</i>
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AWARD (To be completed by Government)

19. ACCEPTED AS TO ITEMS NUMBERED <i>B.1.1 - B.2</i>	20. AMOUNT <i>\$52,070.62</i>	21. ACCOUNTING AND APPROPRIATION <i>WFHF56 - \$1,500.00</i>
22. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input type="checkbox"/> 10 U.S.C. 2304 (c)) <input type="checkbox"/> 41 U.S.C. 142(c) ()	23. SUBMIT INVOICES TO ADDRESS SHOWN IN ITEM <i>(4 copies unless otherwise specified)</i> 7	24. ADMINISTERED BY (if other than Item 7) CODE
25. PAYMENT WILL BE MADE BY USDA Forest Service Albuquerque Service Center 101 B Sun Avenue NE, Payment Office, Albuquerque, NM 87109	26. NAME OF CONTRACTING OFFICER (Type or print) DALLAS L. HOFFER	27. UNITED STATES OF AMERICA <i>Dallas L. Hoffer</i> (Signature of Contracting Officer)
28. AWARD DATE <i>11-28-05</i>		

IMPORTANT - Award will be made on this Form, or on Standard Form 26, or by other authorized official written notice.

TABLE OF CONTENTS

PART I – THE SCHEDULE

- SECTION A - Solicitation/Contract Form
- SECTION B - Supplies of Services and Prices/Costs
- SECTION C - Description/Specifications/Statement of Work
- SECTION D - Packaging and Marking
- SECTION E - Inspection and Acceptance
- SECTION F - Deliveries or Performance
- SECTION G - Contract Administration Data
- SECTION H - Special Contract Requirements

PART II – CONTRACT CLAUSES

- SECTION I - Contract Clauses

PART III – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

- SECTION J -
 - List of Attachments
 - List of Appendices

PART I - THE SCHEDULE

SECTION B - SERVICES AND PRICES

Pole Canyon Fuels Reduction Stewardship Project
Teton Basin Ranger District
Caribou-Targhee National Forest
Driggs, Idaho 83422
Teton County

NOTE: Pricing proposals **MUST** be provided for ALL Items in Schedules B.1.1, B.1.2 and B.2 below. Approval for award of the Elective Work Items in B.1.2 below, will be based upon availability of funding, etc.

SCHEDULE OF ITEMS

B.1.1 - MANDATORY WORK ITEMS -- LAND MANAGEMENT ACTIVITIES

<u>Sub-Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Acres</u>	<u>Unit Price</u>	<u>Total</u>
1.51.a.	Chip and Remove logging slash or Masticate (chew-up) and spread slash.	AC	24.7	\$ <u>600.00</u>	\$ <u>14,820.00</u>
1.51.b	Chip and Spread logging slash or Masticate and spread slash.	AC	30.4	\$ <u>350.00</u>	\$ <u>10,640.00</u>
1.52.	Thin understory trees to 20' x 20'	AC	5.3	\$ <u>250.00</u>	\$ <u>1,325.0</u>
TOTAL ALL ITEMS					\$ <u>26,785.00</u>

* Designated Method of Measurement:
DQ - Designed Quantities, AQ - Actual Quantities,
LSQ - Lump Sum Quantities, SQ - Staked Quantities

B.2 - TIMBER REMOVAL PRICE SCHEDULE -

<u>SPECIES</u>	<u>PRODUCT</u>	<u>VOLUME and UNIT OF MEASURE</u>	<u>MINIMUM ACCEPTABLE BID per CCF</u>	<u>BID per CCF (FLAT)</u>	<u>Total</u>	<u>Base Rates Per CCF</u>
Live, Douglas-fir and other	Sawtimber	548 CCF (290 mbf)	\$22.71	\$ <u>22.71</u>	\$12,445.00	\$N/A
Dead & Live, Douglas-fir and other	Fuelwood	401 CCF (472 Cord)	\$11.76 (\$10.00/cord)	\$ <u>11.76</u>	\$4,715.76	\$N/A
Live & Dead, Douglas-fir and other	Pole-sized trees (3.0-4.99"DBH)	18.35 CCF (1835 trees)	\$150.00 (\$1.50/tree)	\$ <u>150.00</u>	\$2,752.50	\$N/A
Live & Dead, Douglas-fir and other	Post-sized trees (5.0-6.99"DBH)	64.47 CCF (2149 trees)	\$83.33 (\$2.50/tree)	\$ <u>83.33</u>	\$5,372.28	\$N/A
TOTAL TIMBER REMOVAL					\$25,285.62	

Forest Service, shall use cooperative deposits to perform fire suppression activities on Operations Fires. Contractor agrees to reimburse Forest Service for such cost for each Operations Fire, subject to a maximum of \$5,000. The cost of Contractor's actions, supplies, and equipment on any such fire, or otherwise at the request of Forest Service, shall be credited toward such maximum. If Contractor's actual cost exceeds Contractor's obligation, Forest Service shall reimburse Contractor for the excess.

Negligent Fire. A "Negligent Fire" is a fire caused by negligence or fault of Contractor's Operations, including, but not limited to, one caused by smoking by persons engaged in Contractor's Operations during the course of their employment, or during rest or lunch periods; or if Contractor's failure to comply with the contract requirements results in a fire starting or permits a fire to spread. Damages and the cost of suppressing Negligent Fires shall be borne by Contractor.

Other Fires on Contract Area. Forest Service shall pay Contractor, at fire fighting rates common in the area or at prior agreed rates, for equipment or personnel furnished by Contractor, or otherwise at the request of Forest Service, on any fire on Contract Area other than an Operations Fire or a Negligent Fire.

State Law. Contractor shall not be relieved by the terms of this contract of any liability to the United States for fire suppression costs recoverable in an action based on State law, except for such costs resulting from Operations Fires. Amounts due Contractor for fire fighting expenditure shall not be withheld pending settlement of any such claim or action based on State law.

Performance by Contractor. Where Contractor's employees, agents, contractors, Subcontractors, or their employees or agents perform Contractor's Operations in connection with fire responsibilities, Contractor's obligations shall be the same as if performance was by Contractor.

H.14 AUTHORIZATION

Contractor is authorized to maintain roads, bridges, and other transportation facilities, as needed for harvesting Included Timber on National Forest and other lands where Forest Service has such authority. The location and clearing widths of all Temporary Roads or facilities shall be agreed to before construction is started. Contractor is authorized to cut and use for construction without charge construction timber designated by agreement.

H.15 REQUIREMENTS OF RIGHTS-OF-WAY

Contractor's road construction and use on rights-of-way shall be confined to said rights-of-way and limited by the related easements and stipulations, if any, unless Contractor makes other arrangements that will not infringe upon or adversely affect the grantee's rights. Said easements or right-of-way documents are available in the offices of the Forest Supervisor and District Ranger.

H.16 USE OF ROADS BY CONTRACTOR

Except as provided herein, Contractor is authorized to use existing National Forest Roads and Specified Roads, when such use will not cause damage to the roads or National Forest resources and when hauling can be done safely. If Contractor's use of an existing temporary or National Forest system road cannot be satisfactorily accommodated without reconstruction, Contractor shall be authorized to use such road upon agreement as to the minimum reconstruction work that Contractor shall perform before hauling.

The Contract Area Map shows existing temporary or permanent roads that for such reasons as limitations in structural capacity, safety, and protection of soil, water, and roads:

- (a) Cannot be used for log hauling or

(b) May be used only under the restrictive limitations stated therein.

Contractor's use of existing roads identified on Timber Removal Area Map by the following codes is prohibited or subject to restrictive limitations, unless agreed otherwise:

Code	Use Limitations
X	Hauling prohibited
R	Hauling restricted
U	Unsuitable for hauling prior to completion of agreed reconstruction
P	Use prohibited
A	Public use restriction
W	Regulation waiver

Roads coded A will be signed by the Forest Service to inform the public of use restrictions. Contractor's use of roads coded R, A, or W shall be in accordance with the following restrictions:

Restricted Road List

Road Number	Road Name	Termini		Map Legend	Description of Restrictions
		From	To		
(FR913)	Targhee Trail	Forest Boundary	County Road 950 South	R	Hauling is restricted until a pre-haul inspection with representatives from Teton Springs and County Road and Bridge inspect existing road conditions.
(FR913)	Targhee Trail	Project	Forest Boundary		The gate will be unlocked at 8:00am and locked nightly at 5:00pm.
(FR913)	(Targhee Trail	Forest Boundary	(County Road 950 South	R	Hauling permitted only between 8:00am and 5:00pm. Maximum speed limit is 25 mph. No trash will be tolerated along road. If the gate is locked at the junction County Road 950 South, the gate will be relocked after passing thru. County legal weight limits will be strictly enforced.
FR 547	Pole Canyon Road	Pole Canyon Trailhead	FS Boundary	R	Hauling is restricted until Traffic warning devices are in place.
FR 547	Pole Canyon Road (County Road 100 West)	FS boundary	Highway 31	R	Hauling is restricted until a pre-haul inspection with representatives from private land owners and County Road and Bridge inspect existing road conditions.
FR 545	Smith Canyon Road (County Road 200 West)	FS Boundary	Highway 31	R	Hauling is restricted until a pre-haul inspection with representatives from private land owners and County Road and Bridge inspect existing road conditions.

FR 545	Smith Canyon Road (County Road 200 West)	FS Boundary	Private residence	R	Hauling is restricted until a pre-haul meeting determines timing of opening and closing livestock gates.
FT 031	BPA Powerline	Project	Mike Harris Road	X	Road Use Prohibited.
FT 031	BPA Powerline	Project	Murphy Creek Road	X	Road Use Prohibited.
FT 031	BPA Powerline	Project	Dick Gephard property	X	Road Use Prohibited.

H.17 LOSS, DAMAGE, OR DESTRUCTION

(a) Equipment furnished with operator. The Government shall not be liable for loss, damage, or destruction of equipment furnished under this contract except for such loss, damage, or destruction resulting from the negligent or wrongful act(s) of Government employee(s) while acting within the scope of their employment.

All claims arising under this clause will be submitted to the Contracting Officer.

H.18 INCIDENTAL PAYMENT ITEMS

The intent of the contract is to provide for the complete performance of the project described in the contract. Unless otherwise provided, the Contractor shall furnish all labor, materials, equipment, tools, transportation, and supplies and perform all work required to complete the project in accordance with drawings, specifications, and provisions of the contract. Payment for contract work will be made only for and under those pay items included in the Schedule of Items. All other work and materials will be considered as incidental to and included in the payment for items shown.

H.19 CONFORMITY WITH DRAWINGS AND SPECIFICATIONS

Unless working tolerances are specified, all work performed and materials furnished shall be in reasonably close conformity with lines, grades, cross sections, dimensions, and material requirements shown on the drawings, indicated in the specifications, or designated on the ground. "Reasonably close conformity" is compliance with reasonable and customary manufacturing and construction tolerances.

H.20 SAFETY

Contractor's Operations shall facilitate Forest Service's safe and practical inspection of Contractor's Operations and conduct of other official duties on Contract Area. Contractor has all responsibility for compliance with safety requirements for Contractor's employees. In the event that a conflict develops between the requirements of this contract or agreed upon methods of proceeding hereunder and State or Federal safety requirements, the contract shall be modified and Contractor may request a rate redetermination.

Unless otherwise agreed in writing, when Contractor's Operations are in progress adjacent to or on Forest Service controlled roads and trails open to public travel, Contractor shall furnish, install, and maintain all temporary traffic controls that provide the user with adequate warning of hazardous or potentially hazardous conditions associated with Contractor's Operations. Contractor and Forest Service shall agree to a specific Traffic Control Plan for each individual project prior to commencing operations. Devices shall be appropriate to current conditions and shall be covered or removed when not needed. Except as otherwise agreed, flagmen and devices

PERMIT

On this 12th day of June 2007, Triangle G Trust hereinafter called PERMITOR, for and in consideration of One dollar and other goods and considerations, hereby grants to the UNITED STATES OF AMERICA, acting by and through the USDA Forest Service, hereinafter called PERMITTEE, under the provisions of the Act of October 21, 1976 (90 Stat. 2743), permission to utilize and maintain, subject to the conditions set out below, the following described lands:

A road right-of-way over and across Smith Canyon Road, Forest Road 545 located within Homestead Entry Survey 252 in Section 22, Township 3 North, Range 45 East, Boise Meridian, Teton County, Idaho.

The acquiring agency is the Forest Service, Department of Agriculture.

This permit is subject to the following conditions:

1. This Permit covers a right-of-way 0.25 miles in length and containing approximately 0.25 acres and is issued for the purpose of utilizing Smith Canyon Road for the protection, administration, management, and utilization of lands and resources now or hereafter owned or controlled by the Permittee. The right-of-way covered by this Permit shall be 7 feet on each side of the centerline.
2. This Permit is subject to all valid rights existing on this date.
3. Log Hauling will occur on the Smith Canyon Road (Forest Road 545) connecting Teton County Road 200 West between the hours of 7:00 am and 7:00 pm.
4. The maximum speed limit shall be strictly enforced at 25 mph.
5. No trash will be tolerated along Smith Canyon Road.
6. If the gate is locked along the Smith Canyon Road, drivers will be required to unlock and lock the gate immediately upon entry and exit.
7. The gate between Forest Service lands and Triangle G Trust private land will be locked nightly at 7:00 pm and unlocked at 7:00 am.
8. Log truck (and any other traffic) legal weight limits will strictly be enforced.
9. Prior to any hauling, a pre-haul meeting will occur on the ground to document road conditions and identify mitigation. Coordination will occur with Forest Service Engineer, and private land owners representing Triangle G Trust.
10. If any road work is required, Gary Grandy of Triangle G Trust will be contacted.



Jim Robertson/R4/USDAFS

05/28/2010 04:41 PM

To Jay Pence/R4/USDAFS@FSNOTES, Doug Raden/R4/USDAFS@FSNOTES

cc Rayce M Angell/R4/USDAFS@FSNOTES, Jim Robertson/R4/USDAFS@FSNOTES

bcc

Subject Smith Canyon locked gate incident

I was working on the Smith Canyon Timber Sale today and entered thru Murphy Creek road at approximately 9:00am. I met Brad Higginson & Doug Heyrend at approximately 11:15 am to review a creek crossing. I left thru Smith Canyon (County Road 2000 West) to find the gate at the residence of Jason Park locked at 2:45 PM I could not leave.

I called the sheriffs department to assist me at approximately 2:50. the Sheriffs Department stated they would dispatch a deputy. At 3:00 PM Jason Park arrived on the scene.

He stated he wished to resolve the rights of way by locking the gate.

Our disagreement was very NON-confrontational and just matter of fact.

I told Jason the history of the right of way with BPA, that the Forest Service has access. We hauled logs out 2 years ago and that this is a county road.

Jason Park asked me to send him a copy of the agreement.

I stated that I had given him one back 2-3 years ago when we logged the Pole Canyon Sale , but that I would get him another copy.

Teton County Officer Brent Davis arrived on the scene at approximately 3:17 PM.

Mrs Park (I believe it to be Jason Parks wife) came out and video recorded the entire event from this point on.

I introduced myself as being from the Forest Service and assured Officer Davis this was a non-confrontational situation.

I explained that BPA, the Forest Service and the County have a right of way thru here and that the gate is locked and I cannot get out.

Jason stated that there is not a right of way and that the land owner is Kenneth Warnikee (not sure the spelling)

Approximately 3:20 PM Teton County Officer Ralph Davis arrived on scene.

I introduced myself as being from the forest Service, that this is a county road and I am blocked in.

I repeated the history of the right of way to Officer Ralph Davis.

Jason Park asked the deputies if they were going to cut the lock.

I stated to the deputies that Jason has a key and that destroying a lock & chain is wasteful.

Jason Park unlocked the gate in the presence of the officers.

I drove thru, then got out and Thanked the deputies.

I inquired that the Forest Service would be requesting a copy of the incident report.

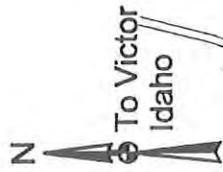
One of the officers stated just have Jay Pence request the report.

I left the site approximately 3:30 pm

s/s Jim Robertson

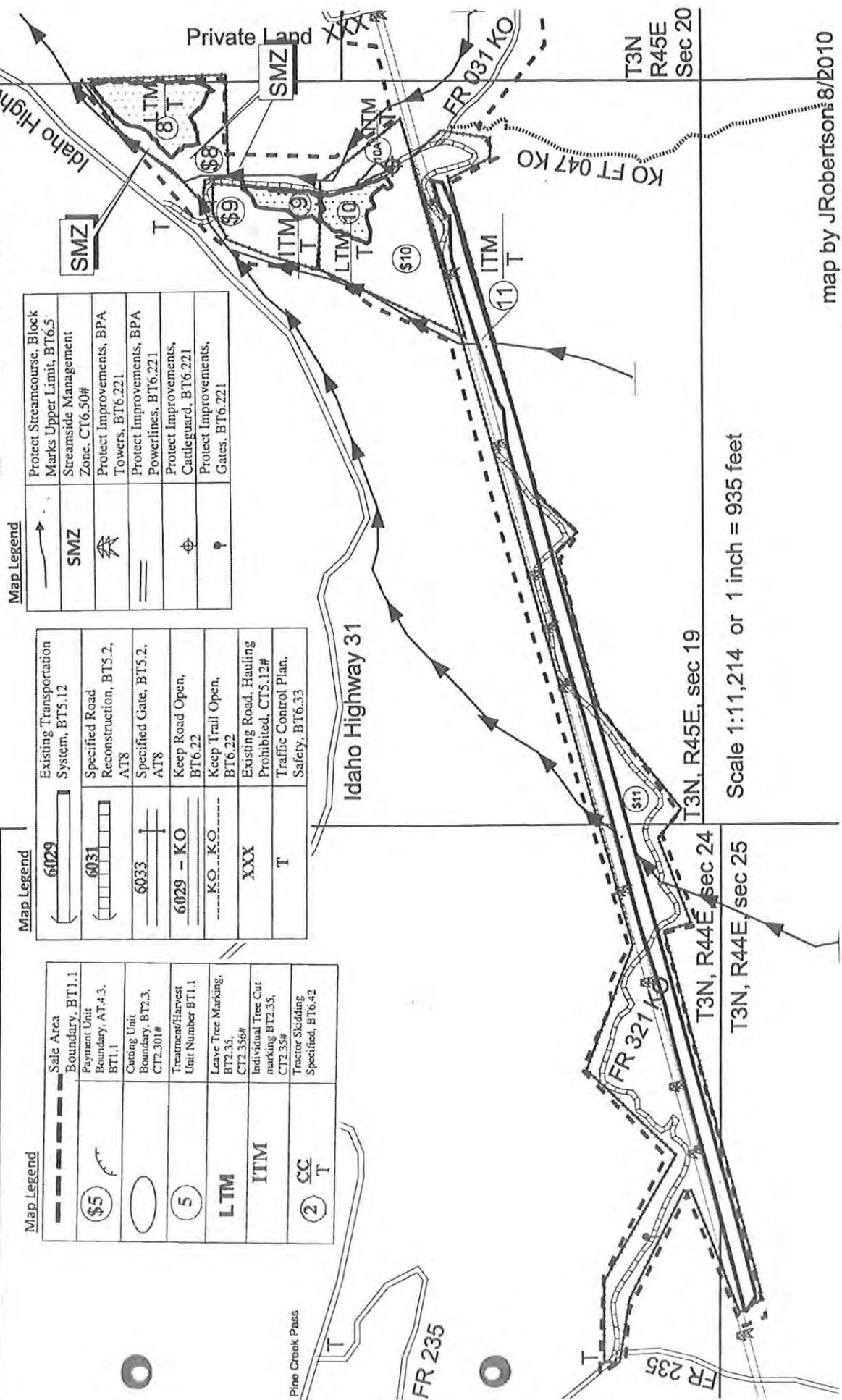
Jim Robertson, Natural Resource Specialist, Silviculturist
Caribou-Targhee NF, Teton Basin RD

Smith Canyon fuel Reduction Timber Sale Caribou-Targhee NF, Teton Basin RD West View Sale Area Map



Private Land
Forest Service Land

Private Land
Forest Service Land



Map Legend

SMZ	Protect Streamcourse, Block Marks Upper Limit, BT6.5 Streamside Management Zone, CT6.50#
	Protect Improvements, BPA Towers, BT6.221
	Protect Improvements, BPA Powerlines, BT6.221
	Protect Improvements, Cattleguard, BT6.221
	Protect Improvements, Gates, BT6.221

Map Legend

6029	Existing Transportation System, BTS.12
6031	Specified Road Reconstruction, BTS.2, AT8
6033	Specified Gate, BTS.2, AT8
6029 - KO	Keep Road Open, BT6.22
K.O. K.O.	Keep Trail Open, BT6.22
XXX	Existing Road, Hauling Prohibited, CT5.12#
T	Traffic Control Plan, Safety, BT6.33

Map Legend

	Sale Area Boundary, BT1.1
	Payment Unit Boundary, AT.4.3, BT1.1
	Cutting Unit Boundary, BT2.3, CT2.301#
	Treatment/Harvest Unit Number BT1.1
	Leave Tree Marking, BT2.35, CT2.356#
	Individual Tree Out marking BT2.35, CT2.35#
	Tractor Skidding Specified, BT6.42

Scale 1:11,214 or 1 inch = 935 feet

Smith Canyon Fuel Reduction Timber Sale Caribou-Targhee NF, Teton Basin RD Center View Sale Area Map



Map Legend

--- Sale Area Boundary, BT1.1	Existing Transportation System, BT5.12
(\$5) Payment Unit Boundary, AT.4.3, BT1.1	Specified Road Reconstruction, BT5.2, AT8
(5) Cutting Unit Boundary, BT2.3, CT2.301#	Specified Gate, BT5.2, AT8
LTM Treatment/Harvest Unit Number BT1.1	Keep Road Open, BT6.22
ITM Leave Tree Marking, BT2.35, CT2.356#	Keep Trail Open, BT6.22
(2) CC Individual Tree Cut marking BT2.35, CT2.35#	Existing Road, Hauling Prohibited, CT5.12#
T Tractor Skidding Specified, BT6.42	Traffic Control Plan, Safety, BT6.33

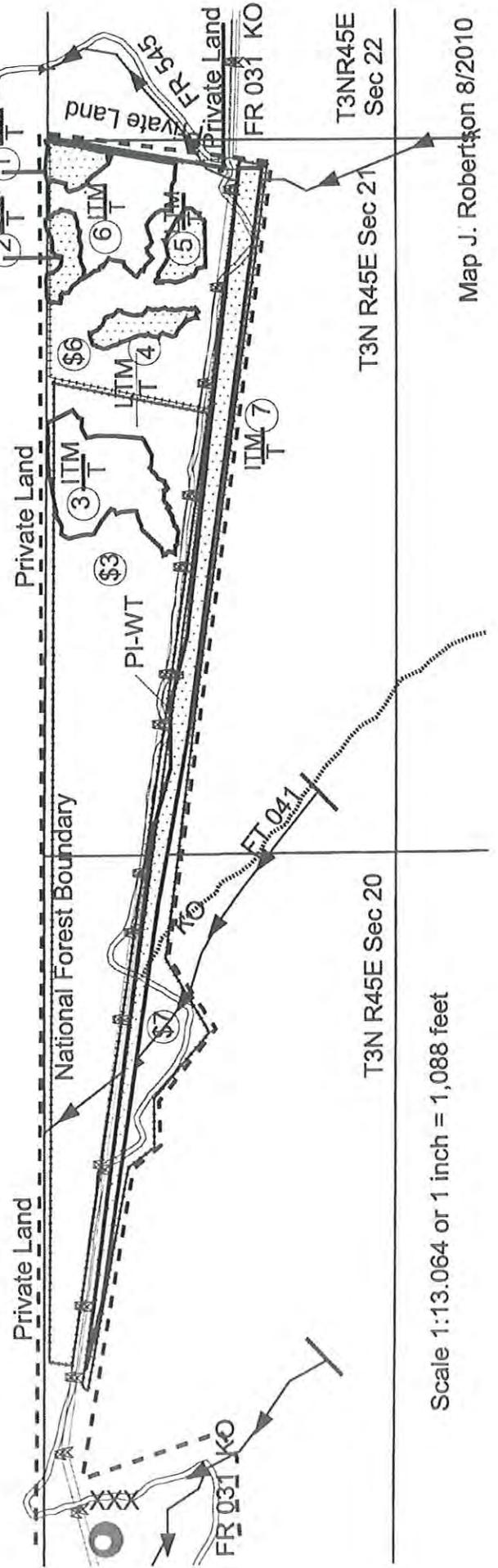
Map Legend

6029	Existing Transportation System, BT5.12
6031	Specified Road Reconstruction, BT5.2, AT8
6033	Specified Gate, BT5.2, AT8
6029 - KO	Keep Road Open, BT6.22
---KO---KO---	Keep Trail Open, BT6.22
XXX	Existing Road, Hauling Prohibited, CT5.12#
T	Traffic Control Plan, Safety, BT6.33

Map Legend

→	Protect Streamcourse, Block Marks Upper Limit, BT6.5
⚡	Protect Improvements, BPA Towers, BT6.221
==	Protect Improvements, BPA Powerlines, BT6.221
PI-WT	Protect Improvements, Water Trough, BT6.221
●	Protect Improvements, Gates, BT6.221

County Road S 2000 W



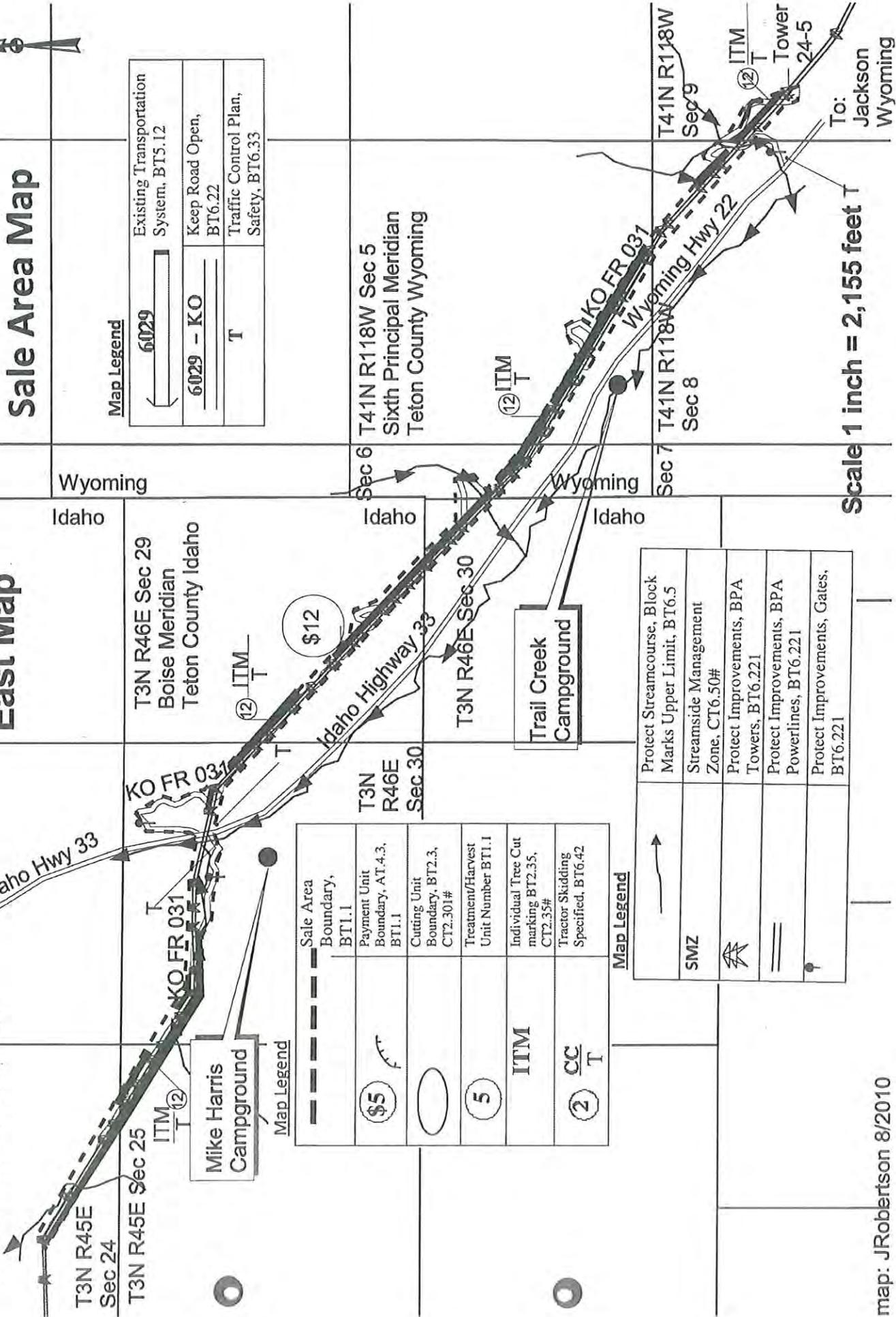
Scale 1:13,064 or 1 inch = 1,088 feet

Map J. Robertson 8/2010

Smith Canyon Fuel Reduction Timber Sale

Caribou-Targhee NF, Teton Basin RD

East Map



Map Legend

	Existing Transportation System, BT5.12
	Keep Road Open, BT6.22
	Traffic Control Plan, Safety, BT6.33

Map Legend

	Sale Area Boundary, BT1.1
	Payment Unit Boundary, AT.4.3, BT1.1
	Cutting Unit Boundary, BT2.3, CT2.301#
	Treatment/Harvest Unit Number BT1.1
	Individual Tree Cut marking BT2.35, CT2.35#
	Tractor Skidding Specified, BT6.42

Map Legend

	Protect Streamcourse, Block Marks Upper Limit, BT6.5
	Streamside Management Zone, CT6.50#
	Protect Improvements, BPA Towers, BT6.221
	Protect Improvements, BPA Powerlines, BT6.221
	Protect Improvements, Gates, BT6.221

To Victor Idaho

Private Land
Targhee National Forest Land

Idaho

Idaho

Idaho

Wyoming

Wyoming

Scale 1 inch = 2,155 feet

To:
Jackson
Wyoming

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE TIMBER SALE CONTRACT (Applicable to Sales to be Measured before Felling)		Name of Purchaser WILLMORE LUMBER COMPANY PO Box 489 St. Anthony, ID., 83445	
National Forest Caribou/Targhee	Ranger District Teton Basin	Region Intermountain	Contract Number 107275
Sale Name Smith Canyon Fuel Reduction		Award Date 09/27/2010	Termination Date 09/30/2013

The parties to this contract are The United States of America, acting through the Forest Service, United States Department of Agriculture, hereinafter called Forest Service, and WILLMORE LUMBER COMPANY, a corporation organized and existing under the laws of the State of Idaho hereinafter called Purchaser.

Forest Service having advertised a sale at which either (1) Purchaser, whose required bid deposit is now held by Forest Service as an initial deposit, was the successful bidder, or (2) no bids were received and Purchaser having subsequently offered at least the minimum advertised price and made an initial deposit in the same amount as the bid deposit specified in the sale advertisement; and the parties hereto desiring to record their agreement; now therefore,

Unless provided otherwise herein, Forest Service agrees to sell and permit Purchaser to cut and remove Included Timber and Purchaser agrees to purchase, cut, and remove Included Timber.

This contract consists of three Divisions: AT - Specific Conditions, BT - Standard Provisions, and CT - Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division CT. Specific Conditions are numbered and apply to the Part, Section, Subsection, or Item of the Standard Provisions, as indicated hereunder. Other conditions of this contract are stated in Division CT - Special Provisions.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the award date.

Two Witnesses:^{1/}

Kelly Greene
 (Name)

2558 E. 500 N St.
 (Address)

Jennifer Johnson
 (Name)

110 S. 11 W. St. Anthony
 (Address)

UNITED STATES OF AMERICA

By: [Signature]
 Contracting Officer
 (Title)

WILLMORE LUMBER COMPANY

By: [Signature]
 (Purchaser)^{2/}
 Co. Owner
 (Title)

P.O. Box 489 St. Anthony Id. 83445
 (Business Address)
1205 S. Yellowstone Highway

I, ^{3/} Troy Willmore, certify that I am the Secretary of the corporation named as Purchaser herein; that Rod Willmore who signed this contract on behalf of Purchaser, was then CO-Owner of the corporation; that the contract was duly signed for and in behalf of the corporation by authority of its governing body, and is within the scope of its corporate powers.

Troy Willmore

CORPORATE SEAL 4/

INSTRUCTIONS:

- 1/ The signatures and addresses of two witnesses are required if Purchaser is other than a corporation.
- 2/ If Purchaser is a co-partnership, the signatures should be: XYZ Company, by John Doe, a member of the firm. If Purchaser is a corporation, form of signature should be: XYZ Company, by John Doe, President (or other officer or agent) and the seal of the corporation must be impressed or indicated.
- 3/ The certificate must be completed if Purchaser is a corporation.
- 4/ If the corporation has no corporate seal that fact shall be stated, in which case a scroll or adhesive seal shall follow the corporate name.

EXAMPLE 1/

Subcontractor Certification
Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

Timber Sale Name: _____
National Forest: _____

The prospective subcontractor (participants in lower tier covered transactions) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this timber sale by any Federal department or agency.

Where the prospective subcontractor is unable to certify to any of the statements in this certification, such prospective subcontractor shall attach an explanation to this proposal.

Name of Subcontractor: _____
Business Address: _____

_____ Date _____ Signature

1/ It is the Purchaser's responsibility to have subcontractors complete this certification and to maintain a file of completed certifications. This certification does not need to be returned to the Forest Service, except at the written request of the Contracting Officer.

Sale Name: Smith Canyon Fuel Reduction

CT5.12# - USE OF ROADS BY PURCHASER (06/1999)

Purchaser's use of existing roads identified on Sale Area Map by the following codes is prohibited or subject to restrictive limitations, unless agreed otherwise:

Code	Use Limitations
X	Hauling prohibited
R	Hauling restricted
U	Unsuitable for hauling prior to completion of agreed reconstruction
P	Use prohibited
A	Public use restriction
W	Regulation waiver

Roads coded A will be signed by the Forest Service to inform the public of use restrictions. Purchaser's use of roads coded R, A, or W shall be in accordance with the following restrictions:

See Restricted Road List Table.

CT5.12# - USE OF ROADS BY PURCHASER. (6/99)

Restricted Road List

Road Number	Road Name	Termini		Map	Description of Restrictions
		From	To	Legend	
FR 031	BPA Powerline Road	Approximately BPA Tower 15-2	Approximately BPA Tower 15-4	XXX	Hauling prohibited on steep narrow road unless agreed to in writing.

Sale Name: Smith Canyon Fuel Reduction

CTS.31# - ROAD MAINTENANCE REQUIREMENTS (07/2001)

Purchaser shall maintain roads in accordance with the following Contract Road Maintenance Requirements Summary:

See Contract Road Maintenance Requirements Summary Table.

CT5.31# – ROAD MAINTENANCE REQUIREMENTS. (7/01)

Contract Road Maintenance Requirements Summary

Road	Termini		Miles	Applicable Prehaul Road Maintenance Specifications									
	From	To		802	805	807	808						
031	0	0.6	0.6	P	P	P	P						
545	0	0.5	0.5	P	P	P	P						
606	0	0.6	0.6	P	P	P	P						
321	0	1.55	1.55	P	P	P	P						
253	0	0.87	0.87	P	P	P	P						
033	0	2.8	2.8	P	P	P	P						

P = Purchaser Performance Item, D = Deposit to Forest Service, D3 = Deposit to Third Party

Road	Termini		Miles	Applicable During Haul Road Maintenance Specifications									
	From	To		802	805	808							
031	0	0.6	0.6	P	P	P							
545	0	0.5	0.5	P	P	P							
606	0	0.6	0.6	P	P	P							
321	0	1.55	1.55	P	P	P							
253	0	0.87	0.87	P	P	P							
033	0	2.8	2.8	P	P	P							

P = Purchaser Performance Item, D = Deposit to Forest Service, D3 = Deposit to Third Party

Road	Termini		Miles	Applicable Post Haul Road Maintenance Specifications									
	From	To		803	805	808							
031	0	0.6	0.6	P	P	P							
545	0	0.5	0.5	P	P	P							
606	0	0.6	0.6	P	P	P							
321	0	1.55	1.55	P	P	P							
253	0	0.87	0.87	P	P	P							
033	0	2.8	2.8	P	P	P							

P = Purchaser Performance Item, D = Deposit to Forest Service, D3 = Deposit to Third Party