



**Michael Lewis/R9/USDAFS**

03/27/2008 09:19 AM

To Lauren Miles/R9/USDAFS@FSNOTES

cc

bcc

Subject Fw: Agreement to Fell, Skid, and Deck for OGM Leases

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Marienville Ranger District  
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— Forwarded by Michael Lewis/R9/USDAFS on 03/27/2008 09:19 AM —



**Rob T Fallon/R9/USDAFS**

03/27/2008 07:42 AM

To Michael Lewis/R9/USDAFS@FSNOTES

cc

Subject Fw: Agreement to Fell, Skid, and Deck for OGM Leases

Rob Fallon  
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— Forwarded by Rob T Fallon/R9/USDAFS on 03/27/2008 07:41 AM —



**Randy Durner/R9/USDAFS**

03/26/2008 04:32 PM

To Rob T Fallon/R9/USDAFS@FSNOTES, Anthony Scardina/R9/USDAFS@FSNOTES, James Seyler/R9/USDAFS@FSNOTES, Paul Weese/R9/USDAFS@FSNOTES, Leanne M Marten/R9/USDAFS@FSNOTES

cc Dave Lombardo/R9/USDAFS@FSNOTES, David Cotterman/R9/USDAFS@FSNOTES, Jim Campbell/R9/USDAFS@FSNOTES, Randy Durner/R9/USDAFS@FSNOTES

Subject Agreement to Fell, Skid, and Deck for OGM Leases

It came to my attention earlier this afternoon while at Marienville RD, that there

## **AGREEMENT TO FELL, SKID, AND DECK TIMBER**

XYZ Oil & Gas Company, Inc.  
"15 Well Project – Case M-326 – 3/25/2008 Project  
Warrants 1543 and 1544, Hamilton Township, McKean County, Pennsylvania

### **ALLEGHENY NATIONAL FOREST**

**Purpose and Need** - XYZ Oil and Gas Corporation has expressed a desire to fell and deck designated timber in conjunction with their proposed development that the Forest Service agrees is acceptable for meeting its needs while protecting the value of public resources. Whereupon, the OGM developer agrees to the terms and conditions set forth by the Forest Service in the conduct of such action as stated below by their signature.

1. **Laws and Regulations:** XYZ Oil and Gas Company, Inc. agrees to abide by all Federal, State, and local laws, regulations, ordinances, and similar directives in the conduct of this operation.
2. **Discretionary Election and Expense:** XYZ Oil and Gas Company, Inc. understands and agrees that the undertaking of this action is at their own discretion and risk, and that the U.S. Forest Service will not reimburse them for the cost of cutting, skidding, and decking of the designated timber on the project site.
3. **Approval of Logging Contractors:** Logging subcontractors are subject to Forest Service review prior to commencement of felling operations, to insure they are not currently suspended or debarred, and/or have reasonably performed in the past on the National Forest.
4. **Reasonable Care and Protection:** XYZ Oil and Gas Company, Inc., and its logging subcontractors, agree to exercise reasonable workmanship and prudent care, judgment, and protection of the designated timber in the felling, skidding, and decking of such timber, to maintain its inherent value and minimize damage.
5. **Designation for Cutting:** Timber on this project site, as shown on the attached Project Map and designated for cutting, is so designated as follows: a) sawtimber trees are marked with yellow tree marking paint, with a slash at breast height (dbh) and two paint spots on the stump; b) pulpwood trees are marked with yellow tree marking paint, with a spot at breast height (dbh), and a spot on the stump; c) cutting is confined to a right of way corridor, the boundaries of which are designated by a (color) three stripe paint mark at breast height on boundary trees with stump spot; said boundary trees which are NOT DESIGNATED for cutting.