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USDA Forest Service
 ALLEGHENY NATIONAL FOREST
 222 Liberty St. P O Box 847
 Warren, PA 15365
 Telephone (814) 723-5150
 Timber Sale & Capital Resources FAX 814/723-0085



ATTENTION: DAVE COTTERMAN - SALE ADMINISTRATOR - MILLER RD.

Fax #: _____

Total # of Pages to follow: 2

Message: 595 DECK SALE - LTR FROM BEN HARVEY

• Copy of Hr dated 11/5 & ltr received today.

• Suggest you share w/ Ranger
- note request for contract term extension
into winter months
- the other concern is what happens if the
timber can't be removed due to unamitable
conditions. I'll have to research that.

Questions? I'm in until 3pm today

From: Randall Turner, C.O.
 Date: 7 November 2008

Please call if you have any problems with this transmission

002525

11/05, 2008 09:08

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SHETLER

PAGE 02



2850 ROUTE 6
WATERFORD, PA 16441
PHONE: (814)795-2525
FAX: (814)795-3044

November 5, 2008

Randy Dumer
5 Colony Drive
Warren, PA 16365

Dear Randy:

In response to your letter, I apologize for our truck making a trip out of the OMG Case 595 Deck Timber Sale when it was too wet. There was a miscommunication. The trucks shouldn't have been there that day; however, the damage was exaggerated by Duhring Resources. Only the flare on the end of the pipe was damaged, not the pipe itself. The roads are more slimy on the surface than actually rutted. Any conditions can be fixed when the conditions allow with our dozer. Also, some damage is going to occur to the ditches, seedings, and cut banks any way the logs are removed. These areas can all be regraded with the dozer after the logs are removed.

We want, as much as anyone, to see these logs removed with as little damage as possible to Duhring Resource's roads. We are faced with some challenges. First, the contract is for two months, and these two months are the wettest ones of the year. The roads are mostly clay, rather than stone.

We will attempt to use a prehauler-forwarder type of machine if we are required to. However, we believe from past experience, that this type of machine with tractor-type tires will do more damage than our trucks will.

Also, we will be very limited on the number of days we can work. I was really hoping to meet with Dave Cotterman and Duhring Resources yesterday, but I have not heard back from them yet. It is suppose to be dry and warm the next couple of days, and it is to start raining on Friday. I am afraid by the time we have a new plan, it will be too wet to work again.

Please contact me as soon as possible as we are very concerned about this matter

Sincerely,

Ben Harvey, Forester
Shetler Lumber Co., Inc.

Nov. 8. 2008 11:51AM

USDA FOREST SERVICE

No. 9959

P. 6

SHETLER

LUMBER COMPANY, INC.

2250 ROUTE 5

WATERFORD, PA 18441

PHONE: (814)796-2625

FAX: (814)796-3044

November 7, 2008

USDA Forest Service
Randy Durner
5 Colony Drive
Warren, PA 16365

Dear Randy

I would like to request an extension of the OGM Case 595 Deck Timber Sale contract. We have only had two days suitable to operate since the contract was executed. The third day that we attempted to operate, it was too wet and has been ever since.

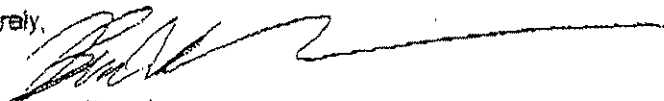
Dave Cotterman, Arthur Stewart, and I met at the job location yesterday. Although, we all came to the agreement that a pre-hauler would probably do more damage to the roads than a log truck, Mr. Cotterman informed us that he would probably not be able to get approval for the use of the trucks again. Also, the proposed skid trail that would be used by a pre-hauler does not look very suitable for this time of the year. The trail is rutted from previous use, and there is an area 30' -40' long that has become very wet due to an old culvert pipe being plugged.

I have learned that there are some issues between the Forest Service and Duhring Resources that we were unaware of, prior to purchasing this timber. Shetler Lumber Company has been put in to a very difficult situation because of this matter. We would like more than anyone to remove this timber very quickly; however, we are going into the wrong time of the year to do this. It is unlikely that we will be able to operate in a manner that will keep Mr. Stewart satisfied before the end of the year. The only solution that I see to this problem is to remove the timber during January and February during frozen conditions.

Also, I would like to request that we be permitted to take log trucks to the piles during dry or frozen conditions. Mr. Cotterman, Mr. Stewart, and I all agreed yesterday that at this time the trucks would do less damage to the roads and banks than a pre-hauler. This would be a much faster method which would be beneficial to everyone involved. Also, there are many logs on this sale that are too large for the loader on a pre-hauler to lift.

Please contact me with any suggestions or questions. Thank you.

Sincerely,


Ben Harvey, Forester
Shetler Lumber Co., Inc.

Bh/plv