

STATE OF ARKANSAS  
BOARD OF REGISTRATION FOR FORESTERS

**ROSTER**

OF

REGISTERED FORESTERS



APRIL 2011

VOLUME 41

**BOARD OF REGISTRATION FOR FORESTERS**  
2011

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RUSSELLVILLE

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MONTICELLO

BOBBY NEWMAN  
SMACKOVER

REBECCA MONTGOMERY  
Executive Director  
ARKANSAS BOARD OF REGISTRATION FOR FORESTERS  
3821 WEST ROOSEVELT ROAD  
LITTLE ROCK, AR 72204  
TELEPHONE: (501) 296-1998  
FAX: (501) 296-1949  
e-mail: [rebecca.montgomery@arkansas.gov](mailto:rebecca.montgomery@arkansas.gov)



**STATE OF ARKANSAS  
BOARD OF REGISTRATION FOR FORESTERS**

3821 West Roosevelt Rd  
Little Rock, AR 72204  
Telephone: 501-296-1998  
rebecca.montgomery@arkansas.gov

GOVERNOR MIKE BEEBE

EXECUTIVE DIRECTOR REBECCA MONTGOMERY, R.F.

MEMBERS OF THE BOARD

DAVID REINOLD, R.F.  
CHAIR  
RUSSELLVILLE

JOHN SHANNON, R.F.  
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SECRETARY  
JESSIEVILLE

DR. ROBERT WEIH JR, R.F.  
MONTICELLO

BOBBY NEWMAN  
SMACKOVER

April 27, 2011

The Honorable Mike Beebe  
Governor of Arkansas  
State Capitol  
Little Rock, AR 72201

RE: 2011 Roster of Arkansas Registered Foresters

Dear Governor:

Arkansas Code §17-31-207(b) requires the Board of Registration for Foresters to print a Roster of Arkansas Registered Foresters. Arkansas Code §17-31-101 through 310 contains the specific laws governing Registered Foresters. The purpose of the law is to protect the public, especially private individual landowners, from fraudulent, uneducated practitioners. To maintain their license, Registered Foresters must earn six Continuing Forestry Education units per year. Each Registered Forester agrees to conform to a Code of Ethics concerning his/her professional conduct.

This Roster lists 491 foresters who met the requirements to be licensed as Arkansas Registered Foresters for the year 2011. This includes 8 newly Registered Foresters since April 2010 and those foresters who renewed their license. We have made every effort to ensure the correctness of the Roster. In the event of errors or omissions, the Board will send appropriate correspondence to inquiring parties.

Should you have any questions related to the practice of forestry, please contact the Board by one of the above means.

Sincerely,

ARKANSAS BOARD OF REGISTRATION FOR FORESTERS

A handwritten signature in cursive script that reads "Rebecca Montgomery".

Rebecca Montgomery, R.F.  
Executive Director

RAM/

## REQUIREMENTS FOR RENEWING REGISTERED FORESTERS LICENSE FOR FY2012

By December 1 each year, the Board will send each Registered Forester in this Roster a renewal notice. If you have a change of address during the year, please notify the Board before November. The notice will include the following "CFE LOG."

To renew your 2012 Registered Forester license, the board requires persons who are licensed to complete not less than six (6) qualifying continuing forestry education (CFE) hours during the previous year.

Arkansas Code §17-31-307(c) requires that not less than six (6) of your "...CFE shall be equivalent to the Society of American Foresters Category I for continuing education which includes, but is not limited to, seminars, short courses, and workshops in forestry or a related subject matter as approved by the board..."

"The board may waive the continuing forestry education requirements in cases of hardship, illness, or retirement from active forestry practice."

"Renewal of certificate of registration shall be for an annual fee set annually by the board." For FY2012, the Board has set the registration and renewal fees at \$30 in-state and \$60 out-of-state.

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RF# _____ FIRSTNAME: _____ MI: _____ LASTNAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
RESIDENTIAL ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
BUSINESS NAME: _____
BUSINESS ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
POSITION: _____
TELEPHONE: HOME: _____ BUS.: _____ FAX: _____
E-MAIL: _____

### CFE LOG

Date	Location	Sponsor	Course	# CFE Hours

**ABERNATHY, WILLIAM H.**

191 Nevada 420  
Bluff City, AR 71722  
(870) 685-2444 (Home)  
(870) 685-2562 (Business)  
(870) 685-2825 (Fax)  
277 (RF No.)  
whabern@arborgen.com  
Nursery Manager  
Arborgen Inc

**ADAY, BRYAN W.**

487 Clay Rd.  
Searcy, AR 72143  
(Home)  
(501) 742-5446 (Business)  
(501) 742-5582 (Fax)  
678 (RF No.)  
bryan.aday@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**AKIN, DOUGLAS E.**

14605 Woodcreek Dr.  
Little Rock, AR 72211  
(501) 221-7167 (Home)  
(501) 296-1861 (Business)  
(501) 296-1949 (Fax)  
792 (RF No.)  
doug.akin@arkansas.gov  
Assistant State Forester - Management  
Arkansas Forestry Commission

**ALABACH, ROGER J.**

204 Clay St.  
Morrilton, AR 72110  
(501) 354-3215 (Home)  
(501) 354-2461 (Business)  
(501) 354-2047 (Fax)  
539 (RF No.)  
ralabach@gbp.com  
Tech Services Supervisor  
Green Bay Packaging Inc.

**ALEXANDER, JERRY M.**

1501 Old Cove Road  
Russellville, AR 72802  
(479) 967-6270 (Home)  
(479) 970-1850 (Business)  
(Fax)  
465 (RF No.)  
jjalex@suddenlink.net  
Consultant  
Jerry M. Alexander, Inc.

**ALEXANDER, TERRY W.**

728 E. Heritage Loop  
LaCenter, WA 98629  
(360) 263-4789 (Home)  
(360) 891-3376 (Business)  
(360) 891-3388 (Fax)  
354 (RF No.)  
terry.alexander@weyerhaeuser.com  
Safety/ EMS Manager  
Weyerhaeuser Company

**ALLEY, NORMAN L.**

P.O. Box 179  
Perryville, AR 72126  
(501) 889-5645 (Home)  
(501) 889-3833 (Business)  
(501) 889-5650 (Fax)  
474 (RF No.)  
alley@arbbs.net  
Owner  
Eco-Forestry Services of Arkansas

**ANDERSON, CHAD M.**

P.O. Box 931  
Petal, MS 39465  
(601) 543-8733 (Home)  
(601) 584-1009 (Business)  
(601) 544-9793 (Fax)  
940 (RF No.)  
timcochad@aol.com  
President  
Timber Investment Managers, LLC

**ANDERSON, DAVID R.**

900 Pineknott Lane  
Heber Springs, AR 72543  
(501) 362-6123 (Home)  
(501) 362-8561 (Business)  
(501) 362-3243 (Fax)  
657 (RF No.)  
danderso@gbp.com  
District Forester  
Green Bay Packaging Inc.

**ARNOLD, JERRY L.**

113 Cub Drive  
DeQueen, AR 71832  
(870) 642-6648 (Home)  
(870) 642-1427 (Business)  
(479) 642-1443 (Fax)  
727 (RF No.)  
jerry.arnold@weyerhaeuser.com  
Region Roads Lead  
Weyerhaeuser Company

**ASKEW JR., JOE C.**

---

723 Oak Manor Dr.  
El Dorado, AR 71730  
(870) 862-9966 (Home)  
(870) 310-8627 (Business)  
(318) 986-4618 (Fax)  
728 (RF No.)  
jasq@suddenlink.net  
Forester  
Junction City Wood Co, Inc.

**AULD, ALAN B.**

---

P.O. Box 128  
Royal, AR 71968  
(501) 767-1239 (Home)  
(501) 767-7754 (Business)  
(501) 767-1239 (Fax)  
408 (RF No.)  
auldtimberinc@yahoo.com  
President  
Auld Timber, Inc.

**BAGGENSTOSS, JAMES R.**

---

302 S. Oakley  
Fordyce, AR 71742  
(870) 352-5966 (Home)  
(870) 352-2373 (Business)  
(870) 352-8247 (Fax)  
789 (RF No.)  
jim.baggenstoss@plumcreek.com  
Harvesting Manager  
Plum Creek Timber Co.

**BAILEY, MICHAEL J.**

---

182 Vineyard Hill Lane  
Malvern, AR 72104  
(501) 337-1232 (Home)  
(501) 332-7220 (Business)  
(501) 332-2314 (Fax)  
729 (RF No.)  
baileymj08@yahoo.com  
Forest Manager  
Anthony Timberlands, Inc.

**BAKER JR., ROBERT M.**

---

4525 Calhoun 36  
Hampton, AR 71744  
(870) 798-3591 (Home)  
(870) 798-3835 (Business)  
(870) 798-3835 (Fax)  
573 (RF No.)  
bob.baker@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**BAKER, DONALD J.**

---

P.O. Box 5624  
Alexandria, LA 71307  
(318) 484-9681 (Home)  
(318) 473-8751 (Business)  
(318) 473-4045 (Fax)  
538 (RF No.)  
donaldjbaker@aol.com  
President/Owner  
Baker Land & Timber Management Inc

**BAKER, ROBERT M.**

---

IRS 3007 Knight Street  
Shreveport, LA 71105  
(318) 918-0044 (Home)  
(318) 683-6323 (Business)  
(Fax)  
416 (RF No.)  
robert.baker@irs.gov  
Forester  
Internal Revenue Service

**BAKER, TERRELL S.**

---

550 Old Calion Road  
El Dorado, AR 71730  
(870) 210-9979 (Home)  
(870) 639-3918 (Business)  
(870) 639-3919 (Fax)  
549 (RF No.)  
terrell.baker@amforem.biz  
Arkansas Area Manager  
American Forest Management

**BALLARD, BENJAMIN D.**

---

P.O. Box 1290  
Monticello, AR 71657  
(870) 357-2046 (Home)  
(870) 367-8567 (Business)  
(870) 367-8424 (Fax)  
1021 (RF No.)  
bballard@kingwoodforestry.com  
Associate Forester  
Kingwood Forestry Services, Inc.

**BARKHIMER, JOSHUA C.**

---

897 Ouachita 43  
Camden, AR 71701  
(870) 574-1315 (Home)  
(870) 836-5981 (Business)  
(870) 836-7432 (Fax)  
709 (RF No.)  
jbarkhimer@neeleyforestryservice.com  
Forester  
Neeley Forestry Service

**BARNUM, JAMES GARNER**

549 Clay Road  
Searcy, AR 72143  
(501) 728-3497 (Home)  
(501) 728-3497 (Business)  
(Fax)  
511 (RF No.)

Owner  
Barnum's Forestry Service

**BARRY, JON E.**

P.O. Box 73  
Washington, AR 71862  
(870) 983-2417 (Home)  
(870) 777-9702 (Business)  
(Fax)  
570 (RF No.)  
jbarry@uaex.edu  
Assistant Professor  
Uof A Cooperative Extension Service

**BARTON, JEFF B.**

153 Windy Hills Lane  
Monticello, AR 71655  
(870) 460-6743 (Home)  
(870) 367-8564 (Business)  
(870) 367-1432 (Fax)  
975 (RF No.)  
silvijb@ccc-cable.net  
Procurement Forester  
Silvicraft, Inc.

**BATES, WALTER G.**

1405 Spanish Moss  
Lufkin, TX 75904  
(936) 699-3861 (Home)  
(Business)  
(Fax)  
796 (RF No.)  
wbates@consolidated.net

**BEARD SR., GARY W.**

2810 Shadwell CT  
Florence, SC 29501  
(843) 662-1805 (Home)  
(843) 667-6252 (Business)  
(843) 667-6288 (Fax)  
797 (RF No.)  
Area Manager  
Smurfit Stone Container Corporation

**BEASLEY, JOHN W.**

1356 Nevada 8  
Waldo, AR 71770  
(870) 695-3044 (Home)  
(870) 533-4641 (Business)  
(870) 533-4468 (Fax)  
707 (RF No.)  
john.beasley@arkansas.gov  
Forester II  
Arkansas Forestry Commission

**BEASLEY, MARK A.**

4438 Ouachita 3  
Stephens, AR 71764  
(870) 836-0113 (Home)  
(870) 881-6445 (Business)  
(870) 881-6456 (Fax)  
576 (RF No.)  
mark\_beasley@deltic.com  
Client Lands Forester  
Deltic Timber Corp

**BECKHAM, DAVID B.**

209 Collins St.  
Mountain View, AR 72560  
(870) 269-2581 (Home)  
(870) 352-5153 (Business)  
(870) 352-3939 (Fax)  
258 (RF No.)  
davlinbeckham@yahoo.com  
Forester  
Triple B Wood Dealers

**BELL, GARY B.**

281 Hwy. 229  
Fordyce, AR 71742  
(870) 352-7547 (Home)  
(870) 352-4013 (Business)  
(Fax)  
218 (RF No.)  
mjbell01@windstream.net  
Retired

**BELT, MARION D.**

128 Grant 822  
Sheridan, AR 72150  
(870) 942-3784 (Home)  
(Business)  
(Fax)  
78 (RF No.)  
Retired

**BENJAMIN, SAMUEL L.**

---

209 West Dodson  
Arkadelphia, AR 71923  
(870) 356-3938 (Home)  
(501) 767-4844 (Business)  
(Fax)  
945 (RF No.)  
samuel.l.benjamin@gmail.com  
Natural Resource Specialist  
US Corps of Engineers

**BENTLEY, MICHAEL S.**

---

1403 Marcella Ave.  
Magnolia, AR 71753  
(870) 234-7916 (Home)  
(870) 904-3223 (Business)  
(870) 234-7916 (Fax)  
555 (RF No.)  
swafsmike@suddenlink.net  
Forester/Owner  
Southwest Arkansas Forest Services, Inc.

**BERRY, JEFFREY D.**

---

51 Caroline Loop  
Plummerville, AR 72127  
(501) 354-0506 (Home)  
(501) 208-2372 (Business)  
(501) 354-2047 (Fax)  
894 (RF No.)  
jberry@gbp.com  
Procurement Forester  
Green Bay Packaging Inc.

**BERRY, MICHAEL WADE**

---

3835 Hwy 83 North  
Star City, AR 71667  
(870) 367-5678 (Home)  
(870) 367-5678 (Business)  
(870) 367-5678 (Fax)  
571 (RF No.)  
mwadeberry@yahoo.com  
President  
Berry Timber Inc.

**BICKFORD, THOMAS ALAN**

---

141 Deerfield Drive  
Monticello, AR 71655  
(870) 367-9413 (Home)  
(870) 367-8564 (Business)  
(870) 367-1432 (Fax)  
1001 (RF No.)  
silviab@ccc-cable.net  
Procurement Forester  
Silvicraft, Inc.

**BITELY, TIMOTHY A.**

---

181 Baywood Lane  
Monticello, AR 71655  
(870) 918-3243 (Home)  
(870) 265-4587 (Business)  
(870) 265-3929 (Fax)  
603 (RF No.)  
timb@andersontully.com  
Region Manager  
Anderson Tully Co.

**BLACK III, ROBERT R.**

---

P.O. Box 55  
El Dorado, AR 71731  
(870) 862-8614 (Home)  
(Business)  
(870) 862-8692 (Fax)  
441 (RF No.)  
rblack3@suddenlink.net  
President  
Timberland Resources, Inc

**BLACKBURN, JOHN D**

---

53 Arrowhead Road  
Greenbrier, AR 72058  
(501) 428-7081 (Home)  
(501) 813-9555 (Business)  
(501) 679-3018 (Fax)  
552 (RF No.)  
john.blackburn@arkansas.gov  
Management Forester  
Arkansas Forestry Commission

**BLACKBURN, SEAN P.**

---

#4 Lost Creek Lane  
Heber Springs, AR 72543  
(501) 206-7176 (Home)  
(501) 206-0536 (Business)  
(501) 206-0536 (Fax)  
799 (RF No.)  
rrtc@att.net  
President  
Red River Timber Corporation

**BLANEY, MARTIN L.**

---

7 Water Oak Lane  
Russellville, AR 72802  
(479) 967-6293 (Home)  
(877) 967-7577 (Business)  
(479) 967-5103 (Fax)  
325 (RF No.)  
mblaney@agfc.state.ar.us  
Habitat Coordinator  
Arkansas Game & Fish Commission

**BLEVINS, NATHAN E.**

5721 Wardville Rd  
Bastrop, LA 71220  
(318) 281-4985 (Home)  
(870) 567-5009 (Business)  
(870) 364-5114 (Fax)  
640 (RF No.)  
nathan.blevins@plumcreek.com  
Resource Forester  
Plum Creek Timber Co.

**BOITNOTT, RICHARD A.**

189 CR 4797  
Atlanta, TX 75551  
(903) 796-8491 (Home)  
(903) 748-3851 (Business)  
(903) 796-8491 (Fax)  
656 (RF No.)  
rboitnott@nrslc.com  
Consultant  
Natural Resource Systems, LLC

**BOLIN, RUSSELL E.**

10940 Hwy 8 North  
New Edinburg, AR 71660  
(870) 820-1696 (Home)  
(870) 367-9751 (Business)  
(870) 367-3309 (Fax)  
410 (RF No.)  
rusty@thepricecompanies.com  
Procurement Manager  
Price Lumber Co.

**BOLLMAN, LEONARD R.**

7344 Hwy. 21  
Clarksville, AR 72830  
(479) 754-8263 (Home)  
(479) 214-0768 (Business)  
(Fax)  
958 (RF No.)  
lbollman@arhighlandsforestworks.com  
Owner  
Arkansas Highlands Forest Works, Inc.

**BOOKER, KATHRYN REBECCA**

715 W Glenn Ave, Apt 64  
Auburn, AL 36832  
(336) 613-1684 (Home)  
(334) 844-1538 (Business)  
(Fax)  
1026 (RF No.)  
becksdevils01@hotmail.com  
Research Associate  
Auburn University - School of Forestry

**BOOTH, EDWARD SHANE**

(870) 830-8290 (Home)  
(870) 673-2851 (Business)  
(870) 673-2851 (Fax)  
1011 (RF No.)  
shane.booth@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**BOSTIC, COURTNEY D.**

402 Ouachita 54  
Camden, AR 71701  
(870) 231-5411 (Home)  
(870) 836-7385 (Business)  
(870) 836-7385 (Fax)  
1027 (RF No.)  
cory.bostic@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**BOURLAND, THOMAS R.**

9847 Neesonwood Dr.  
Shreveport, LA 71106  
(Home)  
(318) 798-9821 (Business)  
(318) 789-0699 (Fax)  
653 (RF No.)  
bourlandllc@aol.com  
President  
Tom Bourland & Associates

**BOUTZ, RAYMOND C.**

774 Owen Wait Rd.  
Dover, AR 72837  
(479) 331-4039 (Home)  
(479) 967-7577 (Business)  
(479) 967-5103 (Fax)  
233 (RF No.)  
rcboutz@agfc.state.ar.us  
Habitat Biologist  
Arkansas Game & Fish Commission

**BRAGG, KENNETH W.**

63 Pinecrest Cr.  
Sheridan, AR 72150  
(870) 942-5269 (Home)  
(870) 942-5125 (Business)  
(870) 942-5313 (Fax)  
801 (RF No.)  
kbragg@resourcemt.com  
Region Manager  
Resource Management Services

**BRANDON, EDWARD KEITH**

---

1368A Bradley 47  
Hermitage, AR 71647  
(870) 463-8240 (Home)  
(870) 500-0098 (Business)  
(Fax)  
802 (RF No.)  
Forester  
Clear Creek Forestry

**BRASWELL, ANDREW TERRY**

---

6 Regency Dr  
Texarkana, AR 71854  
(903) 908-3145 (Home)  
(870) 653-6747 (Business)  
(870) 653-6747 (Fax)  
1002 (RF No.)  
andrew.braswell@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**BRATTON, LESTER J.**

---

310 S. Cumberland  
Sheridan, AR 72150  
(870) 942-3015 (Home)  
(Business)  
(Fax)  
47 (RF No.)  
Retired

**BRAY, JOHN A.**

---

1152 Hwy Alt 2  
Shongaloo, LA 71072  
(318) 624-8530 (Home)  
(318) 624-8530 (Business)  
(318) 624-8530 (Fax)  
723 (RF No.)  
fms\_Llc@att.net  
Consultant Forester  
Forest Management Services, LLC

**BRAZEALE, DAVID G.**

---

1858 Hwy. 128  
Sparkman, AR 71763  
(870) 678-2317 (Home)  
(870) 678-2317 (Business)  
(870) 678-9299 (Fax)  
572 (RF No.)  
blbr123@windstream.net  
Vice President  
Brazeale Lumber Co. Inc.

**BREWINGTON, ROBERT P.**

---

101 Baltusrol Dr  
Benton, AR 72015  
(870) 918-0477 (Home)  
(501) 332-7220 (Business)  
(501) 332-2314 (Fax)  
803 (RF No.)  
robertbrew@yahoo.com  
Procurement Forester  
ATI - Malvern

**BRIGANCE, AUDIE J.**

---

45 Light Lane  
Russellville, AR 72802  
(479) 890-9391 (Home)  
(479) 964-7223 (Business)  
(Fax)  
529 (RF No.)  
abrigance@fs.fed.us  
Contracting Officer  
USDA Forest Service

**BRIGANCE, JAMES R.**

---

14929 Viney Grove Rd.  
Fayetteville, AR 72704  
(479) 856-1804 (Home)  
(479) 856-1804 (Business)  
(501) 442-2117 (Fax)  
263 (RF No.)  
ozarkaforestry@gmail.com  
Staff Development Coordinator  
Ozarka Forestry Services

**BRINT, CHASE C.**

---

500 Inwood Rd  
Wake Village, TX 75501  
(903) 832-5262 (Home)  
(903) 748-3805 (Business)  
(903) 831-9988 (Fax)  
1053 (RF No.)  
cbrint@kingwoodforestry.com  
Forester  
Kingwood Forestry Services

**BRIXEY, ERIC STEVEN**

---

2210 Raintree Dr  
Conway, AR 72032  
(501) 691-3566 (Home)  
(501) 580-3221 (Business)  
(Fax)  
915 (RF No.)  
eric.brixey@arkansas.gov  
Forest Inventory Specialist  
Arkansas Forestry Commission

**BROWN, COVY PATRICK**

1912 Alco Rd  
 Star City, AR 71667  
 (870) 723-7509 (Home)  
 (870) 723-7509 (Business)  
 (Fax)  
 1030 (RF No.)  
 covybrown@gmail.com  
 Forester  
 Timberland Enterprises

**BRYAN, STEVE F.**

P.O. Box 310  
 Des Arc, AR 72040  
 (870) 256-3068 (Home)  
 (870) 256-4123 (Business)  
 (870) 256-4306 (Fax)  
 574 (RF No.)  
 sfbryan50@yahoo.com  
 Vice-President  
 Patterson Hardwoods, Inc.

**BRYANT, TERRY L.**

4407 Feather Hill Rd.  
 Charleston, AR 72933  
 (501) 965-2195 (Home)  
 (501) 928-2036 (Business)  
 (479) 928-7139 (Fax)  
 266 (RF No.)  
 terrybryant@travislumber.com  
 V. P. Procurement & Land Management  
 Travis Lumber Company, In

**BURAK, STEVEN G.**

118 Sims Ave  
 Tallassee, AL 36078  
 (334) 283-4229 (Home)  
 (334) 283-3611 (Business)  
 (334) 283-5311 (Fax)  
 431 (RF No.)  
 sgburak@sizemore1949.com  
 President  
 Sizemore & Sizemore, Inc.

**BURFORD, DRU A.**

501 East 1st Ave  
 Crossett, AR 71635  
 (Home)  
 (870) 567-5004 (Business)  
 (870) 364-7511 (Fax)  
 791 (RF No.)  
 daburfor@gapac.com  
 Area Procurement Manager  
 Georgia-Pacific Corp.

**BURFORD, MARVIN B.**

106 Pine Forest Lane  
 Fordyce, AR 71742  
 (870) 352-3440 (Home)  
 (Business)  
 (Fax)  
 180 (RF No.)  
 burford@windstream.net  
 Retired

**BURGESS, STEVEN E.**

PO Box 547  
 Perryville, AR 72126  
 (501) 889-5850 (Home)  
 (501) 472-2662 (Business)  
 (501) 889-2651 (Fax)  
 667 (RF No.)  
 steve.burgess@arkansas.gov  
 County Forester  
 Arkansas Forestry Commission

**BURK, MICHAEL H.**

519 W. 9th  
 Booneville, AR 72927  
 (501) 675-3361 (Home)  
 (Business)  
 (Fax)  
 118 (RF No.)  
 Retired

**BURK, ROY M.**

212 Rankin Rd.  
 Nashville, AR 71852  
 (870) 845-4698 (Home)  
 (870) 898-3343 (Business)  
 (870) 898-2111 (Fax)  
 428 (RF No.)  
 roy.m.burk@usacc.army.mil  
 Forester  
 U.S. Army Corps of Engineers

**BURKS, ROCKLAND RIVERS**

302 Frenchmens Bend Pl.  
 Monroe, LA 71203  
 (318) 509-8725 (Home)  
 (318) 665-0408 (Business)  
 (318) 665-4556 (Fax)  
 917 (RF No.)  
 rocklandburks@gmail.com  
 Forester/Owner  
 Rockland R. Burks, Inc.

**BURNETT, FREDERICK E.**

---

709 Sheffield Dr.  
Bryant, AR 72022  
(501) 653-0141 (Home)  
(501) 212-5862 (Business)  
(501) 212-5859 (Fax)  
283 (RF No.)  
fred.burnett1@us.army.mil  
Forester  
Arkansas Military Dept

**BURNS, GARY A.**

---

P.O. Box 926  
Crockett, TX 75835  
(936) 544-5535 (Home)  
(936) 544-3622 (Business)  
(936) 544-7415 (Fax)  
299 (RF No.)  
burnsforestry@valornet.com  
Consulting Forester-Appraisor  
Burns Forestry

**BURTON, RICHARD B.**

---

P.O. Box 8  
Lewisville, AR 71845  
(870) 921-5330 (Home)  
(870) 921-5163 (Business)  
(870) 921-5822 (Fax)  
708 (RF No.)  
burtontimber@whiti.net  
President/Forester  
Triplett Timber & Realty

**BUTLER, DAVID W.**

---

326 N. Ripley Rd  
El Dorado, AR 71730  
(870) 863-0881 (Home)  
(870) 862-6177 (Business)  
(870) 862-6177 (Fax)  
364 (RF No.)  
woolybgr@suddenlink.net  
President  
Enterprise Forest Management

**CAGLE, MICHAEL O.**

---

1055 Crosspoint  
Conway, AR 72034  
(501) 329-5393 (Home)  
(501) 679-6297 (Business)  
(501) 679-3018 (Fax)  
533 (RF No.)  
mike.o.cagle@arkansas.gov  
District Forester  
Arkansas Forestry Commission

**CALLAHAN, GREGORY W.**

---

212 Yale Camp Rd.  
Crossett, AR 71635  
(870) 364-9612 (Home)  
(870) 567-5034 (Business)  
(870) 364-7511 (Fax)  
807 (RF No.)  
gwcallah@gapac.com  
Procurement Forester  
Georgia Pacific LLC

**CAMP, RAY**

---

2 Robinwood Dr.  
Little Rock, AR 72227  
(501) 225-1114 (Home)  
(Business)  
(Fax)  
4 (RF No.)

Retired

**CARLSON, CARL G.**

---

3215 Osprey Circle  
Alma, AR 72921  
(479) 632-0062 (Home)  
(479) 484-2883 (Business)  
(Fax)  
769 (RF No.)  
carl.g.carlson@ar.ngb.army.mil  
Installation Forester  
Ft. Chaffee Military Training Center

**CARTER, CARLTON W.**

---

2671 Columbia 62W  
Waldo, AR 71770  
(870) 695-3129 (Home)  
(Business)  
(870) 695-3183 (Fax)  
706 (RF No.)  
cfws5256@yahoo.com  
Consulting Forester  
Carter Forestry/ Wildlife Services, Inc.

**CARTER, CHARLES M.**

---

2095 Hwy. 178  
Blue Springs, MS 38828  
(662) 841-2230 (Home)  
(662) 534-3628 (Business)  
(662) 534-7243 (Fax)  
458 (RF No.)  
midsouthforest@bellsouth.net  
Owner/Consulting Forester  
Mid-South Forestry, Inc.

**CARTER, KIM A.**

304 CR 3436  
 Clarksville, AR 72830  
 (479) 754-2684 (Home)  
 (479) 754-2800 (Business)  
 (Fax)  
 809 (RF No.)  
 Carter.Kim.2008@gmail.com

**CARTER, RICHARD N.**

147 Ashley 15  
 Crossett, AR 71635  
 (870) 364-7357 (Home)  
 (870) 567-5199 (Business)  
 (870) 364-7511 (Fax)  
 670 (RF No.)  
 rncarter@gapac.com  
 Procurement Forester  
 Georgia-Pacific Corp.

**CASSELS, DAVID COLIN**

P.O. Box 1532  
 Monticello, AR 71657  
 (870) 460-0982 (Home)  
 (870) 367-3577 (Business)  
 (870) 367-3513 (Fax)  
 959 (RF No.)  
 david.cassels@regions.com  
 Investment Forester  
 RMK Timberland Group

**CAWEIN, DAVID A.**

304 E. Drilling St.  
 Morrilton, AR 72110  
 (501) 354-8411 (Home)  
 (501) 354-2461 (Business)  
 (501) 354-2047 (Fax)  
 312 (RF No.)  
 dcawein@gbp.com  
 V.P. & G.M.  
 GBP, Inc Fiber Resource Div

**CHAMBLISS, GARY E.**

1485 Nevada 23  
 Prescott, AR 71857  
 (870) 887-3355 (Home)  
 (870) 887-5641 (Business)  
 (870) 887-5750 (Fax)  
 731 (RF No.)  
 President  
 Prescott Land & Timber Co.

**CHANCEY, TED S.**

208 Daffodil Lane D-2  
 Hot Springs, AR 71913  
 (501) 525-6456 (Home)  
 (Business)  
 (Fax)  
 8 (RF No.)  
 Retired

**CHANEY JR., BILL E.**

5805 Bailey Cutoff Rd  
 Benton, AR 72019  
 (501) 318-8491 (Home)  
 (501) 296-1862 (Business)  
 (501) 296-1949 (Fax)  
 681 (RF No.)  
 bill.chaney@arkansas.gov  
 Staff Forester  
 Arkansas Forestry Commission

**CHAPPELL, H. NIXON**

P.O. Box 1008  
 Monticello, AR 71657  
 (870) 367-0798 (Home)  
 (870) 226-1208 (Business)  
 (870) 226-2182 (Fax)  
 810 (RF No.)  
 nick.chappell@potlatchcorp.com  
 Silviculturist  
 Potlatch Forest Holdings

**CLAPP, MARY S.**

2420 Lakeview Dr.  
 El Dorado, AR 71730  
 (870) 863-6776 (Home)  
 (870) 863-5068 (Business)  
 (870) 863-5156 (Fax)  
 444 (RF No.)  
 ces310@stevensforestry.com  
 President  
 Stevens Forestry Service, Inc.

**CLAPP JR., WILLARD D.**

2420 Lakeview Dr.  
 El Dorado, AR 71730  
 (870) 863-6776 (Home)  
 (318) 362-2546 (Business)  
 (318) 362-2411 (Fax)  
 578 (RF No.)  
 clappd@graphicpkg.com  
 Wood Procurement Superintendent  
 Graphic packaging International

**CLARK, SAMUEL W.**

---

4891 Pine Hill Rd  
Dover, AR 72837  
(Home)  
(479) 284-3150 (Business)  
(479) 284-2015 (Fax)  
918 (RF No.)  
samclark@fs.fed.us  
Forester  
USDA Forest Service

**CLINTON, CARL C.**

---

P.O. Box 463  
Sheridan, AR 72150  
(870) 942-2706 (Home)  
(501) 315-1296 (Business)  
(501) 778-1296 (Fax)  
204 (RF No.)  
wls@uplink.net  
Procurement Forester  
W.L.S. Sawmill, Inc.

**CLINTON, KENNETH D.**

---

808 Colonial Circle  
Heber Springs, AR 72543  
(501) 250-0575 (Home)  
(Business)  
(Fax)  
28 (RF No.)  
maclinton@sbcglobal.net  
Retired

**COFFMAN, LANCE A.**

---

2198 Hwy 240 W  
Caddo Gap, AR 71935  
(870) 356-3988 (Home)  
(870) 867-2101 (Business)  
(Fax)  
1028 (RF No.)  
lcoffman@fs.fed.us  
Forestry Technician  
USDA Forest Service

**COLE, TIMOTHY I.**

---

P.O. Box 733  
Haynesville, LA 71038  
(318) 624-2836 (Home)  
(318) 624-1155 (Business)  
(318) 624-1156 (Fax)  
453 (RF No.)  
talltimbercole@yahoo.com  
Forester  
Magnolia Pulpwood Co

**COLLINS, CHARLES A.**

---

890 Collins Rd  
Bauxite, AR 72011  
(501) 557-0070 (Home)  
(501) 282-2870 (Business)  
(501) 557-0070 (Fax)  
530 (RF No.)  
coocollins@yahoo.com  
Owner  
Charlie Collins Timberland Management

**COLLINS, CHARLES A.**

---

100 North Levee Rd  
Greenville, MS 38701  
(662) 332-4688 (Home)  
(501) 940-2040 (Business)  
(Fax)  
521 (RF No.)  
weatherwood2@yahoo.com  
Retired

**COOK JR., BERNARD JOHN**

---

192 Lower Dam Pike  
Arkadelphia, AR 71923  
(501) 337-3026 (Home)  
(870) 246-5372 (Business)  
(Fax)  
989 (RF No.)  
john.cook@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**COOK JR., ERNEST W.**

---

240 Columbia Rd. 254  
Taylor, AR 71861  
(870) 859-3345 (Home)  
(870) 859-3345 (Business)  
(870) 859-3303 (Fax)  
70 (RF No.)  
ewcook@centurytel.net  
EWC Forestry Consulting

**COOK, RUTH J.**

---

263 Union Church Rd.  
Seminary, MS 39479  
(601) 722-4696 (Home)  
(601) 545-3063 (Business)  
(601) 545-2902 (Fax)  
1007 (RF No.)  
rcook@molpus.com  
Director of Client Information & Reports  
Molpus Timberlands Mgt., LLC

**CORLEY, ROBERT J**

108 Kathy Lane  
Hot Springs, AR 71913  
(501) 767-6014 (Home)  
(501) 545-1115 (Business)  
(Fax)  
705 (RF No.)  
rjcorley@cablelynx.com  
Owner  
Corley Forestry Service

**CORMIER, CAMERON KENT**

828 West Snow Lane  
Alexander, AR 72002  
(501) 316-0675 (Home)  
(501) 312-9118 (Business)  
(501) 312-0121 (Fax)  
814 (RF No.)  
cormierforestry@aol.com  
President  
Cormier Forestry Service, Inc.

**COWSER, JAMES L.**

3454 Harris Rd.  
Lonsdale, AR 72087  
(Home)  
(870) 942-5125 (Business)  
(870) 942-5313 (Fax)  
189 (RF No.)  
jcowser@resourcemt.com  
District Manager  
Resource Management Services

**CRAIG, BILLY W.**

603 Opera St.  
Stamps, AR 71860  
(870) 533-2855 (Home)  
(870) 533-2855 (Business)  
(Fax)  
174 (RF No.)  
billy.craig@sbcglobal.net  
Retired

**CRAWFORD, CLIF S.**

27226 Hwy 67  
Malvern, AR 72104  
(501) 337-4392 (Home)  
(501) 337-4392 (Business)  
(Fax)  
211 (RF No.)  
clifcrawford@yahoo.com  
Consulting Forester

**CREWS, JONATHAN**

105 Nathan St  
Murfreesboro, AR 71958  
(870) 285-3662 (Home)  
(870) 285-5204 (Business)  
(Fax)  
979 (RF No.)  
crewsj71958@yahoo.com  
Forester/ Owner  
JAC Forestry

**CROOKS, BICKHAM L.**

13501 Adam Templet Rd  
Gonzales, LA 70737  
(225) 647-8165 (Home)  
(225) 751-3553 (Business)  
(225) 751-3543 (Fax)  
770 (RF No.)  
bcrooks@peters-fr.com  
Peters Forest Resources, Inc.

**CROWDER, RANDALL T.**

824 Beechwood Street  
Little Rock, AR 72205  
(870) 833-3214 (Home)  
(870) 836-9181 (Business)  
(870) 836-8141 (Fax)  
1029 (RF No.)  
forestry@me.com  
Manager  
Bragg Land Company

**CUMMINGS, TONY R.**

620 Cummings Lane  
Rison, AR 71665  
(870) 814-4491 (Home)  
(870) 325-7283 (Business)  
(870) 325-7926 (Fax)  
919 (RF No.)  
tc212@hotmail.com  
Forester  
Tri-W Logging

**CUNNINGHAM, KUTCHER K.**

5784 John Hancock Dr  
Benton, AR 72019  
(501) 416-9667 (Home)  
(501) 671-2145 (Business)  
(501) 671-2110 (Fax)  
1033 (RF No.)  
kcunningham@uaex.edu  
Extension Forester  
UA Cooperative Extension

**CURL, ERIC L.**

---

204 Altman Dr.  
Mountain View, AR 72560  
(870) 269-4531 (Home)  
(870) 269-3441 (Business)  
(870) 269-5007 (Fax)  
575 (RF No.)  
eric.curl@arkansas.gov  
Dirstrict Forester  
Arkansas Forestry Commission

**DABNEY ACF, GLEN E.**

---

P.O. Box 90  
Monticello, AR 71657  
(870) 460-9994 (Home)  
(870) 460-9994 (Business)  
(870) 460-9996 (Fax)  
293 (RF No.)  
gdabney@efsgeotech.com  
President  
Eagle Forestry Services, Inc

**DALE, DONALD W.**

---

167 Depot Ln.  
Jessieville, AR 71949  
(501) 984-5641 (Home)  
(Business)  
(Fax)  
14 (RF No.)  
dwdale@suddenlink.net  
Retired

**DANIELL, MICHAEL RAY**

---

10 Roane Road  
Arkadelphia, AR 71923  
(870) 230-1700 (Home)  
(870) 887-2746 (Business)  
(870) 887-2815 (Fax)  
895 (RF No.)  
michael.daniell@potlatchcorp.com  
Nevada County Manager  
Potlatch Corp.

**DAVIS, BRYAN C.**

---

1821 N. Tyler St.  
Little Rock, AR 72207  
(Home)  
(501) 219-8600 (Business)  
(501) 225-8607 (Fax)  
467 (RF No.)  
davisforestry@sbcglobal.net  
Principal  
Davis DuBose Forestry & Real Estate Consultants

**DAVIS, JERRY T.**

---

135 West Bolling  
Monticello, AR 71657  
(870) 367-3339 (Home)  
(Business)  
(Fax)  
65 (RF No.)  
jtdavis@ipa.net  
Retired  
Davis Forestry Service

**DAWSON III, JOHN H.**

---

189 Reynolds Rd  
Camden, AR 71701  
(870) 836-4475 (Home)  
(870) 231-6405 (Business)  
(870) 231-9770 (Fax)  
665 (RF No.)  
arkpulpwood@cablelynx.com  
Co-Owner/Vice President  
Arkansas Pulpwood Co., Inc.

**DAWSON JR., JOHN H.**

---

1192 Ouachita 4  
Camden, AR 71701  
(870) 836-7734 (Home)  
(870) 231-6405 (Business)  
(870) 231-9770 (Fax)  
608 (RF No.)  
arkpulpwood@cablelynx.com  
Owner/President  
Arkansas Pulpwood Co., Inc.

**DEAL, MITCHELL ALAN**

---

720 Columbia Rd 139  
Waldo, AR 71770  
(870) 304-7808 (Home)  
(870) 693-5555 (Business)  
(Fax)  
1039 (RF No.)  
mitchell\_deal@deltic.com  
Forester I  
Deltic Timber

**DEAN, JAMES R.**

---

2805 Trowbridge Dr  
Paragould, AR 72450  
(870) 236-2012 (Home)  
(870) 236-2012 (Business)  
(Fax)  
577 (RF No.)  
jamesrjimdean1951@att.net

**DECKER, WILLIAM LARRY**

P.O. Box 4648  
 Baton Rouge, LA 70821  
 (225) 342-4578 (Home)  
 (225) 219-9454 (Business)  
 (225) 342-5458 (Fax)  
 374 (RF No.)  
 larry.decker@la.gov  
 Surveyor 5  
 Louisiana State Land Office

**DENMAN, JEFF B.**

710 Bell  
 DeWitt, AR 72042  
 (870) 946-2514 (Home)  
 (870) 282-8248 (Business)  
 (870) 282-8234 (Fax)  
 324 (RF No.)  
 jeff\_denman@fws.gov  
 Supervisory Forester  
 U.S. Fish & Wildlife-White River NWR

**DENNISON, DRU A.**

586 Lost Creek Rd.  
 Shirley, AR 72153  
 (501) 723-8159 (Home)  
 (Business)  
 (Fax)  
 817 (RF No.)  
 zforesters@earthlink.net

**DIEHL II, JOHN J.**

2285 Benton Rd. Ste. D-201  
 Bossier City, LA 71111  
 (318) 741-9578 (Home)  
 (318) 742-7008 (Business)  
 (318) 742-7022 (Fax)  
 818 (RF No.)  
 j.diehl@att.net  
 Co-Owner  
 Diehl, Russell, & Gates Forestry, LLC

**DORUSKA, PAUL F.**

1831 Whispering Pine Drive  
 Plover, WI 54467  
 (715) 343-1761 (Home)  
 715-346-3988 (Business)  
 (Fax)  
 693 (RF No.)  
 pdoruska@uwsp.edu  
 Associate Professor:Forest Measurements  
 University of Wisconsin-Stevens Point

**DOUGLAS, JEREMY C.**

2601 Marston Rd  
 Tallahassee, FL 32308  
 (850) 591-2090 (Home)  
 (850) 617-2975 (Business)  
 (Fax)  
 712 (RF No.)  
 jcdouglas4@netscape.net  
 Manager  
 Florida Dept. of Highway Safety & Motor Vehicle

**DREYER, BRAD E.**

115 Elizabeth Lane  
 Texarkana, TX 75503  
 (903) 832-0560 (Home)  
 (870) 777-1361 (Business)  
 (870) 777-2812 (Fax)  
 480 (RF No.)  
 bdreyer@hnr.com  
 Forest Manager  
 Hancock Forest Management

**DUBOSE, PAT**

243 Buckland Circle  
 Little Rock, AR 72223  
 (501) 219-8600 (Home)  
 (501) 219-8600 (Business)  
 (501) 225-8607 (Fax)  
 938 (RF No.)  
 pdubose@sbcglobal.net  
 Principal  
 Davis DuBose Forestry & Real Estate Consultants

**DUFF III, DAVID S.**

1011 Bramlitt Lane  
 New Albany, MS 38652  
 (662) 534-8958 (Home)  
 (662) 534-3628 (Business)  
 (662) 534-7243 (Fax)  
 459 (RF No.)  
 dsduff3@hotmail.com  
 Consulting Forester  
 Mid-South Forestry, Inc.

**DUKE, JOHN STEPHEN**

520 W Garland St  
 Magnolia, AR 71753  
 (870) 234-4162 (Home)  
 (870) 234-2310 (Business)  
 (Fax)  
 732 (RF No.)  
 President  
 Peace Flooring Co., Inc.

**DURAN, JONATHAN D.**

---

11901 Pleasant Ridge Rd, #411  
Little Rock, AR 72223  
(501) 448-2112 (Home)  
(501)682-5764 (Business)  
(501)682-6077 (Fax)  
819 (RF No.)  
jonathan.duran@arkansas.gov  
GIS Analyst  
Arkansas Geographic Information Office

**EASLEY, CORY**

---

6725 MC 505  
Fouke, AR 71837  
(870) 653-6388 (Home)  
(870) 653-6500 (Business)  
(870) 653-6500 (Fax)  
920 (RF No.)  
cory.easley@yahoo.com  
Consultant/Owner  
CE Forestry Services

**ENDICOTT, RONALD L.**

---

231 Water Oak Circle  
Hot Springs, AR 71913  
(501) 262-9084 (Home)  
(501) 620-3769 (Business)  
(Fax)  
821 (RF No.)  
endicotter@wildblue.net  
Retired

**ENYART, DOUGLAS A.**

---

P.O. Box 176  
Piedmont, MO 63957  
(573) 223-2561 (Home)  
(573) 223-7010 (Business)  
(573) 223-2185 (Fax)  
822 (RF No.)  
cfc@semo.net  
Forester/Owner  
Clearwater Forest Consultants, LLC

**ESTES, DAN A.**

---

224 Vineyard Hills  
Malvern, AR 72104  
(501) 337-9320 (Home)  
(501) 681-9243 (Business)  
(Fax)  
238 (RF No.)  
danaestesforestry@gmail.com  
Forester  
Dan A. Estes Forestry, Inc.

**EVANS, STEVE R.**

---

506 S. Vancouver  
Russellville, AR 72801  
(479) 858-2884 (Home)  
(479) 489-5223 (Business)  
(479) 489-5170 (Fax)  
609 (RF No.)  
srevans@centurytel.net  
District Forester  
Deltic Timber Corp.

**FALLON, JONATHAN F.**

---

5725 Oakbrook  
Alexander, AR 72002  
(501) 847-0887 (Home)  
(501) 228-9900 (Business)  
(501) 228-9499 (Fax)  
733 (RF No.)  
jonathan@woodsonincorporated.com  
Vice President  
Woodson Inc.

**FARLEY, A. L. ALLEN**

---

977 Round Rock Rd.  
Russellville, AR 72802  
(479) 968-7771 (Home)  
(501) 354-2461 (Business)  
(501) 354-2047 (Fax)  
735 (RF No.)  
afarley@gbp.com  
Landowner Assistance Forester  
Green Bay Packaging Inc.

**FELSMAN, JOSEPH R.**

---

6417 Calhoun 83  
Fordyce, AR 71742  
(870) 250-0511 (Home)  
(870) 687-3611 (Business)  
(870) 687-3712 (Fax)  
714 (RF No.)  
Management Forester  
Anthony Timberlands, Inc.

**FERGUSON, ROY D.**

---

137 Gone Fishin Ln.  
Mena, AR 71953  
(479) 243-9296 (Home)  
(479) 243-3885 (Business)  
(479) 394-1170 (Fax)  
946 (RF No.)  
realtreeforestry@gmail.com  
Forester  
Real-Tree Forestry Services

**FIELDS, CHAD**

515 Polk 36  
Hatfield, AR 71945  
(870) 389-6344 (Home)  
(870) 389-6023 (Business)  
(870) 389-6024 (Fax)  
947 (RF No.)  
fields@tirllc.com  
Pinnacle Forestry, LLC

**FINCHER, RONNY C.**

2682 Hibanks Rd  
El Dorado, AR 71730  
(870) 862-1193 (Home)  
(870) 310-1873 (Business)  
(870) 863-5922 (Fax)  
641 (RF No.)  
ronny.fischer@sbcglobal.net  
Procurement Forester  
El Dorado Timber

**FINZER, NICHOLAS E.**

206 Oakcrest  
Hot Springs, AR 71901  
(501) 624-6129 (Home)  
(Business)  
(Fax)  
823 (RF No.)  
nickfinzer@hotmail.com  
Forester  
Retired

**FORD, VICTOR L.**

604 Princeton Drive  
Hope, AR 71801  
(870) 729-9282 (Home)  
(870) 777-9702 (Business)  
(870) 777-8441 (Fax)  
1048 (RF No.)  
vford@uaex.edu  
Director, SWREC  
University of Arkansas

**FOSTER, JAMES W.**

P.O. Box 1290  
Monticello, AR 71657  
(870) 367-2747 (Home)  
(870) 367-8567 (Business)  
(870) 367-8424 (Fax)  
101 (RF No.)  
jamesfoster@kingwoodforestry.com  
Forestry Consultant  
Kingwood Forestry Services, Inc.

**FOSTER, KENNETH L.**

105 Quail Run  
Silsbee, TX 77656  
(409) 385-2586 (Home)  
(409) 385-9332 (Business)  
(409) 385-2456 (Fax)  
190 (RF No.)  
kfooster-52950@sbcglobal.net  
Owner  
Foster-Ross Consulting Foresters

**FOUST, BRENT E.**

1402 Scenic Dr.  
Heber Springs, AR 72543  
(501) 362-7852 (Home)  
(501) 250-7111 (Business)  
(501) 206-0467 (Fax)  
438 (RF No.)  
foustforestry@sbcglobal.net  
Consultant  
Foust Forestry Management

**FOX, JOE S.**

89 Kingspark Road  
Little Rock, AR 72227  
(501) 954-7566 (Home)  
(501) 614-5089 (Business)  
(501) 663-8332 (Fax)  
234 (RF No.)  
jfox@tnc.org  
Director of Conservation Forestry  
The Nature Conservancy

**FRIEND, JOSEPH D.**

1206 Chestnut St.  
Crossett, AR 71635  
(870) 364-6764 (Home)  
(870) 367-6767 (Business)  
(870) 367-6484 (Fax)  
497 (RF No.)  
joe.friend@arkansas.gov  
District Forester  
Arkansas Forestry Commission

**FUREIGH, CHRIS M.**

2110 Foxtrail  
Benton, AR 72019  
(501) 303-7805 (Home)  
( ) - 0 (Business)  
(Fax)  
306 (RF No.)  
cmfureigh@att.net

**GALLOWAY, WILLIAM "RAY" R.**

---

2012 Laurel  
Texarkana, AR 71854  
(903) 824-7692 (Home)  
(903) 824-7692 (Business)  
(Fax)  
948 (RF No.)  
rgalloway13@gmail.com  
Owner  
Galloway Forestry Services

**GANN, BENTON J.**

---

1289 Salem Rd  
Junction City, AR 71749  
(870) 299-0658 (Home)  
(870) 881-9400 (Business)  
(870) 881-6456 (Fax)  
1051 (RF No.)  
benton\_gann@deltic.com  
Forester  
Deltic Timber Corp.

**GARNER, BEN G.**

---

364 Bradley 16  
Warren, AR 71671  
(870) 226-6292 (Home)  
(870) 226-4274 (Business)  
(870) 226-3484 (Fax)  
207 (RF No.)  
Ben.Garner@clearwaterpaper.com  
Fiber Supply & Sales Manager  
Clearwater Paper Corp.

**GARRETT, EDDIE J.**

---

62 Wedgeside Dr.  
Little Rock, AR 72210  
(501) 455-4432 (Home)  
(Business)  
(Fax)  
688 (RF No.)  
permian007@sbcglobal.net  
Retired

**GATES, RICHARD D.**

---

2285 Benton Rd Suite D-201  
Bossier City, LA 71111  
(318) 965-2737 (Home)  
(318) 742-7008 (Business)  
(318) 742-7002 (Fax)  
773 (RF No.)  
rickgates08@att.net  
Co-Owner  
Diehl, Russell, & Gates Forestry, LLC

**GILL, DOYLE E.**

---

324 Bradley 92  
Warren, AR 71671  
(870) 226-2780 (Home)  
(Business)  
(Fax)  
290 (RF No.)  
Retired

**GIVENS JR., EDWARD D.**

---

P.O. Box 723  
Bearden, AR 71720  
(870) 678-2448 (Home)  
(870) 687-3611 (Business)  
(870) 687-3712 (Fax)  
737 (RF No.)  
egivens@anthonytimberlands.com  
V-P Timberland Magement  
Anthony Timberlands, Inc.

**GIVENS, DANIEL E.**

---

1881 Dallas 201  
Sparkman, AR 71763  
(870) 678-2600 (Home)  
(870) 678-2600 (Business)  
(870) 678-2272 (Fax)  
826 (RF No.)  
antgiv@wndstream.net  
Owner  
G3 Logging, Inc.

**GLAZE, BENJAMIN SETH**

---

1005 Kari  
Sheridan, AR 72150  
(870) 833-2927 (Home)  
(870) 942-5125 (Business)  
(Fax)  
1014 (RF No.)  
sglaze@resourcemt.com  
Forester  
Resource Management Services

**GLAZE, DANIEL L.**

---

P.O. Box 783  
Camden, AR 71711  
(870) 836-0309 (Home)  
(870) 836-2207 (Business)  
(870) 837-2331 (Fax)  
271 (RF No.)  
greenpinetimber@att.net  
President/Owner  
Green Pine Timber Co., In

**GODSEY, WILLIAM C.**

410 Halleck Coach Road  
 Centerton, AR 72719  
 (479) 601-6115 (Home)  
 (479) 601-6115 (Business)  
 (479) 751-2260 (Fax)  
 579 (RF No.)  
 cgodsey@jbhtower.com  
 Environmental Manager  
 Northwest Arkansas Quarries, LLC

**GOLDMAN, KENNETH M.**

132 Chinquepin  
 Magnolia, AR 71753  
 (870) 234-1368 (Home)  
 (870) 693-5555 (Business)  
 (870) 693-5323 (Fax)  
 637 (RF No.)  
 mitch\_goldman@deltic.com  
 Procurement Forester  
 Deltic Timber Corp.

**GOODWIN, ROBERT BRIAN**

1817 Hillcrest  
 Magnolia, AR 71753  
 (870) 234-8667 (Home)  
 (870) 510-1740 (Business)  
 (870) 234-2317 (Fax)  
 921 (RF No.)  
 precisionforestry@suddenlink.net  
 Forestry Consultant  
 Precision Forestry, LLC

**GOSS, BENJAMIN C.**

2900 Osage Ave  
 Camden, AR 71701  
 (870) 353-7407 (Home)  
 (870) 353-7407 (Business)  
 (870) 353-6171 (Fax)  
 827 (RF No.)  
 benjamin.goss@gapac.com  
 Procurement Forester  
 Georgia Pacific

**GOSS, JONATHAN C.**

314 Walnut St.  
 Benton, AR 72015  
 (Home)  
 (501) 580-1963 (Business)  
 (Fax)  
 905 (RF No.)  
 County Forester  
 Arkansas Forestry Commission

**GRASSI, DAVID MICHAEL**

162 Barney Rush Rd  
 Deville, LA 71328  
 (318) 308-0569 (Home)  
 (318) 767-5531 (Business)  
 (318) 767-5693 (Fax)  
 896 (RF No.)  
 david.grassi@crestoperations.com  
 VP Timber Operations  
 Crest Natural Resources, Inc.

**GRAY, GLENN E.**

111 Hunters Court  
 Crossett, AR 71635  
 (870) 304-2511 (Home)  
 (870) 567-5198 (Business)  
 (870) 364-7511 (Fax)  
 642 (RF No.)  
 ggray@gapac.com  
 Group Procurement Manager  
 Georgia-Pacific Corp.

**GREEN, BOBBY LORNE**

#2 Creek Road  
 Morrilton, AR 72110  
 (501) 208-1222 (Home)  
 (501) 333-1247 (Business)  
 (501) 333-1248 (Fax)  
 610 (RF No.)  
 lorne\_green@deltic.com  
 District Forester  
 Deltic Timber Corp

**GREEN, HARRY RANDALL**

209 Evans Dr.  
 El Dorado, AR 71730  
 (870) 862-7673 (Home)  
 (Business)  
 (Fax)  
 332 (RF No.)  
 rlgreen@suddenlink.net

**GREEN, LACEY C.**

900 North Jackson  
 Magnolia, AR 71753  
 (870) 234-4920 (Home)  
 (870) 234-0777 (Business)  
 (870) 234-9726 (Fax)  
 738 (RF No.)  
 lacey\_green@thomastimber.com  
 Thomas Timber LLC

**GREENE, JOHN L.**

---

911 Odyssey Drive  
Durham, NC 27713  
(504) 232-1699 (Home)  
(919) 549-4093 (Business)  
(919) 549-4047 (Fax)  
259 (RF No.)  
jgreene01@fs.fed.us  
Research Forester  
USDA Forest Service-SRS

**GREGORY, MICHAEL D.**

---

245 Maggie Loop  
Pottsville, AR 72858  
(501) 215-0958 (Home)  
(479) 967-7577 (Business)  
(479) 967-5103 (Fax)  
990 (RF No.)  
mdgregory@agfc.state.ar.us  
Habitat Biologist  
Arkansas Game and Fish Commission

**GRESHAM, BILLY G.**

---

1702 W. Moore St.  
Heber Springs, AR 72543  
(501) 362-9498 (Home)  
(Business)  
(Fax)  
287 (RF No.)  
bg-jgresh@sbcglobal.net  
Retired

**GRILLO, CHRISTOPHER D.**

---

116 Ouachita 384  
Camden, AR 71701  
(870) 231-5697 (Home)  
(870) 231-6182 (Business)  
(870) 231-9826 (Fax)  
715 (RF No.)  
cgrillo1@yahoo.com  
Forester  
D & D Forestry, Inc

**GRILLO, DONALD M.**

---

106 Ouachita 523 Road  
Camden, AR 71701  
(870) 231-6182 (Home)  
(870) 231-6182 (Business)  
(870) 231-9826 (Fax)  
550 (RF No.)  
dgrillo@cei.net  
President  
D & D Forestry Inc.

**GRIMMETT, LARRY DOUG**

---

1278 Lacey-New Hope Rd.  
Monticello, AR 71655  
(870) 367-5706 (Home)  
(870) 818-1484 (Business)  
(870) 875-1658 (Fax)  
284 (RF No.)  
douggrimmnett@hughes.net  
Project Manager  
Larson & McGowin Inc

**GRISWOLD, HENRY C.**

---

610 NW 4th  
Bryant, AR 72022  
(501) 847-2980 (Home)  
(501) 562-7510 (Business)  
(501) 562-0564 (Fax)  
406 (RF No.)  
hcgriswold@att.net  
Sales  
Industrial Electronic Supply Inc

**GUERCIO, MICHAEL J.**

---

362 CR 109  
Emmet, AR 71835  
(870) 887-6105 (Home)  
(870) 379-3133 (Business)  
(870) 379-3134 (Fax)  
830 (RF No.)  
Forester  
Antoine Hardwoods Inc

**GUESS, JOSHUA A.**

---

123 Pin Oak Street  
Camden, AR 71701  
(870) 836-3523 (Home)  
(870) 887-2377 (Business)  
(Fax)  
922 (RF No.)  
joshua.guess@potlatchcorp.com  
Forester III  
Potlatch Corp.

**GUFFEY JR., CAROLL W.**

---

P.O. Box 612  
Sheridan, AR 72150  
(870) 942-3074 (Home)  
(870) 460-1549 (Business)  
(870) 460-1092 (Fax)  
385 (RF No.)  
guffey@uamont.edu  
Extension Forester  
U of A Cooperative Exte

**HACHTEL, ROBERT A.**

P.O. Box 11  
Mt. Enterprise, TX 75681  
(Home)  
(903) 822-3338 (Business)  
(903) 822-3338 (Fax)  
942 (RF No.)  
hap@sydcom.net  
Vice President  
CJT & Associates

**HALE JR., RALPH L.**

135 Ray Chapman Rd.  
Calhoun, LA 71225  
(318) 644-0501 (Home)  
(318) 651-6288 (Business)  
(318) 651-4558 (Fax)  
472 (RF No.)  
rhalejr@entergy.com  
O C Transmission  
Entergy

**HAMMETT, ALAN SCOTT**

4516 TX Hwy 43  
Bivins, TX 75555  
(903) 796-8451 (Home)  
(903) 796-8451 (Business)  
(903) 799-7437 (Fax)  
740 (RF No.)  
scott@hammettforest.com  
Consulting Forester  
Hammett Forest Management

**HAMMETT, GARY P.**

120 Charlie Rogers Rd  
El Dorado, AR 71730  
(870) 862-0034 (Home)  
(870) 862-8666 (Business)  
(870) 862-1146 (Fax)  
775 (RF No.)  
gphammet@gapac.com  
Procurement Forester  
Georgia-Pacific LLC

**HANLEY, STEPHEN H.**

3816 Woodburn  
Ruston, LA 71270  
(870) 310-5284 (Home)  
(318) 361-5602 (Business)  
(318) 361-5618 (Fax)  
614 (RF No.)  
steve.hanley@plumcreek.com  
Sr. Resource Manager  
Plum Creek Timber Co.

**HANSEN, KARL R.**

P.O. Box 701  
Fordyce, AR 71742  
(870) 352-7682 (Home)  
(870) 942-5125 (Business)  
(870) 942-5313 (Fax)  
690 (RF No.)  
khansen@resourcemt.com  
Area Technical Forester  
Resource Management Services

**HARDAGE, WC A.**

1638 Fendley Rd.  
Bismarck, AR 71929  
(501) 865-2874 (Home)  
(Business)  
(Fax)  
484 (RF No.)  
wcartimus@hotmail.com  
Retired

**HARDMAN, MICHAEL T.**

15 Holly St.  
Fordyce, AR 71742  
(870) 352-7015 (Home)  
(870) 687-3611 (Business)  
(Fax)  
834 (RF No.)  
trhardman@windstream.net  
Forester  
Anthony Timberlands, Inc.

**HARGRAVE, WADE C.**

1210 Rounds Rd.  
Batesville, AR 72501  
(870) 793-5693 (Home)  
(870) 793-5693 (Business)  
(Fax)  
981 (RF No.)  
wade@hargraveforestry.com  
Forest Manager - Consultant  
Hargrave Forestry Management Service

**HARPER, SEAN P.**

16603 Patterson Rd  
Pea Ridge, AR 72751  
(479) 451-0141 (Home)  
(479) 636-1210 (Business)  
(501) 324-5472 (Fax)  
664 (RF No.)  
sean.p.harper@usace.army.mil  
Operations Project Manager  
U.S. Corps of Engineers

**HARRINGTON, JOSEPH N.**

---

396 South Bowser Rd.  
Monticello, AR 71655  
(870) 367-5893 (Home)  
(Business)  
(Fax)  
585 (RF No.)  
joesph.harrington@att.net  
retired

**HARRIS, DON C.**

---

P.O. Box 711  
Fordyce, AR 71742  
(870) 352-8524 (Home)  
(870) 352-2061 (Business)  
(Fax)  
504 (RF No.)  
harrism@windstream.net  
Owner  
Harris Timberland Management

**HARTLEY, JONATHAN**

---

2286 Old Warren Road  
Wilmar, AR 71675  
(870) 367-5927 (Home)  
(870) 460-1642 (Business)  
(870) 460-1092 (Fax)  
982 (RF No.)  
hartley@uamont.edu  
Program Technician  
UAM

**HAUSMAN, LOU F.**

---

60 CR 134  
Bono, AR 72416  
(870) 378-5099 (Home)  
(877) 972-5438 (Business)  
(870) 972-5834 (Fax)  
509 (RF No.)  
lhausman@agfc.state.ar.us  
Habitat Manager  
Arkansas Game & Fish Commission

**HAY, GREG L.**

---

P.O. Box 10192  
Conway, AR 72034  
(501) 336-8553 (Home)  
(501) 908-2255 (Business)  
(501) 336-8692 (Fax)  
279 (RF No.)  
ghay@cellfor.com  
Western Region Manager  
Cell For Corporation

**HAZELWOOD, MELVIN L.**

---

427 Flowers  
Fordyce, AR 71742  
(870) 352-5943 (Home)  
(870) 687-3611 (Business)  
(Fax)  
581 (RF No.)  
poppyandgee@gmail.com  
Management Forester  
Anthony Timberlands, Inc.

**HEBERT, D. BRIAN**

---

5324 N. Wyatt Dr.  
El Dorado, AR 71730  
(870) 639-3550 (Home)  
(870) 814-4222 (Business)  
(870) 546-2447 (Fax)  
310 (RF No.)  
pftrees@yahoo.com  
Owner  
Professional Forestry Services

**HEFLEY JR., JAMES O.**

---

110 Jones Lane  
Rison, AR 71665  
(870) 325-7560 (Home)  
(870) 245-2169 (Business)  
(870) 245-2169 (Fax)  
386 (RF No.)  
clarktimber@ioccc.com  
Timberlands Manager  
Clark Timberlands

**HEISKELL, ALAN R.**

---

2401 Whitehall Park Dr, St1100  
Charlotte, NC 28273  
(912) 655-8186 (Home)  
(704) 527-6780 (Business)  
(704) 527-6780 (Fax)  
222 (RF No.)  
alan.heiskell@amforem.biz  
Manager, Forest Information Systems  
American Forest Management

**HENDRIX, GLEN W.**

---

6001 Farm Lane  
Pine Bluff, AR 71603  
(870) 879-0453 (Home)  
(870) 541-5068 (Business)  
(870) 541-5063 (Fax)  
400 (RF No.)  
ghendrix@pbmill.com  
Purchasing Manager  
Delta Natural Kraft

**HENDRIX, PHILLIP R.**

15676 St. Hwy. 154  
Danville, AR 72833  
(479) 567-8888 (Home)  
(501) 354-2461 (Business)  
(501) 354-2047 (Fax)  
691 (RF No.)  
rhendrix@gbp.com  
Procurement Manager  
Green Bay Packaging

**HERBERG, CARL B.**

195 Peter Alan Dr.  
Wake Village, TX 75501  
(903) 832-9980 (Home)  
(903) 831-5200 (Business)  
(903) 831-9988 (Fax)  
739 (RF No.)  
cherberg@kingwoodforestry.com  
Vice President  
Kingwood Forestry Services, Inc.

**HICKIE, KEVIN A.**

1594 Niagara Street  
Springdale, AR 72762  
(479) 751-4985 (Home)  
(479) 442-8627 (Business)  
(479) 442-2117 (Fax)  
636 (RF No.)  
kevin.hickie@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**HICKS, LEONARD G.**

27 Cloverhill  
Warren, AR 71671  
(870) 226-6905 (Home)  
(870) 820-7494 (Business)  
(Fax)  
228 (RF No.)  
leoghicks@sbcglobal.net

**HILTON, ANDREW P.**

285 Garnett Rd.  
Monticello, AR 71655  
(870) 723-4443 (Home)  
(870) 367-8564 (Business)  
(870) 367-1432 (Fax)  
1040 (RF No.)  
ahilton\_21@yahoo.com  
Procurement Forester  
Silvicraft Inc

**HILTON, JAY P.**

134 Allen Drive  
Monticello, AR 71655  
(870) 367-2897 (Home)  
(870) 367-8564 (Business)  
(870) 367-3247 (Fax)  
583 (RF No.)  
silvijph@ccc-cable.net  
Vice President  
Silvicraft Inc.

**HOBART, SAM L.**

902 Viney Ridge  
Clarksdale, MS 38614  
(662) 624-5075 (Home)  
(662) 624-4397 (Business)  
(662) 624-2450 (Fax)  
437 (RF No.)  
zappy@cableone.net  
Forester  
Yazoo-Miss Delta Levee Board

**HOGUE, ANTHONY R.**

2173 Florence Road  
Monticello, AR 71655  
(870) 460-9925 (Home)  
(870) 820-2694 (Business)  
(870) 226-3484 (Fax)  
908 (RF No.)  
tony.hogue@clearwaterpaper.com  
Wood Flow & Marketing Rep.  
Clearwater Paper Corp

**HOLT, JON D.**

15196 Aubrey Long Rd.  
Gentry, AR 72734  
(479) 736-3128 (Home)  
(479) 271-9252 (Business)  
(479) 271-8627 (Fax)  
501 (RF No.)  
dholt@egis-env.com  
Executive Vice President  
EGIS, Inc.

**HOMESLEY, CRAIG R.**

920 Rash Manor Ct.  
Westminster, MD 21157  
(410) 840-8957 (Home)  
(410) 962-4944 (Business)  
(Fax)  
300 (RF No.)  
craighomesley@comcast.net  
Supervisory Realty Specialist  
U. S. Army Corps of Engineers

**HOOVER, ROBERT DOY**

---

123 Union 714  
El Dorado, AR 71730  
(870) 546-3666 (Home)  
(870) 881-6447 (Business)  
(870) 881-6456 (Fax)  
613 (RF No.)  
Retired

**HORN, CLINTON R.**

---

308 N. Bradley Rd.  
Warren, AR 71671  
(870) 226-6966 (Home)  
(870) 226-7520 (Business)  
(870) 226-7599 (Fax)  
654 (RF No.)  
clint.horn@sbcglobal.net  
President  
Timber Logistics, Inc.

**HOUSTON, RANDY D.**

---

1835 Hwy 79 N.  
Fordyce, AR 71742  
(870) 352-5688 (Home)  
(870) 687-3611 (Business)  
(Fax)  
838 (RF No.)  
District Forester  
Anthony Timberlands, Inc.

**HOYLE, KEVIN W.**

---

940 Banks Rd.  
New Edinburg, AR 71660  
(870) 352-8879 (Home)  
(870) 352-7500 (Business)  
(870) 352-8247 (Fax)  
675 (RF No.)  
kevin.hoyle@plumcreek.com  
Resource Forester  
Plum Creek Timber Co.

**HRABAL, DONALD L.**

---

1756 Dallas 131  
Bearden, AR 71720  
(870) 352-8848 (Home)  
(870) 367-5311 (Business)  
(870) 367-3213 (Fax)  
923 (RF No.)  
dhrabal@campbellgroup.com  
Forester  
The Campbell Group LLC

**HUMPHRIES, KEITH A.**

---

Box 4202, Hwy 273  
Bearden, AR 71720  
(870) 352-7294 (Home)  
(870) 687-3611 (Business)  
(870) 687-3712 (Fax)  
741 (RF No.)  
Procurement Forester  
Anthony Timberlands, Inc.

**HUNT, DAVID W.**

---

725 Cedar Grove Rd.  
Arkadelphia, AR 71923  
(870) 246-6451 (Home)  
(870) 246-9881 (Business)  
(870) 246-9674 (Fax)  
564 (RF No.)  
david@rossfoundation.us  
Sr. Forester  
Ross Foundation

**HURST, RODNEY D.**

---

P.O. Box 60  
Beirne, AR 71721  
(870) 353-4003 (Home)  
(870) 353-6200 (Business)  
(870) 353-6202 (Fax)  
716 (RF No.)  
rodneyhurst@yahoo.com  
Forester/Owner  
Little Missouri Land & Timber

**JACKS, LANCE STEVEN**

---

400 Sawtooth Creek  
Rison, AR 71665  
(870) 718-2791 (Home)  
(870) 460-1590 (Business)  
(Fax)  
1025 (RF No.)  
jacks1@uamont.edu  
Program Technician  
UAM

**JACKSON, CHRISTOPHER R.**

---

146 Whittlers Notch  
El Dorado, AR 71730  
(870) 875-2896 (Home)  
(870) 863-5068 (Business)  
(870) 863-5156 (Fax)  
776 (RF No.)  
ryan@stevensforestry.com  
Forester  
Stevens Forestry Service

**JACKSON, MITCHELL L.**

848 Quarry St  
Lamar, AR 72846  
(479) 774-2864 (Home)  
(479) 754-2741 (Business)  
(479) 754-2701 (Fax)  
615 (RF No.)  
mitchell.jackson@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**JAMES, MICHAEL L.**

499 Alpine Dr.  
Malvern, AR 72104  
(501) 844-4508 (Home)  
(501) 332-7220 (Business)  
(501) 332-2314 (Fax)  
198 (RF No.)  
Chief Forester-Company Lands  
Anthony Timberlands, Inc.

**JERRY, MALCOLM B.**

516 W. Holly Rd.  
Junction City, AR 71749  
(870) 924-5724 (Home)  
(870) 863-7051 (Business)  
(870) 864-0798 (Fax)  
777 (RF No.)  
malcolm.jerry@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**JOHNS, DANIEL S.**

P.O. Box 301  
Imboden, AR 72434  
(770) 286-5479 (Home)  
(870) 869-2176 (Business)  
(Fax)  
949 (RF No.)  
forester555@hotmail.com  
County Forester  
Arkansas Forestry Commission

**JOHNSON, ERIC S.**

1328 SFC 102  
Palestine, AR 72372  
(870) 581-2412 (Home)  
(870) 270-6558 (Business)  
(Fax)  
527 (RF No.)  
ejforester@yahoo.com  
Consulting Forester  
EDEA LLC

**JOHNSON, JOHN A.**

25 Dallas 424  
Carthage, AR 71725  
(870) 254-2733 (Home)  
(870) 403-3885 (Business)  
(870) 352-8389 (Fax)  
676 (RF No.)  
andy@green-trees.com  
Landowner Relations -Arkansas  
GreenTrees LLC

**JOHNSON, MATTHEW B.**

514 Bruce Circle  
Lake Charles, LA 70611  
(352) 213-2238 (Home)  
(337) 598-2216 (Business)  
(Fax)  
897 (RF No.)  
matthew\_johnson@fws.gov  
Fire Management Officer  
U.S. Fish and Wildlife Service

**JOHNSTON, GEORGE E.**

205 Thunder Rd.  
Hot Springs, AR 71913  
(501) 525-2493 (Home)  
(Business)  
(Fax)  
616 (RF No.)  
g-johnston@att.net

**JOLLEY, JAMES R.**

499 Rock Ridge Rd.  
Little Rock, AR 72210  
(501) 749-3160 (Home)  
(501) 296-1865 (Business)  
(501) 296-1949 (Fax)  
557 (RF No.)  
jim.jolley@arkansas.gov  
GIS/Legacy Forester  
Arkansas Forestry Commission

**JONES, BARBARA E.**

P.O. Box 354  
Dierks, AR 71833  
(870) 286-5641 (Home)  
(870) 286-4392 (Business)  
(870) 286-4370 (Fax)  
841 (RF No.)  
barbara.jones@weyerhaeuser.com  
Harvest Planner  
Weyerhaeuser Co.

**JONES, TIMOTHY E.**

---

18676 Sugar Rd  
Andalusia, AL 36420  
(334) 222-2276 (Home)  
(334) 222-2555 (Business)  
(Fax)  
924 (RF No.)  
tejones@fs.fed.us  
Forester  
Conecuh National Forest

**JORDAN, PATTON H.**

---

274 Tracy  
Monticello, AR 71655  
(870) 818-6968 (Home)  
(870) 747-3339 (Business)  
(Fax)  
843 (RF No.)  
phjordan01@yahoo.com  
Procurement Forester  
T & S Sawmill

**KELLEY, SHAWN M.**

---

186 Keith Rd.  
Searcy, AR 72143  
(501) 305-3045 (Home)  
(501) 362-3958 (Business)  
501-362-3243 (Fax)  
454 (RF No.)  
skelley@gbp.com  
Procurement Forester  
Green Bay Packaging Inc.

**KIBE, TIMOTHY F.**

---

267 Riverview Road  
Morrilton, AR 72110  
(501) 354-3635 (Home)  
(501) 354-2461 (Business)  
(501) 354-2047 (Fax)  
587 (RF No.)  
tkibe@gbp.com  
Land Mgt. Forester  
Green Bay Packaging Inc.

**KINDLE, S. LEE**

---

2507 Hwy 278 West  
Camden, AR 71701  
(870) 837-1978 (Home)  
(870) 836-9181 (Business)  
(870) 836-8141 (Fax)  
535 (RF No.)  
slkindle@gmail.com  
Forester  
Bragg Land Co.

**KLUENDER, RICHARD A.**

---

346 Becky Boulevard  
Russellville, AR 72802  
(479) 280-1718 (Home)  
(479) 280-1718 (Business)  
(Fax)  
844 (RF No.)  
kluender@uamont.edu  
Principal  
Richard Kluender & Associates

**KOCH JR., LUCIOUS E.**

---

839 Hendrix Rd.  
Greenwood, AR 72936  
(479) 996-4687 (Home)  
(479) 928-4688 (Business)  
(479) 928-4688 (Fax)  
589 (RF No.)  
lou.koch@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**LAENGER, WILLIAM K.**

---

1398 Speights Road  
Keatchie, LA 71046  
(318) 697-5084 (Home)  
(318) 429-1444 (Business)  
(318) 429-1125 (Fax)  
846 (RF No.)  
keith.laenger@regions.com  
Louisiana Manager & Sr. Forester  
Regions Bank-Trust Natural Resources

**LAND, LARRY K.**

---

707 Patton Dr.  
Crossett, AR 71635  
(870) 364-4859 (Home)  
(870) 510-5285 (Business)  
(Fax)  
778 (RF No.)  
lknute@windstream.net  
LKL Forestry, Inc.

**LANE, LAWRENCE (SAM) A.**

---

282 Union Cem. Rd  
Marion, LA 71260  
(318) 292-4603 (Home)  
(318) 361-5605 (Business)  
(318) 361-5618 (Fax)  
779 (RF No.)  
sam.lane@plumcreek.com  
Senior Resource Forester  
Plum Creek Marketing, Inc

**LANGFORD, BARTON D.**

13907 Heinke Rd  
 Mabelvale, AR 72103  
 (501) 407-9005 (Home)  
 (870) 814-4097 (Business)  
 (Fax)  
 255 (RF No.)  
 lpfs1@sbcglobal.net  
 Owner  
 Langford Professional Forestry Services

**LAUNIUS, LOWELL G.**

P.O. Box 1126  
 Monticello, AR 71657  
 (870) 367-2715 (Home)  
 (870) 723-4996 (Business)  
 (870) 367-8309 (Fax)  
 742 (RF No.)  
 lglaunius@yahoo.com  
 President  
 J & L Timber Timber Company, Inc.

**LAWRENCE, PAUL G.**

100 Deerfield Farm  
 Columbia, MS 39429  
 (601) 731-6480 (Home)  
 (601) 731-6480 (Business)  
 (601) 731-9944 (Fax)  
 966 (RF No.)  
 lawrenceforestry@bellsouth.net  
 President  
 Lawrence Forestry, Inc.

**LEISTER, RANDALL L.**

22125 Col. Glenn Rd.  
 Little Rock, AR 72210  
 (501) 821-3609 (Home)  
 (501) 412-8934 (Business)  
 (Fax)  
 103 (RF No.)  
 rlcsleister@aol.com  
 Retired

**LENOCKER, BRYANT CRAIG**

298 Colbert Street East  
 Collierville, TN 38017  
 (901) 861-3838 (Home)  
 (901) 651-1102 (Business)  
 (Fax)  
 244 (RF No.)  
 b.lenocker@gmail.com  
 Owner  
 Global Forest Solutions

**LEVINS, ROBERT R.**

215 West Blake H Lane  
 Beebe, AR 72012  
 (501) 882-6042 (Home)  
 (Business)  
 (Fax)  
 848 (RF No.)  
 bobl1531@aol.com  
 Retired

**LIECHTY, HAL O.**

204 W. Jackson  
 Monticello, AR 71655  
 (870) 460-1452 (Home)  
 (870) 460-1452 (Business)  
 (870) 460-1452 (Fax)  
 744 (RF No.)  
 liechty@uamont.edu  
 Assistant Professor, Scho  
 University of Arkansas-Mo

**LINGO, REUBEN JERRY**

1109 Tollett Rd.  
 New Hope, AR 71959  
 (870) 583-2381 (Home)  
 (Business)  
 (Fax)  
 850 (RF No.)  
 jerry1109@windstream.net

**LITTERST, DAVID R.**

309 S. Bock  
 Broken Bow, OK 74728  
 (580) 584-3431 (Home)  
 (580) 584-3351 (Business)  
 (580) 584-3352 (Fax)  
 152 (RF No.)  
 david.litterst@oda.state.ok.us  
 District Forester  
 Oklahoma Forestry Services

**LIVINGSTON, JOSEPH M.**

2439 Hwy 65 North  
 Dermott, AR 71638  
 (870) 538-3940 (Home)  
 (870) 538-8216 (Business)  
 (870) 538-3533 (Fax)  
 644 (RF No.)  
 livingstonforestry@gmail.com  
 Forestry Consultant

**LIVINGSTON, PHILLIP GORDON**

---

1018 Stevens Dr.  
Sheridan, AR 72150  
(870) 942-1899 (Home)  
(870) 210-6392 (Business)  
(Fax)  
926 (RF No.)  
livingstonphil2000@yahoo.com  
Forester

**LOCKHART, BRIAN R.**

---

738 Airport Rd.  
Lake Village, AR 71653  
(662) 931-2772 (Home)  
(662) 686-3171 (Business)  
(662) 686-3195 (Fax)  
463 (RF No.)  
blockhart@hughes.net  
Research Forester  
USDA Forest Service SRS

**LOOMIS, ROBIN J.**

---

555 Hwy 278 W.  
Warren, AR 71671  
(870) 226-6881 (Home)  
(870) 226-1209 (Business)  
(870) 226-2182 (Fax)  
447 (RF No.)  
rob.loomis@potlatchcorp.com  
Sr. Resource Forester  
Potlatch Corp.

**LOTT, RAY**

---

P.O. Box 1845  
Texarkana, AR 75504  
(903) 733-7259 (Home)  
(903) 792-4465 (Business)  
(903) 792-4465 (Fax)  
432 (RF No.)  
raylott@cablone.net  
Consulting Forester-Realtor  
Ray Lott & Associates, Inc.

**LOWRY, JEFFREY A.**

---

120 Winsome Dr.  
Malvern, AR 72104  
(501) 337-4039 (Home)  
(Business)  
(870) 325-7926 (Fax)  
851 (RF No.)  
jlforestry72@yahoo.com  
Procurement Forester  
Tri-W Logging

**LYNN, JERRY R.**

---

620 Elkins Rd  
White Hall, AR 71602  
(870) 247-3963 (Home)  
(870) 267-0133 (Business)  
(870) 267-0133 (Fax)  
247 (RF No.)  
jerry.lynn@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**MADDOX, BRIAN D.**

---

75 Black Foot Dr  
Cherokee Village, AR 72529  
(636) 208-0455 (Home)  
(870) 847-5150 (Business)  
(870) 994-2160 (Fax)  
1042 (RF No.)  
brian.maddox@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**MALLARD, DAVID W.**

---

622 E. Pope  
Taylor, AR 71861  
(318) 453-3956 (Home)  
(870) 859-3626 (Business)  
(870) 859-9629 (Fax)  
493 (RF No.)  
david479@centurytel.net  
Land and Timber Manager  
Smith-Turner Land Co. LLC

**MALLETTE, ALLEN R.**

---

266 Johnson Bridge Rd.  
DeQueen, AR 71832  
(870) 584-4725 (Home)  
(870) 584-4725 (Business)  
(870) 642-2788 (Fax)  
371 (RF No.)  
amallette@windstream.net  
President  
Mallette Forestry, Inc.

**MALLETTE, LARRY G.**

---

110 Kathy Lane  
Hot Springs, AR 71913  
(501) 767-4653 (Home)  
(501) 767-4653 (Business)  
(501) 214-8832 (Fax)  
781 (RF No.)  
lmallette65@att.net  
Consultant  
Mallette Forestry Inc.

**MARSH II, JEFF R.**

1637 Reed  
 Malvern, AR 72104  
 (870) 818-7939 (Home)  
 (501) 332-7200 (Business)  
 (501) 332-2314 (Fax)  
 372 (RF No.)  
 jeffmarshati@yahoo.com  
 Logging & Timber Procurement  
 Anthony Timberlands, Inc.

**MARSHALL, JACK D.**

1116 West Main  
 El Dorado, AR 71730  
 (870) 866-1735 (Home)  
 (870) 881-6446 (Business)  
 (870) 881-6456 (Fax)  
 853 (RF No.)  
 david\_marshall@deltic.com  
 District Forester  
 Deltic Timber Corp.

**MARTER, MICHAEL ELLIOT**

4 Coachlight Cir  
 Little Rock, AR 72227  
 (870) 818-6788 (Home)  
 (501) 219-8600 (Business)  
 (501) 225-8607 (Fax)  
 1037 (RF No.)  
 mmarter@davisforestry.com  
 GIS Specialist  
 Davis DuBose Forestry and Real Estate Consultants

**MCALPINE, HAROLD F.**

197 Christmas Tree Lane  
 Bismarck, AR 71929  
 (501) 865-3731 (Home)  
 (501) 865-3731 (Business)  
 (501) 865-3731 (Fax)  
 618 (RF No.)  
 bobbiemcalpine@yahoo.com  
 Owner  
 Harold McAlpine Consulting

**MCALPINE, JOHN F.**

P.O. Box 1290  
 Monticello, AR 71657  
 (870) 367-9450 (Home)  
 (870) 367-8567 (Business)  
 (870) 367-8424 (Fax)  
 717 (RF No.)  
 jmc Alpine@kingwoodforestry.com  
 Forester  
 Kingwood Forestry Services, Inc.

**MCATEER, SHANE M.**

761 Columbia 47  
 Magnolia, AR 71753  
 (870) 245-6265 (Home)  
 (870) 245-6265 (Business)  
 (870) 246-8745 (Fax)  
 898 (RF No.)  
 mcateersm@hotmail.com  
 President  
 McAteer Natural Resource Management Co.

**MCBRIDE, DONALD C.**

1915 Summerbrook Dr.  
 Conway, AR 72034  
 (Home)  
 (501) 296-1940 (Business)  
 (501) 296-1949 (Fax)  
 536 (RF No.)  
 don.mcbride@arkansas.gov  
 Assistant State Forester- Protection  
 Arkansas Forestry Commission

**MCCALL, BARRETT B.**

4535 Kingsway Drive  
 Mobile, AL 36608  
 (251) 433-6537 (Home)  
 (251) 438-4581 (Business)  
 (251) 438-4604 (Fax)  
 1044 (RF No.)  
 bmccall@larsonmcgowin.com  
 President  
 Larson & McGowin, Inc

**MCCANTS III, ARTHUR W.**

P.O. Box 1332  
 Camden, AR 71711  
 (870) 837-2937 (Home)  
 (870) 231-6405 (Business)  
 (870) 231-9770 (Fax)  
 854 (RF No.)  
 amccants@cablelynx.com  
 Forester  
 Arkansas Pulpwood Co., Inc.

**MCCLENDON, ROGER H.**

78 Dallas 125  
 Fordyce, AR 71742  
 (870) 352-3845 (Home)  
 (870) 352-6177 (Business)  
 (870) 352-8389 (Fax)  
 502 (RF No.)  
 RMCCLEND@gapac.com  
 Procurement Forester  
 Georgia-Pacific Corp.

**MCCOY, E. WESLEY**

---

354 Willis Street  
Monticello, AR 71655  
(870) 367-5577 (Home)  
(Business)  
(Fax)  
54 (RF No.)  
Retired

**MCELROY, DONALD L.**

---

4333 Hwy 376 S  
Louann, AR 71751  
(870) 231-5738 (Home)  
(870) 687-3611 (Business)  
(Fax)  
855 (RF No.)  
District Forester  
Anthony Timberlands, Inc.

**MCFARLAND, ROBERT J.**

---

3 Neal Street  
Bryant, AR 72022  
(501) 847-3922 (Home)  
(Business)  
(Fax)  
239 (RF No.)  
robertjmcFarland@yahoo.com

**MCGREW, ROY G.**

---

713 Puckett Lk. Rd.  
West Monroe, LA 71292  
(318) 396-9375 (Home)  
(318) 396-9375 (Business)  
(Fax)  
746 (RF No.)  
rmcgrew@smurfit.com  
Area Resource Manager  
Smurfit Stone Container Corp

**MCKAY, SEAN F.**

---

403 Country Club  
Benton, LA 71006  
(318) 965-4815 (Home)  
(318) 797-1546 (Business)  
(318) 797-1545 (Fax)  
910 (RF No.)  
jandsmckay@bellsouth.net  
Forestry & Wildlife Consultant  
The Crawford Forestry Group, Inc.

**MCKINNEY, GARY K.**

---

45 Bird Dog Lane  
Plummerville, AR 72127  
(501) 354-4489 (Home)  
(501) 354-2461 (Business)  
(Fax)  
658 (RF No.)  
gmckinne@gbp.com  
Land Department Manager  
Green Bay Packaging Inc.

**MCLELLAN, JOHN L.**

---

3975 Fawn Trail  
Greenwood, AR 72936  
(479) 629-8900 (Home)  
(479) 928-2036 (Business)  
(479) 928-5004 (Fax)  
694 (RF No.)  
john\_forester1@yahoo.com  
Procurement Manager  
Travis Lumber Company, In

**MERRELL, DREW C.**

---

P.O. Box 323  
Monticello, AR 71657  
(870) 367-0252 (Home)  
(870) 367-8564 (Business)  
(870) 367-3247 (Fax)  
591 (RF No.)  
Procurement Forester  
Silvcraft, Inc.

**METCALF, JAMES L.**

---

3245 Eagle Dr.  
Greenwood, AR 72936  
(479) 459-2374 (Home)  
(479) 667-7393 (Business)  
(479) 996-5309 (Fax)  
592 (RF No.)  
mudcat1932@yahoo.com  
Procurement Forester  
Deltic Timber Corporation

**MEYERS, RAYMOND (GENE) E.**

---

262 Bird Dog Cr.  
Crockett, TX 75835  
(936) 544-4803 (Home)  
(936) 544-4803 (Business)  
(Fax)  
67 (RF No.)  
gmeyers@windstream.net  
General Partner & Owner  
4M Tree Farms

**MILBURN, STEPHEN SCOTT**

912 Rock Springs Rd.  
 Wilmar, AR 71675  
 (870) 367-8703 (Home)  
 (870) 881-6461 (Business)  
 (870) 881-6456 (Fax)  
 221 (RF No.)  
 scott\_milburn@deltic.com  
 General Manager-Woodlands  
 Deltic Timber Corporation

**MILLER, DAVID W.**

2900 Mt. Holly Rd.  
 El Dorado, AR 71730  
 (870) 862-8839 (Home)  
 (870) 863-5068 (Business)  
 (870) 863-5156 (Fax)  
 950 (RF No.)  
 bawana73@yahoo.com  
 Part-time Forester  
 Stevens Forestry Service

**MITCHELL, MICHAEL C.**

#12 Bright Rd.  
 Conway, AR 72032  
 (501) 329-0713 (Home)  
 (501) 680-4539 (Business)  
 (501) 329-0790 (Fax)  
 201 (RF No.)  
 mikem@devereuxassoc.com  
 Owner/President  
 Devereux & Associates, LLC

**MONK, JIMMIE W.**

2158 Highway 606  
 St. Joseph, LA 71366  
 (318) 766-3111 (Home)  
 (501) 690-3597 (Business)  
 (Fax)  
 342 (RF No.)  
 01forester@yahoo.com  
 President  
 Habitat Restorations, Inc

**MONTGOMERY, REBECCA**

940 Moore's Church  
 Rison, AR 71665  
 (870) 325-7583 (Home)  
 (501) 296-1998 (Business)  
 (501) 296-1949 (Fax)  
 713 (RF No.)  
 rebecca.montgomery@arkansas.gov  
 Executive Director  
 Arkansas Board of Registration for Foresters

**MONTGOMERY, WILLIAM E.**

940 Moore's Church  
 Rison, AR 71665  
 (870) 325-7583 (Home)  
 (870) 836-5882 (Business)  
 (870) 836-7516 (Fax)  
 718 (RF No.)  
 ed.montgomery@arkansas.gov  
 Poison Springs State Forest Manager  
 Arkansas Forestry Commission

**MONTGOMERY, WILLIAM G.**

710 Hamilton Lane  
 Russellville, AR 72802  
 (870) 820-0835 (Home)  
 (479) 489-5223 (Business)  
 (Fax)  
 261 (RF No.)  
 Procurement Manager  
 Deltic Timber Corp

**MOONEY, RANDY L.**

P.O. Box 172  
 Sheridan, AR 72150  
 (870) 942-2808 (Home)  
 (870) 942-2808 (Business)  
 (Fax)  
 52 (RF No.)  
 randkmooney@windstream.net  
 Retired  
 Mooney Forestry Service, Inc

**MORGAN III, JOHN L.**

3993 Southfield Road  
 El Dorado, AR 71730  
 (870) 863-3265 (Home)  
 (870) 862-6700 (Business)  
 (870) 862-6704 (Fax)  
 448 (RF No.)  
 jmorgan@molpus.com  
 Division Forester  
 Molpus Timberlands Management, LLC

**MORGAN, ALLEN C.**

PO Box 821  
 Arkadelphia, AR 71923  
 (870) 366-4233 (Home)  
 (870) 246-6300 (Business)  
 (870) 246-6319 (Fax)  
 399 (RF No.)  
 allenm@hunter-wasson.com  
 President  
 Hunter-Wasson, Inc.

**MORGAN, JOE M.**

---

621 E. Mt. Zion  
Monticello, AR 71655  
(870) 460-0883 (Home)  
(870) 226-2727 (Business)  
(Fax)  
951 (RF No.)  
joe\_morgan@deltic.com  
District Forester  
Deltic Timber Corporation

**MORPHEW, JAMES E.**

---

1501 Dollar Rd.  
Glenwood, AR 71943  
(870) 356-3731 (Home)  
(870) 356-3731 (Business)  
(870) 356-3731 (Fax)  
477 (RF No.)  
jimmorphew@alltell.net  
Owner  
J-K Company, Land Consultants

**MORRIS, LARRY L.**

---

1445 Cold Creek Ln.  
Cave City, AR 72521  
(870) 283-6646 (Home)  
(Business)  
(Fax)  
281 (RF No.)  
jamarko@indco.net  
Owner  
Larry Morris Timber Service

**MORRIS, TROY W.**

---

36 Place Dr  
Mount Ida, AR 71957  
(870) 867-5131 (Home)  
(501) 324-5675 (Business)  
(501) 324-6230 (Fax)  
1012 (RF No.)  
troy.w.morris@usace.army.mil  
District Forester  
US Army Corps of Engineers

**MOSS, JAMES K.**

---

1183 Effie Hwy  
Deville, LA 71328  
(318) 253-4699 (Home)  
(318) 442-8300 (Business)  
(318) 442-2351 (Fax)  
593 (RF No.)  
jmoss49684@aol.com  
Forester  
Stevens Forestry Service

**MOURGLIA, SKIP A.**

---

902 N. Eisenhower  
Monett, MO 65708  
(417) 235-7760 (Home)  
(417) 732-6485 (Business)  
(Fax)  
624 (RF No.)  
treegal@sbcglobal.net  
Government Forester

**MOWERY, MICHAEL T.**

---

230 Pinecrest  
Mountain View, AR 72560  
(870) 269-3931 (Home)  
(870) 269-3439 (Business)  
(870) 269-5007 (Fax)  
378 (RF No.)  
michael.mowery@arkansas.gov  
Forester II  
Arkansas Forestry Commission

**MULLIGAN, WILLIAM D.**

---

606 N. Grant St.  
Sheridan, AR 72150  
(870) 942-2843 (Home)  
(870) 942-5125 (Business)  
(870) 942-5313 (Fax)  
857 (RF No.)  
Dmulligan@resourcegmt.com  
Forestry Manager  
Resource Management Services

**MURPHY, JEFFERY BRAD**

---

307 Hempstead 30  
Hope, AR 71801  
(870) 777-3992 (Home)  
(870) 826-2928 (Business)  
(870) 353-6171 (Fax)  
991 (RF No.)  
jbmurphy@gapac.com  
Procurement Forester  
Georgia-Pacific

**MURPHY, ROBERT DANIEL**

---

100 Banks Road  
New Edinburg, AR 71660  
(870) 820-2084 (Home)  
(870) 348-5728 (Business)  
(870) 348-5728 (Fax)  
1003 (RF No.)  
robert.d.murphy@arkansas.gov  
Forester II  
Arkansas Forestry Commission

**MUSGROVE, FREDDIE B.**

P.O. Box 456  
 Fordyce, AR 71742  
 (870) 352-3611 (Home)  
 (870) 352-2587 (Business)  
 (870) 352-2906 (Fax)  
 515 (RF No.)  
 Forester  
 Musgrove Forestry Service, Inc.

**MUSGROVE, MITCHELL B.**

P.O. Box 456  
 Fordyce, AR 71742  
 (870) 352-8398 (Home)  
 (870) 352-2587 (Business)  
 (870) 352-2906 (Fax)  
 911 (RF No.)  
 Forester  
 Musgrove Forestry Service, Inc.

**MYERS, ERIC T.**

445 Anderson Ave  
 Wilmar, AR 71675  
 (870) 469-9944 (Home)  
 (870) 367-6767 (Business)  
 (870) 367-6484 (Fax)  
 524 (RF No.)  
 afc\_drew@yahoo.com  
 County Forester  
 Arkansas Forestry Commission

**NANCE, LARRY D.**

P.O. Box 1145  
 Conway, AR 72033  
 (501) 327-7074 (Home)  
 (501) 296-1940 (Business)  
 (501) 296-1949 (Fax)  
 464 (RF No.)  
 larry.nance@arkansas.gov  
 Deputy State Forester  
 Arkansas Forestry Commission

**NEELEY, JIM J.**

915 Pickett St.  
 Camden, AR 71701  
 (870) 836-8744 (Home)  
 (870) 836-5981 (Business)  
 (870) 836-7432 (Fax)  
 73 (RF No.)  
 Vice President  
 Neeley Forestry Service

**NEELEY, JOHN D.**

915 Pickett St.  
 Camden, AR 71701  
 (870) 836-6970 (Home)  
 (870) 836-5981 (Business)  
 (870) 836-7432 (Fax)  
 420 (RF No.)  
 jdneeley@neeleyforestryservice.com  
 President  
 Neeley Forestry Service

**NEELY, RONALD J.**

287 Bradley Rd. 8 S.  
 Warren, AR 71671  
 (870) 226-3577 (Home)  
 (870) 226-1251 (Business)  
 (870) 226-2182 (Fax)  
 859 (RF No.)  
 ronald.neely@potlatchcorp.com  
 Resource Forester  
 Potlatch Forest Holdings Inc

**NEILL, JEFFREY A.**

P.O. Box 458  
 Magnolia, AR 71754  
 (870) 234-8236 (Home)  
 (870) 234-0700 (Business)  
 (870) 234-0105 (Fax)  
 367 (RF No.)  
 neilltimber@sbcglobal.net  
 President/Owner  
 Jeff Neill Timberland Management, Inc

**NELSON, JOHN C.**

#90 Miller Point Rd.  
 Quitman, AR 72131  
 (501) 589-3370 (Home)  
 (501) 362-3849 (Business)  
 (501) 362-5507 (Fax)  
 747 (RF No.)  
 chris\_nelson@deltic.com  
 District Forester  
 Deltic Timber Corp.

**NETTLES, JOHN B.**

PO Box 335  
 Booneville, AR 72927  
 (479) 675-3125 (Home)  
 (479) 675-9332 (Business)  
 (479) 675-7277 (Fax)  
 446 (RF No.)  
 ARforesterJohn@yahoo.com  
 Forester  
 Middle Creek Wood Products

**NEWTON, BILL I.**

---

18 Highland Hill Ln.  
Texarkana, AR 71854  
(870) 820-9515 (Home)  
(870) 887-6855 (Business)  
(870) 887-2815 (Fax)  
1024 (RF No.)  
bill.newton@potlatchcorp.com  
Resource Forester  
Potlatch Corporation

**NIMMO, ROBERT R.**

---

1115 Caddo St  
Camden, AR 71701  
(870) 723-6679 (Home)  
(870) 693-5555 (Business)  
(870) 693-5323 (Fax)  
984 (RF No.)  
nimmor@cablelynx.com  
District Forester  
Deltic Timber Corp

**NISTENDIRK, CLARENCE E.**

---

636 Nevada 246  
Prescott, AR 71857  
(870) 887-2855 (Home)  
(870) 887-2855 (Business)  
(Fax)  
77 (RF No.)  
vmaxine@centurylink.net  
Forester  
Nistendirck Forestry

**NOBLE, SCOTT M.**

---

410 E. Ridge Dr.  
Rogers, AR 72756  
(479) 531-4360 (Home)  
(479) 795-0077 (Business)  
(479) 795-0077 (Fax)  
638 (RF No.)  
afcbenton@juno.com  
County Forester  
Arkansas Forestry Commission

**NOLAN, MICHAEL A.**

---

165 Pine Hill Rd.  
El Dorado, AR 71730  
(870) 862-5508 (Home)  
(870) 863-5068 (Business)  
(870) 863-5156 (Fax)  
131 (RF No.)  
mnolan43@suddenlink.net  
Forester  
Stevens Forestry Service, Inc.

**OAKS, DAVID D.**

---

226 SFC 409  
Forrest City, AR 72335  
(870) 945-1456 (Home)  
(870) 633-6693 (Business)  
(870) 663-6790 (Fax)  
970 (RF No.)  
david.oaks@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**OATES, ROBERT M.**

---

P.O. Box 746  
Mountain View, AR 72560  
(870) 269-3205 (Home)  
(870) 269-9370 (Business)  
(870) 269-9370 (Fax)  
547 (RF No.)  
b.oates@mvtel.net  
Owner  
Sylamore Timber Services

**OHOLENDT, CHARLES R.**

---

154 Pumpstation Rd.  
Ashdown, AR 71822  
(870) 828-1225 (Home)  
(870) 898-2304 (Business)  
(870) 898-8706 (Fax)  
344 (RF No.)  
charles.oholendt@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**O'NEILL JR., GARY (RICKY)**

---

403 West Pine  
Warren, AR 71671  
(870) 226-6199 (Home)  
(870) 226-1194 (Business)  
870-226-2182 (Fax)  
748 (RF No.)  
ricky.oneill@potlatchcorp.com  
Resource Forester  
Potlatch Forest Holdings Inc

**OWEN JR., WAYNE L.**

---

P.O. Box 557  
Monticello, AR 71657  
(Home)  
(870) 367-8561 (Business)  
(870) 367-1804 (Fax)  
154 (RF No.)  
Wayne.owen@cpsagu.com  
Director-Forestry & VM  
Crop Production Services

**PACE, TIM W.**

2829 Hwy 278 W.  
Camden, AR 71701  
(870) 836-4128 (Home)  
(870) 554-2466 (Business)  
(870) 554-2476 (Fax)  
537 (RF No.)  
foresters@watsonlumber.com  
Procurement Forester  
Watson Sawmill, LTM Chips

**PALMER III, RANDOLPH WEBB**

137 Tanglewood Dr  
Monticello, AR 71655  
(870) 367-6426 (Home)  
(870) 543-0675 (Business)  
(870) 534-4110 (Fax)  
1034 (RF No.)  
randolph.w.palmer@usace.army.mil  
Forester  
U.S. Army Corps of Engineers

**PALMER, JESSE**

P.O. Box 684  
Plainview, AR 72857  
(479) 272-2159 (Home)  
(479) 272-4324 (Business)  
(Fax)  
985 (RF No.)  
jesse.l.palmer@usace.army.mil  
Natural Resources Specialist  
US Corp of Engineers

**PALMER, RICHARD M.**

4343 Hill Forest Drive  
Kingwood, TX 77345  
(281) 360-9945 (Home)  
(281) 450-9365 (Business)  
(Fax)  
395 (RF No.)  
mpalmer117@suddenlink.net  
Owner  
R M Palmer and Company LLC

**PARKER, LARRY E.**

111 Parker Cutoff  
Malvern, AR 72104  
(501) 332-2601 (Home)  
(501) 337-0107 (Business)  
(501) 337-0220 (Fax)  
376 (RF No.)  
parkertimber@excite.com  
Retired  
Parker Land and Timber Inc

**PARSLEY, RONALD W.**

158 Vineyard Hill Lane  
Malvern, AR 72104  
(501) 332-6005 (Home)  
(870) 942-5125 (Business)  
(870) 942-5313 (Fax)  
411 (RF No.)  
rparsley@resourcemgt.com  
Harvest Manager  
Resource Management Services

**PEDIGO, KIMBERLY E.**

356 County Line Rd  
Rosebud, AR 72137  
(501) 230-5541 (Home)  
(Business)  
(Fax)  
1015 (RF No.)  
delticforestrychic@yahoo.com  
Assistant District Forester  
Deltic Timber Corp

**PELKKI, MATTHEW H.**

2165 Barkada Rd.  
Monticello, AR 71655  
(870) 469-8446 (Home)  
(870) 460-1949 (Business)  
(870) 460-1092 (Fax)  
927 (RF No.)  
pelkki@uamont.edu  
Professor  
UAM

**PENNINGTON, MICHAEL H.**

111 Scenic Dr.  
Monticello, AR 71655  
(870) 367-9234 (Home)  
(870) 367-5881 (Business)  
(870) 367-7690 (Fax)  
862 (RF No.)  
mike@thepricecompanies.com  
Vice President  
L.D. Long, Inc

**PETERS, WARREN E.**

18157 E. Petroleum Dr.  
Baton Rouge, LA 70809  
(225) 751-8845 (Home)  
(225) 751-3553 (Business)  
(225) 751-3543 (Fax)  
751 (RF No.)  
wpeters@peters-fr.com  
President  
Peters Forest Resources, Inc.

**PETERSON, JAMES C.**

---

587 SFC 359  
Forrest City, AR 72335  
(870) 261-8011 (Home)  
(870) 261-8011 (Business)  
(870) 747-3638 (Fax)  
440 (RF No.)  
ptimberlands@yahoo.com  
Procurement Forester  
T and S Sawmill, Inc.

**PHARR, DOUGLAS T.**

---

5061 Hwy 82 E  
Magnolia, AR 71753  
(870) 866-5266 (Home)  
(870) 887-5399 (Business)  
(870) 887-2815 (Fax)  
720 (RF No.)  
doug.pharr@potlatchcorp.com  
Log Marketing Manager, AR  
Potlatch Land & Lumber, LLC

**PHELPS SR., JAMES E.**

---

130 Dallas 294  
Sparkman, AR 71763  
(870) 678-9371 (Home)  
(870) 678-2277 (Business)  
(870) 678-2522 (Fax)  
622 (RF No.)  
jphelps@windstream.net  
Forester/Timber Buyer  
Ray White Lumber Co.

**PHILLIPS, CLIFTON L.**

---

146 Hempstead 12  
Hope, AR 71801  
(870) 777-8495 (Home)  
(870) 777-1361 (Business)  
(870) 777-2812 (Fax)  
999 (RF No.)  
cphillips@hnrng.com  
Texarkana Harvesting Area Mgr  
Hancock Forest Management

**PHILLIPS, MARC T.**

---

P.O. Box 341  
Ash Flat, AR 72513  
(870) 994-3094 (Home)  
(870) 994-2187 (Business)  
(870) 994-2160 (Fax)  
595 (RF No.)  
marc.phillips@arkansas.gov  
District Forester  
Arkansas Forestry Commission

**PHILLIPS, SIDNEY J.**

---

6304 North Park Rd.  
Texarkana, TX 75503  
(903) 701-3468 (Home)  
(903) 791-0306 (Business)  
(903) 791-1926 (Fax)  
396 (RF No.)  
sidtimber2@aol.com  
Owner  
D&S Forestry Service

**PIERCE, MICHAEL A.**

---

P.O. Box 36  
Monticello, AR 71655  
(870) 367-7555 (Home)  
(870) 367-8564 (Business)  
(870) 367-3247 (Fax)  
719 (RF No.)  
silvimp@ccc-cable.net  
President  
Silvicraft, Inc.

**POOR, MICHAEL J.**

---

10173 Cloverleaf Dr  
Dardanelle, AR 72834  
(479) 857-5228 (Home)  
(479) 968-5085 (Business)  
(Fax)  
863 (RF No.)  
mpoor@thompsonindustries.net  
Procurement Manager  
Thompson Ind.

**PORTER, JASON**

---

182 Hempstead Co Rd 12  
Hope, AR 71801  
(870) 722-5359 (Home)  
(870) 777-3774 (Business)  
(870) 777-3844 (Fax)  
987 (RF No.)  
jasonp84@yahoo.com  
Procurement Forester  
Millwood Corp.

**POWELL, SCOTT A.**

---

23 Pinedale Circle  
Mabelvale, AR 72103  
(501) 407-9820 (Home)  
(Business)  
(Fax)  
1054 (RF No.)

**PRICE, JEFFREY S.**

405 Hickory Cv  
Heber Springs, AR 72543  
(501) 206-5673 (Home)  
(501) 362-2416 (Business)  
(501) 324-5079 (Fax)  
1038 (RF No.)  
jeffrey.s.price@usace.army.mil  
Natural Resource Specialist  
U.S. Army Corps of Engineers

**PRICE, JOHN M.**

229 Jefferson Davis Rd.  
Heber Springs, AR 72543  
(501) 362-2222 (Home)  
(501) 362-7821 (Business)  
(501) 362-7833 (Fax)  
645 (RF No.)  
mike.price@silvimgt.com  
President  
Silvicultural Management

**PRIMEAUX, CHARLES K.**

731 Rushing Rd.  
Dover, AR 72837  
(479) 331-3465 (Home)  
(479) 968-0895 (Business)  
(479) 968-0895 (Fax)  
621 (RF No.)  
chuck.primeaux@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**PRUTZMAN, PETER W.**

1512 Mill Creek Dr.  
Arkadelphia, AR 71923  
(870) 246-7038 (Home)  
(870) 246-5757 (Business)  
(870) 246-3341 (Fax)  
319 (RF No.)  
ppruzman@kingwoodforestry.com  
President  
Kingwood Forestry Services, Inc.

**PURVIS, CHARLES T.**

1606 Heern Dr. #115  
Jonesboro, AR 72401  
(870) 932-7359 (Home)  
(Business)  
(Fax)  
96 (RF No.)  
cdpurvis@suddenlink.net  
Retired

**QUEATHEN, KENNETH E.**

6320 Thrasher  
Pine Bluff, AR 71603  
(870) 879-0409 (Home)  
(870) 247-3101 (Business)  
(Fax)  
596 (RF No.)  
kip.queathen@everpack.com  
Fiber Specialist  
Evergreen Packaging

**RAINES, ROBERT A.**

121 Gateway Terrace  
Hot Springs, AR 71913  
(501) 525-4550 (Home)  
(501) 276-0253 (Business)  
(Fax)  
864 (RF No.)  
robert.a.raines@gmail.com  
Consulting Forester  
Raines Forestry Consulting

**RAINEY, LOUIS D.**

5503 Red Oak Dr.  
El Dorado, AR 71730  
(870) 862-2899 (Home)  
(Business)  
(Fax)  
865 (RF No.)  
wyle@suddenlink.net  
Retired

**RATCLIFF, DONALD W.**

174 East Kelly Lane  
Sibley, LA 71073  
(318) 377-8653 (Home)  
(318) 377-7222 (Business)  
(318) 377-7222 (Fax)  
697 (RF No.)  
donratcliff@bellsouth.net  
Consultant Forester  
Don Ratcliff

**RAWLS, RANDALL PATRICK**

16 Arnoldsburg South  
Conway, AR 72032  
(478) 285-0447 (Home)  
(501) 333-1247 (Business)  
(501) 333-1248 (Fax)  
1031 (RF No.)  
patrick\_rawls@deltic.com  
Forester I  
Deltic Timber Corp

**RAYMOND, DONALD R.**

---

P.O. Box 36  
Ola, AR 72853  
(479) 489-5758 (Home)  
(Business)  
(Fax)  
784 (RF No.)  
donaldraymond55@hotmail.com  
Retired

**REDING, CHARLES F.**

---

12400 Taylor Ave.  
Heber Springs, AR 72543  
(501) 250-0275 (Home)  
(501) 362-3849 (Business)  
(501) 362-5507 (Fax)  
194 (RF No.)  
charlesreding@suddenlink.net  
Forester  
Deltic Timber Corp.

**REESE, JAMES F.**

---

367 B Old Calion Rd  
El Dorado, AR 71730  
(870) 784-3792 (Home)  
(870) 864-8092 (Business)  
(870) 864-8814 (Fax)  
601 (RF No.)  
jreese@fwforestry.com  
Branch Manager  
F & W Forestry Services, Inc.

**REID, LESLIE TAYLOR**

---

1653 HWY 133 North  
Wilmar, AR 71675  
(870) 469-8428 (Home)  
(870) 224-5388 (Business)  
(Fax)  
1005 (RF No.)  
ramblinreids@sbcglobal.net  
Owner/Forester  
Reidland's, LLC Forestry and Timberland

**REINOLD, DAVID P.**

---

P.O. Box 885  
Russellville, AR 72811  
(479) 968-4335 (Home)  
(479) 968-7752 (Business)  
(479) 968-2853 (Fax)  
191 (RF No.)  
dreinold@centurytel.net  
President  
Ray Camp, Inc.

**REYNOLDS, TEDDY W.**

---

P.O. Box 1129  
Magnolia, AR 71754  
(870) 695-3209 (Home)  
(870) 234-0200 (Business)  
(870) 234-0089 (Fax)  
485 (RF No.)  
teddy@reynoldsforestry.com  
President  
Reynolds Forestry Consulting and Real Estate, PLLC

**RHEINHARDT, GEORGE R.**

---

P.O. Box 28  
Adona, AR 72001  
(501) 662-4554 (Home)  
(501) 301-3143 (Business)  
(501) 301-3189 (Fax)  
785 (RF No.)  
george.rheinhardt@ar.usda.gov  
State Forester  
USDA Natural Resources Conservation

**RHODES, S. ERIC**

---

5219 Dew Trail  
Bauxite, AR 72011  
(870) 245-7674 (Home)  
(870) 246-9881 (Business)  
(870) 246-9674 (Fax)  
899 (RF No.)  
eric@rossfoundation.us  
Forester  
The Ross Foundation

**RICE, MARTIN A.**

---

2758 Morning Star  
New Braunfels, TX 78132  
(830) 625-5068 (Home)  
(Business)  
(Fax)  
626 (RF No.)  
ma.rice@hotmail.com  
Retired

**RICHARD, JEREMY M.**

---

818 San Felipe  
Hot Springs, AR 71909  
(501) 625-7305 (Home)  
(501) 580-2024 (Business)  
(Fax)  
928 (RF No.)  
jeremy.richard@arkansas.gov  
Forest Inventory Specialist  
Arkansas Forestry Commission

**RICHARDSON, JEFFREY L.**

1285 Hwy 278 W.  
Wicks, AR 71973  
(870) 385-2243 (Home)  
(870) 584-6159 (Business)  
(580) 933-1584 (Fax)  
953 (RF No.)  
jeffery.richardson@ipaper.com  
Procurement Forester  
International Paper

**RIDINGER, JACK Q.**

200 N. Jefferson Suite 618  
El Dorado, AR 71730  
(870) 310-8549 (Home)  
(870) 862-8807 (Business)  
(870) 862-8896 (Fax)  
532 (RF No.)  
jackridinger@loutrelandandtimber.com  
Forester  
Loutre Land & Timber

**RIGHTMYER, RICHARD D.**

405 Christopher Dr.  
Gainesville, GA 30501  
(770) 535-7447 (Home)  
(770) 297-3070 (Business)  
(770) 297-3034 (Fax)  
340 (RF No.)  
rightmyer3x@bellsouth.net  
Forester/Soil Scientist  
USDA Forest Service

**RINER, CHARLES D.**

7901 Coachlight Dr.  
Pine Bluff, AR 71603  
(870) 879-1496 (Home)  
(870) 247-3101 (Business)  
(870) 247-5950 (Fax)  
179 (RF No.)  
dan.riner@everpack.com  
Procurement Forester  
Evergreen Packaging

**ROBERSON, ROBERT STEVEN**

852 Mt Union Rd  
El Dorado, AR 71730  
(870) 639-3522 (Home)  
(318) 843-5019 (Business)  
(318) 843-1129 (Fax)  
962 (RF No.)  
Steve.roberson@weyerhaeuser.com  
Harvest Contract Manager  
Weyerhaeuser

**ROBERTS JR., BOBBY J.**

139 Fawn Lane  
Monticello, AR 71655  
(870) 367-6077 (Home)  
(870) 814-1733 (Business)  
(870) 367-3775 (Fax)  
754 (RF No.)  
b.roberts@sbcglobal.net  
President  
Progressive Timber Resources, LLC

**ROBERTS, TAMMY CODAY**

282 South Longview Rd.  
Fountain Hill, AR 71642  
(870) 367-4346 (Home)  
(318) 715-1697 (Business)  
(870) 765-2020 (Fax)  
597 (RF No.)  
tammy.roberts@royomartin.com  
Procurement Forester  
Roy O Martin, CTC-AR

**ROBERTSON, WILLIAM GREG**

3138 Roseman Rd  
Camden, AR 71701  
(870) 836-6928 (Home)  
(870) 836-5150 (Business)  
(870) 836-5156 (Fax)  
313 (RF No.)  
groberson@frcemail.com  
Area Forester  
Forest Resource Consultants, Inc.

**ROBINSON, DAVID G.**

123 County Club Lane  
Monticello, AR 71655  
(870) 367-2161 (Home)  
(870) 367-3024 (Business)  
(870) 367-0148 (Fax)  
594 (RF No.)  
David.robinson@plumcreek.com  
Resource Forester  
Plum Creek Timber Co.

**ROSS, ALAN R.**

810 West 7th  
Smackover, AR 71762  
(870) 807-3434 (Home)  
(870) 807-3434 (Business)  
(Fax)  
499 (RF No.)  
ar\_forester@yahoo.com  
Owner  
Ross Forestry Service

**ROTHWELL, GEORGE BRADLY**

---

14932 Calhoun 73  
Fordyce, AR 71742  
(870) 352-8583 (Home)  
(870) 250-1601 (Business)  
(Fax)  
866 (RF No.)  
clearcreekforestry@wildblue.net  
Forester  
Clear Creek Forestry & Arboriculture

**ROWLAND, JAMES SCOTT**

---

P.O. Box 519  
Magnolia, AR 71754  
(870) 234-7436 (Home)  
(870) 234-1167 (Business)  
(870) 234-7115 (Fax)  
518 (RF No.)  
nfci@sbcglobal.net  
President and Forester  
Neill Forestry Consultants

**RUSHING, JARET LANE**

---

7233 Calhoun 105  
Hampton, AR 71744  
(870) 489-0816 (Home)  
(870) 798-2231 (Business)  
(870) 798-2210 (Fax)  
992 (RF No.)  
jrushing@uaex.edu  
County Agent  
U of A Cooperative Extension Service

**RUSSELL, L. CHAD**

---

2355 Highway 35 East  
Monticello, AR 71655  
(870) 367-8229 (Home)  
(870) 352-6162 (Business)  
(870) 352-8389 (Fax)  
696 (RF No.)  
lcrussel@gapac.com  
Harvesting Manager  
Georgia-Pacific Corp.

**SAUNDERS, CURTISS WADE**

---

754 Bradley 18 West  
Warren, AR 71671  
(870) 820-1221 (Home)  
(870) 226-7681 (Business)  
(870) 226-5996 (Fax)  
1020 (RF No.)  
csaunders@carterlumber.com  
Forester  
The Carter-Jones Timber Co.

**SCHULER, JAMES C.**

---

809 N. Cedar St.  
Morrilton, AR 72110  
(501) 354-1814 (Home)  
(501) 652-0676 (Business)  
(Fax)  
337 (RF No.)  
jimschuler@sbcglobal.net  
President  
J. S. Forestry

**SCOTT, JAMES C.**

---

321 US Hwy 63 North  
Warren, AR 71671  
(870) 226-5336 (Home)  
(Business)  
(Fax)  
286 (RF No.)  
jamescscott@hotmail.com  
Owner  
James C. Scott Real Estate

**SEARS, CHARLES B.**

---

15962 Sandhill Rd  
Des Arc, AR 72040  
(870) 723-1779 (Home)  
(870) 881-6447 (Business)  
(870) 881-6456 (Fax)  
1047 (RF No.)  
brad\_sears@deltic.com  
Forester  
Deltic Timber Corp

**SELF, MICHAEL J.**

---

1766 Lake Hall Rd.  
Lake Village, AR 71653  
(870) 265-4070 (Home)  
(870) 265-4587 (Business)  
(Fax)  
565 (RF No.)  
mikes@andersontully.com  
Senior Operations Forester  
Anderson-Tully Co.

**SHANNON, JOHN T.**

---

3821 W. Roosevelt Rd.  
Little Rock, AR 72204  
(501) 663-5557 (Home)  
(501) 296-1941 (Business)  
(501) 296-1949 (Fax)  
422 (RF No.)  
john.shannon@arkansas.gov  
State Forester  
Arkansas Forestry Commission

**SHARP, DENNIS E.**

103 Millbranch Ct.  
Hot Springs, AR 71901  
(501) 623-7572 (Home)  
(501) 332-2081 (Business)  
(501) 332-2570 (Fax)  
699 (RF No.)  
dsharp@cablelynx.com  
County Forester  
Arkansas Forestry Commission

**SHARP, ELAINE MOTYCKA**

103 Millbranch Ct.  
Hot Springs, AR 71901  
(501) 623-7572 (Home)  
(501) 321-5228 (Business)  
(501) 321-5353 (Fax)  
661 (RF No.)  
esharp01@fs.fed.us  
Special Use Program Mgr.  
U. S.D.A. Forest Service

**SHORT, STEPHEN L.**

1039 MC 6035  
Yellville, AR 72687  
(870) 421-0886 (Home)  
(870) 321-0069 (Business)  
(870) 449-4800 (Fax)  
1046 (RF No.)  
stephen.short@arkansas.gov  
Forester II  
Arkansas Forestry Commission

**SIKOLE, MARK L.**

451 S. Main St.  
Monticello, AR 71655  
(870) 367-1373 (Home)  
(870) 367-6031 (Business)  
(870) 367-1779 (Fax)  
600 (RF No.)  
pomeroymcg@sbcglobal.net  
Owner/President  
Pomeroy & McGowin, Inc.

**SIMPSON, ANDREW D.**

247 Ouachita 65  
Camden, AR 71701  
(870) 807-6667 (Home)  
(870) 231-6405 (Business)  
(870) 231-9770 (Fax)  
963 (RF No.)  
simpsonand@yahoo.com  
Forester  
Arkansas Pulpwood Co., Inc.

**SIMPSON, JONATHAN D.**

19 Hackberry Ln.  
Arkadelphia, AR 71923  
(870) 245-2408 (Home)  
(870) 678-2317 (Business)  
(870) 678-9299 (Fax)  
902 (RF No.)  
simp\_jd@yahoo.com  
Procurement Forester  
Brazeale Lumber Co. Inc.

**SIMPSON, MATTHEW W.**

5320 Wilkinson Dr.  
Jonesboro, AR 72404  
(423) 413-4487 (Home)  
(870) 932-2251 (Business)  
(870) 932-2251 (Fax)  
1008 (RF No.)  
matt.simpson@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**SIMPSON, PAUL D.**

1082 Inca  
Camden, AR 71701  
(870) 231-6239 (Home)  
(870) 643-0016 (Business)  
(870) 498-4083 (Fax)  
267 (RF No.)  
paul.simpson@victorylumber.com  
Logging Manager  
Victory Lumber, LLC

**SISSON, DONALD L.**

500 Pecan St.  
Crossett, AR 71635  
(870) 364-9766 (Home)  
(870) 567-5032 (Business)  
(870) 364-7511 (Fax)  
869 (RF No.)  
dlsson@gapac.com  
Procurement Forester  
Georgia-Pacific Corp.

**SMELTZER, PAUL D.**

5477 Athens Ave.  
Athens, LA 71003  
(318) 469-4621 (Home)  
(318) 258-3020 (Business)  
(318) 258-3020 (Fax)  
449 (RF No.)  
psuforest1@aol.com  
Owner  
Timber Resource Management

**SMITH, DAVID D.**

---

2087 Elaine Cr.  
Arkadelphia, AR 71923  
(870) 246-6574 (Home)  
(870) 246-8061 (Business)  
(870) 230-1370 (Fax)  
273 (RF No.)  
smithforestry@sbcglobal.net  
VP Regional Sales/Timber Industry  
Farm Credit Services of Western Arkansas

**SMITH, HAROLD W.**

---

1913 Hwy. 83 N.  
Monticello, AR 71655  
(870) 367-5627 (Home)  
(870) 367-8564 (Business)  
(870) 367-3247 (Fax)  
599 (RF No.)  
President  
Silvicraft, Inc.

**SMITH, JOSH ALAN**

---

2230 Col. 53  
Waldo, AR 71770  
(870) 901-1101 (Home)  
(870) 234-3485 (Business)  
(870) 234-3485 (Fax)  
1004 (RF No.)  
josh.a.smith@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**SMITH, KEVIN E.**

---

121 Beech St  
Homer, LA 71040  
(318) 927-4435 (Home)  
(318) 927-4435 (Business)  
(318) 927-4435 (Fax)  
929 (RF No.)  
kesmith@smurfit.com  
Forester  
Smurfit-Stone Container Corp

**SMITH, MARK E.**

---

1304 View St.  
Morrilton, AR 72110  
(501) 354-8477 (Home)  
(501) 354-2461 (Business)  
(501) 354-2047 (Fax)  
700 (RF No.)  
msmith@gbp.com  
District Representative  
Green Bay Packaging Inc.

**SMITH, MICHAEL D.**

---

1949 S. West Ave.  
El Dorado, AR 71730  
(870) 881-9069 (Home)  
(870) 862-1193 (Business)  
(870) 863-5922 (Fax)  
755 (RF No.)  
eldotimber@sbcglobal.net  
President  
El Dorado Timber Co., Inc

**SMITH, STEPHEN DANE**

---

45 Dallas 125  
Fordyce, AR 71742  
(870) 352-5389 (Home)  
(870) 352-7327 (Business)  
(870) 352-7327 (Fax)  
757 (RF No.)  
erwintimber@hotmail.com  
Chief Forester  
Lathan Erwin Logging, Inc.

**SMITH, TIMOTHY S.**

---

1845 Hwy 3062  
Homer, LA 71040  
(318) 927-9738 (Home)  
(318) 624-1155 (Business)  
(318) 624-1156 (Fax)  
457 (RF No.)  
tscottsmith33@yahoo.com  
Forester  
Magnolia Pulpwood Co.

**SMITH, VERNON MARK**

---

PO Box 972  
Oxford, MS 38655  
(Home)  
(662) 234-7480 (Business)  
(617) 956-9033 (Fax)  
494 (RF No.)  
msmith@hnr.com  
Forester  
Hancock Forest Management, Inc.

**SMOTHERS, KENNETH W.**

---

95 Reed Wade Rd #9  
Batesville, AR 72501  
(870) 793-0015 (Home)  
(870) 793-2446 (Business)  
(Fax)  
1043 (RF No.)  
ksmothers84@hotmail.com  
County Forester  
Arkansas Forestry Commission

**SPARKS, WESLEY E.**

1438 Keg Mill Rd  
 Sheridan, AR 72150  
 (870) 942-8984 (Home)  
 (870) 540-3257 (Business)  
 (870) 540-3251 (Fax)  
 932 (RF No.)  
 wes.sparks@us.army.mil  
 Natural Resource Specialist  
 Pine Bluff Arsenal

**SPEER, PHILLIP S.**

117 Polk 752  
 Mena, AR 71953  
 (479) 394-4798 (Home)  
 (479) 394-3936 (Business)  
 (479) 394-3857 (Fax)  
 671 (RF No.)  
 pspeer@campbellgroup.com  
 Forester  
 The Campbell Group

**SPETICH, MARTIN A.**

800 Surrey Rd.  
 Hot Springs, AR 71909  
 (501) 620-4392 (Home)  
 (501) 623-1180 (Business)  
 (501) 623-0186 (Fax)  
 871 (RF No.)  
 mspetich@fs.fed.us  
 Research Forest Ecologist, PhD  
 USDA Forest Service-SRS

**SPINKS, DARREN**

491 Indian Trail  
 Quitman, AR 72131  
 (870) 668-0262 (Home)  
 (501) 580-1956 (Business)  
 (501) 679-3500 (Fax)  
 933 (RF No.)  
 darren.spinks@arkansas.gov  
 Forest Inventory Manager  
 Arkansas Forestry Commission

**SPINKS, DERRICK R.**

129 Ridgeview Ln.  
 Locust Grove, AR 72550  
 (870) 251-9949 (Home)  
 (870) 793-7105 (Business)  
 (870) 793-7106 (Fax)  
 649 (RF No.)  
 delahose@yahoo.com  
 President  
 Ridgewood Timber Corporation

**SPRINKLE, WILLIAM D.**

915 N. Murphy  
 Lewisville, AR 71845  
 (870) 921-5073 (Home)  
 (870) 533-4641 (Business)  
 (Fax)  
 520 (RF No.)  
 william.sprinkle@arkansas.gov  
 District Forester  
 Arkansas Forestry Commission

**STAGG JR., GEORGE W.**

P.O. Box 1272  
 Crossett, AR 71635  
 (870) 364-6092 (Home)  
 (870) 364-3524 (Business)  
 870-364-2469 (Fax)  
 127 (RF No.)  
 george.stagg@arkansas.gov  
 County Forester  
 Arkansas Forestry Commission

**STATEN, CHARLES M.**

1760 Lakehall Rd.  
 Lake Village, AR 71653  
 (870) 265-5944 (Home)  
 (870) 265-2747 (Business)  
 (870) 265-3929 (Fax)  
 682 (RF No.)  
 MikeStaten@andersontully.com  
 Wildlife Manager  
 Anderson-Tully Co.

**STEPHENS, PAUL BRIAN**

239 Drew 22  
 Monticello, AR 71655  
 (870) 723-5563 (Home)  
 (870) 723-5563 (Business)  
 (Fax)  
 872 (RF No.)  
 Paul Stephens

**STEVENS IV, DAVID F.**

195 E. Ridge Dr.  
 Natchitoches, LA 71457  
 (318) 354-0572 (Home)  
 (318) 354-0580 (Business)  
 (318) 354-0480 (Fax)  
 209 (RF No.)  
 dstevens29@suddenlink.net  
 D. Forrest, NLC

**STEVENS, DANIEL V.**

---

2712 Coastal Hwy  
Crawfordville, FL 32327  
(918) 534-6509 (Home)  
(850) 421-3101 (Business)  
(850) 421-3100 (Fax)  
993 (RF No.)  
stevend@doacs.state.fl.us  
County Forester  
Florida Division of Forestry

**STICH, RICHARD F.**

---

709 Maple St.  
Crossett, AR 71635  
(870) 304-2555 (Home)  
(870) 567-5018 (Business)  
(870) 364-5114 (Fax)  
390 (RF No.)  
richard.stich@plumcreek.com  
Wildlife Biologist  
Plum Creek Timber Co.

**STOCKS, KENNETH S.**

---

10 Winchester Ridge  
Hattiesburg, MS 39401  
(601) 544-7076 (Home)  
(601) 928-7891 (Business)  
(601) 928-1590 (Fax)  
460 (RF No.)  
kstocks@hoodindustries.com  
Procurement Manager  
Hood Industries, Inc

**STOCKTON, CLINT M.**

---

404 East Main  
Prescott, AR 71857  
(870) 887-0292 (Home)  
(870) 246-8070 (Business)  
(870) 246-7122 (Fax)  
934 (RF No.)  
clintstockton@hotmail.com  
Forester  
Horizon Timber Services

**STOCKTON, GEORGE R.**

---

935 Wildcat Rd.  
Prescott, AR 71857  
(870) 887-5339 (Home)  
(870) 887-5641 (Business)  
(870) 887-5750 (Fax)  
873 (RF No.)  
astockton@bankofprescott.com  
Forester  
Prescott Land & Timber Co.

**STONE, JON A.**

---

1600 West Pine St.  
Warren, AR 71671  
(870) 226-4984 (Home)  
(870) 226-1253 (Business)  
(870) 226-2182 (Fax)  
994 (RF No.)  
jon.stone@potlatchcorp.com  
Resource Forester  
Potlatch Corp.

**STONE, MATTHEW T.**

---

P.O. Box 758  
Camden, AR 71711  
(870) 574-0141 (Home)  
(870) 574-2370 (Business)  
(870) 574-2375 (Fax)  
478 (RF No.)  
mstone@mossyoakproperties.com  
President  
Stone Timber Co., Inc.

**STROM, JOHN M.**

---

1416 Crestwood Ln.  
Booneville, AR 72927  
(479) 675-5902 (Home)  
(479) 675-3233 (Business)  
(479) 675-3232 (Fax)  
874 (RF No.)  
jstrom@fs.fed.us  
Forester/Resource Assistant  
USDA Forest Service

**STUHLINGER, HANS CHRISTOPH**

---

P.O. Box 3469  
Monticello, AR 71656  
(870) 460-9235 (Home)  
(870) 460-1749 (Business)  
(870) 460-1092 (Fax)  
964 (RF No.)  
stuhlinger@uamont.edu  
University System Forest Manager  
UAM School of Forest Resources

**SUMMERVILLE, ROBERT M.**

---

19 Church Street  
Greenbrier, AR 72058  
(501) 679-3730 (Home)  
(501) 679-3581 (Business)  
(501) 679-3500 (Fax)  
875 (RF No.)  
robert.summerville@arkansas.gov  
Rural Fire Administrator  
Arkansas Forestry Commission

**SUPER, RANDALL J.**

221 Polk 231  
Cove, AR 71937  
(870) 357-7641 (Home)  
(870) 357-7641 (Business)  
(Fax)  
876 (RF No.)  
rsuper5@windstream.net  
Self Employed  
Super Enterprises

**SWINT, MICHAEL BRANDON**

201 Walnut Ridge  
El Dorado, AR 71730  
(870) 862-1491 (Home)  
(870) 943-3150 (Business)  
(870) 943-3121 (Fax)  
995 (RF No.)  
michael.swint@westfraser.com  
Procurement Forester  
West Fraser, Inc

**TALLANT, BRANDON S.**

208 West Scenic  
Perryville, AR 72126  
(Home)  
(479) 264-2315 (Business)  
(Fax)  
954 (RF No.)  
brandon\_tallant@deltic.com  
Asst. Dist. Forester-Nimrod District  
Deltic Timber Corp.

**TAYLOR, DERRELL A.**

318 N. Ash  
Little Rock, AR 72205  
(501) 666-1804 (Home)  
(501) 374-2557 (Business)  
(501) 372-2215 (Fax)  
397 (RF No.)  
dtaylor@aristotle.net  
Owner  
Derrell Taylor Forest Management

**TAYLOR, JAMES A.**

3600 W. Hwy 8  
Fordyce, AR 71742  
(870) 510-5271 (Home)  
(870) 352-6163 (Business)  
(Fax)  
674 (RF No.)  
jataylor@gapac.com  
Procurement Forester  
Georgia-Pacific Corp.

**TEALE, DOUGLAS W.**

167 CR 4129  
Atlanta, TX 75551  
(903) 799-6835 (Home)  
(870) 898-2711 (Business)  
(870) 898-5604 (Fax)  
660 (RF No.)  
douglas.teale@domtar.com  
Procurement Manager-Chips and Fuel  
Dontar

**TEMPLE, JOHN D.**

528 Lee St.  
Hamburg, AR 71646  
(870) 853-9122 (Home)  
(870) 367-3902 (Business)  
(870) 367-0148 (Fax)  
758 (RF No.)  
Resource Forester  
Plum Creek Timber Co

**THOMAS JR., JAMES R.**

471 Warnock Springs Rd  
Magnolia, AR 71753  
(870) 234-3014 (Home)  
(870) 234-0777 (Business)  
(870) 234-9726 (Fax)  
878 (RF No.)  
jim@thomastimber.com  
Owner  
Thomas Timber LLC

**THOMAS, JAMES D.**

631 Central Road  
Arkadelphia, AR 71923  
(870) 246-6788 (Home)  
(870) 246-5757 (Business)  
(870) 246-3341 (Fax)  
879 (RF No.)  
jdthomas@kingwoodforestry.com  
Forester  
Kingwood Forestry Services, Inc.

**THOMAS, MARSHALL D.**

P.O. Box 5358  
Albany, GA 31706  
(229) 881-3649 (Home)  
(229) 883-0505 (Business)  
(229) 435-2804 (Fax)  
436 (RF No.)  
mthomas@fwforestry.com  
President  
F & W Forestry Services, Inc.

**THOMAS, ROBERT G.**

---

422 King Rd  
Pocahontas, AR 72455  
(870) 892-9889 (Home)  
(870) 892-8774 (Business)  
(870) 892-8774 (Fax)  
1019 (RF No.)  
robertgthomas57@gmail.com  
County Forester  
Arkansas Forestry Commission

**TOMLINSON II, ROY V.**

---

503 Sue St.  
Magnolia, AR 71753  
(870) 234-8619 (Home)  
(870) 693-5555 (Business)  
870-693-5123 (Fax)  
703 (RF No.)  
skip\_tomlinson@deltic.com  
District Forester  
Deltic Timber Corp.

**TOMLINSON, WILLIE H.**

---

P.O. Box 820186  
Vicksburg, MS 39182  
(601) 638-8133 (Home)  
(601) 661-8555 (Business)  
(601) 630-9778 (Fax)  
522 (RF No.)  
btomlinson10@gmail.com  
Member  
Sustainable Resource Managers, LLC

**TOOKE, AARON D.**

---

810 Tooke Rd.  
Warren, AR 71671  
(Home)  
(870) 226-1175 (Business)  
(Fax)  
903 (RF No.)  
aaron.tooke@potlatchcorp.com  
Forester  
Potlatch Corp.

**TOWNSEND, BRAD A.**

---

155 Kidd Lane  
Hope, AR 71801  
(870) 722-2072 (Home)  
(870) 777-5580 (Business)  
(Fax)  
955 (RF No.)  
batownsend@agfc.state.ar.us  
Habitat Biologist  
Arkansas Game & Fish Commission

**TOWNSEND, HARMON E.**

---

166 Country Oak Dr.  
Malvern, AR 72104  
(501) 337-1270 (Home)  
(501) 332-2081 (Business)  
(501) 332-2570 (Fax)  
567 (RF No.)  
harmon.townsend@arkansas.gov  
District Forester  
Arkansas Forestry Commission

**TRAUGER, GERALD L.**

---

162 Pike City Rd.  
Delight, AR 71940  
(870) 379-3037 (Home)  
(870) 246-9816 (Business)  
(870) 246-3124 (Fax)  
627 (RF No.)  
gerald.trauger@ar.usda.gov  
Area Forester  
USDA NRCS

**TRAUGER, JOHN L.**

---

362 Hwy 174 North  
Hope, AR 71801  
(870) 777-9702 (Home)  
(870) 777-9702 (Business)  
(870) 777-8441 (Fax)  
913 (RF No.)  
jtrauger@uaex.edu  
Forester  
U of A -Southwest Research & Extension Center

**TRAUGER, NATHANAEL S.**

---

120 E. College Ave  
Monticello, AR 71655  
(870) 367-4393 (Home)  
(870) 557-0156 (Business)  
(706) 705-1312 (Fax)  
1049 (RF No.)  
ntrauger@larsonmcgowin.com  
Forester  
Larson and McGowin, Inc

**TREMBATH, THOMAS N.**

---

2450 Mary Briggs Ct  
Atlanta, GA 30360  
(770) 452-7850 (Home)  
(404) 495-8594 (Business)  
(404) 261-9574 (Fax)  
880 (RF No.)  
ttrembath@forestinvest.com  
Southern Operations Manager  
Forest Investments Associates, L.P.

**TRUDELL, JIM R.**

1701 West College  
 Fordyce, AR 71742  
 (870) 352-7592 (Home)  
 (Business)  
 (Fax)  
 40 (RF No.)  
 gjtrudell@windstream.net

**TUBBS III, LEON R.**

P.O. Box 15  
 Fountain Hill, AR 71642  
 (870) 853-9476 (Home)  
 (870) 226-2796 (Business)  
 (870) 226-3484 (Fax)  
 881 (RF No.)  
 trey.tubbs@clearwaterpaper.com  
 Wood Flow & Marketing Representative  
 Clearwater Paper Corporation

**TUCKFIELD, DONALD KEVIN**

P.O. Box 10217  
 Russellville, AR 72812  
 (501) 967-6891 (Home)  
 (479) 264-9281 (Business)  
 (Fax)  
 415 (RF No.)  
 tuck\_crowmtn@yahoo.com  
 Owner  
 FMCO LLC

**VERUCCHI JR., CHARLIE A.**

538 Hwy. 7 N  
 Oxford, MS 38655  
 (662) 234-0488 (Home)  
 (662) 983-6388 (Business)  
 (662) 236-2079 (Fax)  
 288 (RF No.)  
 charlie.verucchi@weyerhaeuser.com  
 Road Manager  
 Weyerhaeuser

**VERUCCHI, SALVO (TONY) J.**

163 Linsey Place  
 Hot Springs, AR 71901  
 (501) 262-3485 (Home)  
 (Business)  
 (Fax)  
 628 (RF No.)  
 verucchis@cablelynx.com  
 Retired

**VESTAL, BENNY J.**

4101 Kay Drive  
 El Dorado, AR 71730  
 (870) 862-1898 (Home)  
 (870) 875-2886 (Business)  
 (870) 863-4876 (Fax)  
 276 (RF No.)  
 bennyvestal@yahoo.com  
 Foreman  
 Milam Construction Co

**VICKERS, LANCE A.**

131 Bradley 84  
 Hermitage, AR 71647  
 (540) 381-4749 (Home)  
 (870) 310-0967 (Business)  
 (Fax)  
 1010 (RF No.)  
 lancevickers23@gmail.com  
 Research Associate  
 Virginia Polytechnic Institute & State University

**VOSKAMP, MATTHEW G.**

147 Honeysuckle Circle  
 Hot Springs, AR 71913  
 (501) 318-8682 (Home)  
 (501) 318-8682 (Business)  
 (Fax)  
 1032 (RF No.)  
 mvoskamp@kingwoodforestry.com  
 Forester  
 Kingwood Forestry Services

**WAGNER, STEVEN BRYANT**

1041 Chapel Hill Rd  
 DeQueen, AR 71832  
 (870) 642-4932 (Home)  
 (870) 584-9003 (Business)  
 (870) 642-4839 (Fax)  
 1006 (RF No.)  
 sw1203@yahoo.com  
 Forester  
 John H. Hendrix Corporation

**WAINSCOTT, JOHN M.**

P.O. Box 244  
 Jessieville, AR 71949  
 (501) 922-7643 (Home)  
 (870) 286-4293 (Business)  
 (870) 286-4370 (Fax)  
 762 (RF No.)  
 john.waincott@weyerhaeuser.com  
 Mid-rotation Forester  
 Weyerhaeuser Company

**WAKEFIELD, RAY G.**

---

26675 Hwy 164  
Clarksville, AR 72830  
(479) 754-6966 (Home)  
(479) 754-2701 (Business)  
(479) 754-2701 (Fax)  
563 (RF No.)  
afcd10@river-valley.net  
District Forester  
Arkansas Forestry Commission

**WALKER, WILLIAM D.**

---

105 Chad St.  
Hot Springs, AR 71901  
(501) 262-3163 (Home)  
(501) 609-6905 (Business)  
(Fax)  
119 (RF No.)  
wmarbil@hotmail.com  
President  
Walker Forestry Consultant, Inc.

**WALKINGSTICK, TAMARA L.**

---

3262 Hwy 60 W.  
Perryville, AR 72126  
(501) 215-3961 (Home)  
(501) 671-2346 (Business)  
(501) 671-2110 (Fax)  
883 (RF No.)  
twalkingstick@uaex.edu  
Associate Director-AFRC  
UA Cooperative Extension

**WALL, JONATHAN R.**

---

1594 Barkada Road  
Monticello, AR 71655  
(870) 367-2284 (Home)  
(501) 467-0869 (Business)  
(501) 337-1594 (Fax)  
763 (RF No.)  
jonathan.wall@flakeboard.com  
Regional Resource Manager  
Flakeboard

**WALLACE, GUY RANDOLPH**

---

722 White Oak Drive  
El Dorado, AR 71730  
(870) 862-5679 (Home)  
(Business)  
(Fax)  
788 (RF No.)  
randolpwallace@yahoo.com  
Retired

**WALLACE, JAMES M.**

---

4115 N. St. Louis St. #1  
Batesville, AR 72501  
(870) 613-3776 (Home)  
(Business)  
(Fax)  
965 (RF No.)  
jimmywallace22@hotmail.com  
Wildlife Management Specialist  
M & W Forestry and Wildlife Management Service

**WALLACE, JOEY H.**

---

6009 Timberwood Ln  
Texarkana, AR 71854  
(870) 299-0689 (Home)  
(903) 826-9457 (Business)  
(870) 898-3402 (Fax)  
884 (RF No.)  
joey.wallace@domtar.com  
Procurement Forester  
Domtar

**WEBB JR., BOBBY G.**

---

149 Tanglewood Dr  
Monticello, AR 71655  
(870) 723-2708 (Home)  
(870) 460-1052 (Business)  
(Fax)  
429 (RF No.)  
webbbb@uamont.edu  
University Forest Manager  
University of Arkansas - Monticello

**WEBB, HIRAM DOUGLAS**

---

P.O. Box 895  
Booneville, AR 72927  
(479) 675-5547 (Home)  
(Business)  
(Fax)  
886 (RF No.)  
dougwebb@centurytel.net  
Retired

**WEIH JR., ROBERT C.**

---

156 Quail Run  
Monticello, AR 71655  
(870) 367-1828 (Home)  
(870) 460-1248 (Business)  
(870) 460-1092 (Fax)  
548 (RF No.)  
weih@uamont.edu  
Professor  
UAM School of Forest Resources

**WELCH, AARON D.**

139 Fishers Nook Dr  
DeQueen, AR 71832  
(870) 642-7845 (Home)  
(501) 617-3990 (Business)  
(870) 286-4370 (Fax)  
722 (RF No.)  
aaron.welch@weyerhaeuser.com  
LAP/Land Use Manager  
Weyerhaeuser Company

**WELCH, PATRICK KEVIN**

717 Scott St  
Sheridan, AR 72150  
(870) 917-7335 (Home)  
(870) 687-3611 (Business)  
(Fax)  
887 (RF No.)  
pkevin.welch@gmail.com  
Forester  
Anthony Timberlands, Inc

**WELLS, JEREMY E.**

2026 South Verona Ave.  
Russellville, AR 72802  
(479) 567-2194 (Home)  
(479) 968-5008 (Business)  
(479) 858-7129 (Fax)  
971 (RF No.)  
jeremy.e.wells@usace.army.mil  
Natural Resource Specialist  
US Army Corps of Engineers

**WENNER JR., EDWARD (JIM) J.**

397 Housley Pt.  
Hot Springs, AR 71913  
(501) 525-8284 (Home)  
(Business)  
(Fax)  
419 (RF No.)  
jimwenner@cablelynx.com  
Retired

**WESTBROOK, SAMUEL A.**

P.O. Box 239  
Nashville, AR 71852  
(870) 845-2990 (Home)  
(Business)  
(870) 845-0201 (Fax)  
888 (RF No.)  
Retired

**WESTERMAN, BRUCE E.**

245 Autumnwood  
Hot Springs, AR 71909  
(501) 625-7304 (Home)  
(501) 321-2276 (Business)  
(501) 624-4214 (Fax)  
904 (RF No.)  
bwesterman@mseco.com  
Engineer and Forester  
Mid-South Engineering

**WESTMORELAND, CHARLES E.**

5 Holly St  
Fordyce, AR 71742  
(870) 352-3252 (Home)  
(501) 352-3252 (Business)  
(870) 352-0468 (Fax)  
1041 (RF No.)  
charleswestmoreland@hotmail.com  
Forester  
Charles Westmoreland, Consulting Forester

**WHELAN, MICHAEL E.**

P.O. Box 134  
Dierks, AR 71833  
(870) 286-3477 (Home)  
(870) 286-2137 (Business)  
(870) 286-3309 (Fax)  
988 (RF No.)  
mewhelan@alltel.net  
District Forester  
Arkansas Forestry Commission

**WHITE, TIM H.**

400 Caballo Ranch Road  
Russellville, AR 72802  
(479) 331-0225 (Home)  
(479) 331-0222 (Business)  
(479) 331-0199 (Fax)  
414 (RF No.)  
tim@goldenoakforestry.com  
Owner  
Golden Oak Forestry

**WHITEHEAD, J. STEVEN**

460 Columbia 43  
Magnolia, AR 71753  
(870) 234-3655 (Home)  
(870) 234-4469 (Business)  
(870) 234-5563 (Fax)  
764 (RF No.)  
jswhitehead@hughes.com  
President  
Whitehead Forestry Servic

**WILCOXSON, WILLIAM C.**

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P.O. Box 84  
Calico Rock, AR 72519  
(870) 297-3201 (Home)  
(877) 297-4331 (Business)  
(Fax)  
566 (RF No.)  
cjw@dishmail.net

**WILLHOITE, ELMER K.**

---

P.O. Box 519  
Magnolia, AR 71754  
(870) 547-2997 (Home)  
(870) 234-1167 (Business)  
(870) 234-7115 (Fax)  
491 (RF No.)  
nfc@sbcglobal.net  
Forester  
Neill Forestry Consultants

**WILLHOITE, ROBIN G.**

---

P.O. Box 838  
Timpson, TX 75975  
(Home)  
(800) 383-8615 (Business)  
(936) 564-2866 (Fax)  
384 (RF No.)  
forester@unitedtimber.com  
Consulting Forester  
United Timber Management

**WILLIAMS, AARON S.**

---

2310 Hwy 79N  
Camden, AR 71701  
(870) 574-0791 (Home)  
(501) 580-3253 (Business)  
(501) 296-1949 (Fax)  
891 (RF No.)  
aaron.williams@arkansas.gov  
Forest Inventory Specialist  
Arkansas Forestry Commission

**WILLIAMS, RICHARD A.**

---

P.O. Box 121  
Mountain View, AR 72560  
(Home)  
(870) 269-3726 (Business)  
(Fax)  
632 (RF No.)  
richard.williams@ar.usda.gov  
District Conservationist  
USDA-NRCS

**WILLIAMS, SAMMY LEE**

---

110 Forestry Drive  
Dierks, AR 71833  
(870) 308-0559 (Home)  
(870) 286-2137 (Business)  
(870) 286-3309 (Fax)  
1045 (RF No.)  
sammy.williams@arkansas.gov  
Forester  
Arkansas Forestry Commission

**WILLIAMS, WAYNE E.**

---

208 Jordan Ave.  
Tallasse, AL 36078  
(334) 283-8883 (Home)  
(334) 283-3611 (Business)  
(334) 283-5311 (Fax)  
997 (RF No.)  
wewilliams@yahoo.com  
2nd Vice President  
Sizemore & Sizemore, Inc.

**WILLIAMSON, BRENT S.**

---

1039 S. Magnolia  
El Dorado, AR 71730  
(870) 818-5384 (Home)  
(229) 407-0227 (Business)  
(Fax)  
935 (RF No.)  
brentco2001@yahoo.com  
Field Supervisor  
F&W Forestry Services

**WILSON, ALBERT (AL) B.**

---

137 Wildwood Forest  
Hot Springs, AR 71913  
(501) 760-2103 (Home)  
(Business)  
(Fax)  
23 (RF No.)  
wilson.al@sbcglobal.net  
Retired

**WISHARD, RODNEY J.**

---

149 N. Loafers Ln.  
Monticello, AR 71655  
(870) 460-0544 (Home)  
(870) 367-8567 (Business)  
(870) 367-8424 (Fax)  
630 (RF No.)  
rwishard@kingwoodforestry.com  
Forester  
Kingwood Forestry Services, Inc

**WOODS, DONALD L.**

811 Greystone  
Cabot, AR 72023  
(501) 941-1272 (Home)  
(501) 490-4743 (Business)  
(501) 490-4740 (Fax)  
321 (RF No.)  
dwoods@entergy.com  
T and D Vegetation Management  
Entergy

**WOODSON, JOHN STEVEN**

58335 Belleview Rd  
Plaquemine, LA 70764  
(501) 258-4000 (Home)  
(225) 687-9946 (Business)  
(225) 687-4337 (Fax)  
296 (RF No.)  
steve@woodsonincorporated.com  
President/Owner  
Woodson Inc.

**WORLEY, TIMOTHY S.**

4 Pecan Pass Radial  
Ocala, FL 34472  
(352) 687-0852 (Home)  
(352) 369-2415 (Business)  
(352) 369-2416 (Fax)  
936 (RF No.)  
worleyt@doacs.state.fl.us  
Senior Forester  
State of Florida

**WRIGHT, FRANK W.**

6117 Magnolia Hwy.  
El Dorado, AR 71730  
(870) 862-0754 (Home)  
(870) 881-6445 (Business)  
(870) 881-6456 (Fax)  
631 (RF No.)  
frankandsuewright@peoplepc.com  
retired

**WRIGHT, GERALD J.**

5 Broadmoor  
Magnolia, AR 71753  
(870) 234-0363 (Home)  
(870) 231-6405 (Business)  
(870) 231-9770 (Fax)  
456 (RF No.)  
gwright3@suddenlink.net  
Forester  
Arkansas Pulpwood Company Inc.

**WYATT, CHRISTOPHER S.**

2430 Seedling Rd  
St. Joe, AR 72675  
(870) 439-2750 (Home)  
(870) 429-6281 (Business)  
(870) 429-6288 (Fax)  
568 (RF No.)  
christopher.wyatt@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**WYNNE III, G. FRENCH**

P.O. Box 119  
Monticello, AR 71657  
(870) 226-3324 (Home)  
(870) 367-5311 (Business)  
(870) 226-2182 (Fax)  
765 (RF No.)  
fwynne@campbellgroup.com  
Forester  
The Campbell Group

**WYNNE JR., GEORGE F.**

212 Meek  
Warren, AR 71671  
(870) 226-6668 (Home)  
(870) 226-1206 (Business)  
(Fax)  
498 (RF No.)  
french.wynne jr@potlatch.com  
Silviculturist  
Potlatch Corp.

**YOUENS, ALAN B.**

95 CR 4223  
Atlanta, TX 75551  
(903) 796-7698 (Home)  
(903) 824-7698 (Business)  
(903) 796-0288 (Fax)  
892 (RF No.)  
alan@youens.com  
Partner  
Dean, Youens, & Assoc.

**YOUNGBLOOD, JOHN SCOTT**

56 Cedar  
Greenbrier, AR 72058  
(501) 205-2880 (Home)  
(501) 679-2806 (Business)  
(Fax)  
937 (RF No.)  
scott.youngblood@arkansas.gov  
County Forester  
Arkansas Forestry Commission

**ZIELINSKE, ROBERT J.**

---

1103 E. Union Ave.

Wynne, AR 72396

(870) 238-0098 (Home)

(870) 633-6693 (Business)

(870) 633-6790 (Fax)

562 (RF No.)

robert.j.zielinske@arkansas.gov

District Forester

Arkansas Forestry Commission

**IMPRESSION SEAL**

The Board urges all Registered Foresters to place their official impression seals on all documents requiring their signatures. The approved vendor for these seals is Reynolds Stamp Company, 806 West Markham, Little Rock, AR 72201.

**APPROVED FORMS OF CERTIFICATION**

State of \_\_\_\_\_

\_\_\_\_\_ County

I, John Doe a Registered Forester, hereby certify that to the best of my knowledge and ability this is a true and correct report (or plan, document, may etc.).

\_\_\_\_\_  
John Doe  
Registered Forester  
Arkansas License No. \_\_\_\_\_

**FOR SIGNATURE ONLY**

John Doe, R.F.  
Official Title\*

**FOR CERTIFICATIONS ONLY**

John Doe, R.F.  
Title or designation\*  
Arkansas License No. \_\_\_\_\_

\*The official title/designation such as Project Forester, District Manager, Consulting Forester, Vice President, etc., should be written below the name.

Arkansas Code §17-31-306. "(a) Each registrant may obtain a seal of a design authorized by the board, bearing the registrant's name, serial number, and the legend "Registered Forester, Arkansas." All registrants engaged in the practice of forestry, either in a private professional practice or as an employee of an agency of the government or of a corporation, company, partnership, individual, or other private employer, shall endorse with his name and impress with his seal all plans, specifications, maps, reports, or documents which he prepares or which shall be prepared under his supervision. (b) Anyone who endorses his name or impresses his seal upon any document, after the certificate of registration of the registrant named thereon has expired or has been revoked, shall be charged with a misdemeanor unless his certificate has been renewed or reissued."

# **ARKANSAS CODE**

## **Chapter 31.**

### **Foresters.**

#### Subchapter 1. General Procedures

- 17-31-101. Title and purpose
- 17-31-102. Definitions
- 17-31-103. Administrative Procedures
- 17-31-104. Enforcement.
- 17-31-105. Violations – Penalties

#### Subchapter 2. Arkansas State Board of Registration for Foresters

- 17-31-201. Creation - Selection and compensation of members.
- 17-31-202. Removal of members.
- 17-31-203. Organization and proceedings.
- 17-31-204. Powers.
- 17-31-205. Staff and employees.
- 17-31-206. Compensation of witnesses.
- 17-31-207. Records and reports.
- 17-31-208.. Disposition of funds.

#### Subchapter 3. Certificate of Registration

- 17-31-301. Requirement - Exemptions.
- 17-31-302. Qualifications.
- 17-31-303. Application for registration.
- 17-31-304. Examinations.
- 17-31-305. Issuance - Form - Evidence.
- 17-31-306. Seal - Unlawful use.
- 17-31-307. Expiration and renewal.
- 17-31-308. Reciprocity.
- 17-31-309. Revocation - Grounds - Proceedings.
- 17-31-310. Re-issuance.

## **Subchapter 1. General Provisions**

### **17-31-101. Title and purpose.**

- (a) This chapter may be referred to and cited as the "State Board of Registration for Foresters Act."
- (b) The purpose of this chapter is to ensure that no person shall use in connection with the person's name, or otherwise assume, use, or advertise any title or description that the person is a forester, unless the person is registered as herein provided.

**History.** Acts 1969, No. 535, § 1; A.S.A. 1947, § 71-2401; Acts 1999, No. 993, § 1.

### **17-31-102. Definitions.**

As used in this chapter, unless the context otherwise requires:

- (1) "Board" means the Arkansas State Board of Registration for Foresters;
- (2)(A) "Forestry" means the science, the art, and the practice of managing, harvesting, and using the natural resources which occur on and in association with forestlands. It also means the care and management of forestlands for repeated crops of raw wood products, at annual or somewhat longer intervals, and for allied uses, such as watershed protection, recreation, wildlife, and grazing. However, nothing contained in this chapter shall be construed as preventing any person, firm, partnership, or corporation from managing woodlands, forests, or trees, or from buying or selling timber, or from harvesting any products therefrom, or from performing tree planting, timber stand improvement, or other vendor services on any land, in any manner desired;
- (B) However, nothing contained in this chapter shall be construed as preventing any person, firm, partnership, or corporation from managing woodlands, forests, or trees, or from buying or selling timber, or from harvesting any products therefrom, or from performing tree planting, timber stand improvement, or other vendor services on any land, in any manner desired;
- (3)(A) "Practice of forestry" includes services for hire such as consultation, investigation, evaluation, planning, or responsible supervision of any forestry activity in connection with public or private lands. The practice of forestry also includes teaching of forestry subjects at the college or university level and research in forestry, or a combination of teaching and research.
- (B) The practice of forestry shall not include services rendered for wages, salary, or payment received for the buying, selling, cutting, handling, or processing of timber, or wages, salary, or payment received for tree planting, timber stand improvement, or other vendor service activities on the forestlands of the owner thereof or on the forestlands of another; and
- (4) "Registered forester" means a person holding a valid certificate of registration issued pursuant to this chapter.

**History.** Acts 1969, No. 535, § 3; A.S.A. 1947, § 71-2403; Acts 1999, No. 993, § 2.

### **17-31-103. Administrative procedure.**

All proceedings of the Arkansas State Board of Registration for Foresters shall be governed by the Arkansas Administrative Procedure Act, § 25-15-201 et seq., in addition to the requirements set forth in this chapter.

**History.** Acts 1969, No. 535, § 23; A.S.A. 1947, § 71-2423.

### **17-31-104. Enforcement.**

- (a) The Attorney General, all prosecuting attorneys, and duly constituted officers of the law of this state or political subdivision thereof shall be authorized to enforce the provisions of this chapter and to prosecute any person violating them.
- (b) The Arkansas State Board of Registration for Foresters is charged with the duty of seeing that the provisions of this chapter are enforced.

**History.** Acts 1969, No. 535, § 22; A.S.A. 1947, § 71-2422; Acts 1999, No. 993, § 3.

### **17-31-105. Violations - Penalties.**

- (a) Any person required to be registered under this chapter shall be guilty of a Class A misdemeanor if that person:
  - (1) Practices or offers to practice forestry without a valid certificate of registration issued pursuant to this chapter;
  - (2) Claims to be a forester certified under this chapter without being so certified;
  - (3) In any way tends to convey the impression that he or she is a forester certified under the provisions of this chapter without being so registered;
  - (4) Uses as his or her own the certificate of registration of another;
  - (5) Gives false or forged evidence to the Arkansas State Board of Registration for Foresters;
  - (6) Uses an expired or revoked certificate; or
  - (7) Violates any provision of this chapter.
- (b) A Class A misdemeanor shall also be charged against a registered forester, subject to penalties as prescribed in subsection (a) of this section, who endorses any plan, specification, estimate, report, or map unless he or she actually prepared the plan, specification, estimate, report, or map or has been in actual charge or supervision of the preparation of it.

**History.** Acts 1969, No. 535, §§ 16, 22; A.S.A. 1947, §§ 71-2416, 71-2422; Acts 1999, No. 993, § 4; 2005, No. 1994, § 200.

## **Subchapter 2. The Arkansas State board of Registration for Foresters**

### **17-31-201. Creation - Selection and compensation of members**

- (a) The Arkansas State Board of Registration for Foresters is created to administer the provisions of this chapter.

- (b)(1) The board shall consist of six (6) members appointed by the Governor, with the advice and consent of the Senate. Each member shall be a citizen of the United States of America and a registered voter and resident of the State of Arkansas.
- (2)(A) Five (5) members of the board shall be foresters who have the qualifications required for registration under § 17-31-302 and who have been engaged in forestry for at least twelve (12) years. Each member of the board appointed hereunder shall be registered and certified under this chapter.
- (B)(i) One (1) member shall be selected from the forest products industry;
- (ii) One (1) member shall be selected from the Arkansas Forestry Commission;
- (iii) One (1) member shall be selected from an agency of the United States Government;
- (iv) One (1) member shall be selected from the staff of the school of forestry; and
- (v) One (1) member shall be selected from private forestry consultants.
- (C) At least one (1) member shall be a graduate of an approved forestry school within the State of Arkansas.
- (3) One (1) member of the board shall not be actively engaged in or retired from the forestry profession. That member shall represent consumers. He or she shall be appointed from the state at large subject to confirmation by the Senate and shall be a full voting member but shall not participate in the grading of examinations.
- (c)(1) Appointments shall be for a term of five (5) years or, in the event of vacancies, for the period of the unexpired term of the vacancy being filled.
- (2) The chairman of the Arkansas Division, Ouachita Society of American Foresters, duly authorized and acting on behalf of the Arkansas division, shall make nominations described in subdivision (b)(2) of this section within thirty (30) days from the receipt of notice from any person of the occurrence of a vacancy on the board.
- (d) Each member of the board shall receive a certificate of appointment from the Governor and before beginning the term of office shall file with the Secretary of State a written oath or affirmation relative to the faithful discharge of the official duty.
- (e) Each member of the board may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

**History.** Acts 1969, No. 535, §§ 4-6; 1971, No. 122, § 1; 1977, No. 113, §§ 1-3; 1981, No. 717, § 2; A.S.A. 1947, §§ 6-617 - 6-619, 71-2404 - 71-2406; Acts 1997, No. 250, § 139; 1999, No. 993, § 5

### **17-31-202. Removal of members.**

- (a) The Governor may remove any member of the Arkansas State Board of Registration for Foresters for misconduct, incompetency, or neglect of duty.

- (b) Before the Governor can remove a member for cause, he or she must serve the member with a written notice of the charge or charges against him or her and afford him or her an opportunity to be heard publicly on such charge or charges.
- (c)(1) If the member thus served does not request a public hearing within ten (10) days from being served, the Governor may proceed with the member's removal.
- (2) If the member does request a public hearing, it shall be heard by a special committee composed of three (3) persons, not members of the board, namely:
  - (A) The Chief Justice of the Arkansas Supreme Court or a substitute selected by the Chief Justice, who shall be the chair;
  - (B) The chair of the Arkansas Division, Ouachita Society of American Foresters; and
  - (C) A faculty member selected by the Arkansas Division, Ouachita Society of American Foresters from the school or departments of forestry in Arkansas.
- (d) The recommendation or decision of this committee shall be binding upon the Governor.
- (e) A copy of the charge or charges, a transcript of the record of the hearing, and a copy of the recommendation shall be filed with the Secretary of State. (f) If a board member is removed, his or her vacancy shall be filled for the unexpired term by appointment by the Governor as provided in § 17-31-201.

**History.** Acts 1969, No. 535, § 7; A.S.A. 1947, § 71-2407; Acts 1999, No. 993, § 6.

### **17-31-203. Organization and Proceedings.**

- (a) The Arkansas State Board of Registration for Foresters shall elect annually from its membership the following officers:
  - (1) A chair;
  - (2) A vice chair; and
  - (3) A secretary.
- (b) A quorum of the board shall consist of not fewer than three (3) members, and no action shall be official without at least three (3) votes in accord.
- (c) The board shall hold at least two (2) regular meetings each year. Special meetings shall be held at such time and place as shall be specified by call of the chair or the secretary. Notice of all meetings shall be given in writing to each member by the secretary.
- (d) The board shall be domiciled and maintain its principal office in Little Rock and shall hold its meetings in its principal office, unless the chair finds a necessary reason for meeting elsewhere in the state.

**History.** Acts 1969, No. 535, § 8; A.S.A. 1947, § 71-2408; Acts 1999, No. 993, § 7.

### **17-31-204. Powers.**

- (a) The Arkansas State Board of Registration for Foresters shall have the power to make, adopt, alter, amend, and promulgate all bylaws and rules consistent with the Constitution and laws of this state, which may be reasonably necessary for

the proper performance of its duties and the regulation of the proceedings before it.

- (b) The board shall adopt and have an official seal.
- (c) Each member of the board shall have power to administer oaths. The board shall have power to subpoena witnesses and compel the production of books and papers pertinent to any investigation or hearing authorized by this chapter. Any employee of the board engaged in making any investigation shall have the power to administer oaths to and take depositions of persons pertaining to any investigation. The board may require any law enforcement officer of any state agency, the sheriffs of the various counties, or other law enforcement officers of any county or municipality to serve subpoenas and other process of the board. When county, municipal, or other local officers are required to serve subpoenas or other process of the board, they shall be paid the same fees by the board as are provided by laws for similar services under process issued by circuit courts.
- (d) If any person shall refuse to testify or produce any books, papers, or documents, the board may proceed by rule, in the circuit court of the county where the person is domiciled or is engaged in business, to have the person adjudged guilty of contempt. In the event the rule is made absolute, the circuit court shall punish the person for contempt of court. The person shall be permitted to purge himself or herself of contempt by compliance with such order as the court may render.

**History.** Acts 1969, No. 535, § 9; A.S.A. 1947, § 71-2409.

### **17-31-205. Staff and employees.**

The Arkansas State Board of Registration for Foresters may appoint or employ an assistant secretary, executive secretary, treasurer, or other officers or employees who are not members of the board or of their immediate families, to whom clerical and administrative duties may be assigned and whose compensation shall be fixed by the board.

**History.** Acts 1969, No. 535, § 8; A.S.A. 1947, § 71-2408.

### **17-31-206. Compensation of witnesses.**

- (a) The Arkansas State Board of Registration for Foresters, if it deems necessary or upon advice of the Attorney General, may hire counsel and investigators and pay traveling expenses thereof for the investigation and prosecution of any violator of this chapter.
- (b) At its discretion, the board may pay any witness subpoenaed to appear before the board twenty-five dollars (\$25.00) per diem when actually in attendance, including time spent in traveling not to exceed one (1) day to and one (1) day from the location of the board meeting. In addition, the board may reimburse any witness for actual traveling expenses when furnished proof of such expenses, including hotel or motel expenses, when the witness resides in a county other than the one in which the board is meeting.

**History.** Acts 1969, No. 535, § 10; A.S.A. 1947, § 71-2410.

### **17-31-207. Records and reports.**

- (a) The Arkansas State Board of Registration for Foresters shall keep a record of its proceedings and a register of all applications. The register shall show:
- (1) The name, age, and residence of each applicant;
  - (2) The date of the application;
  - (3) The place of business of such an applicant;
  - (4) His or her education and other qualifications;
  - (5) Whether or not an examination was required
  - (6) Whether the applicant was rejected;
  - (7) Whether a certificate of registration was granted;
  - (8) The date of action of the board; and
  - (9) Such other information as may be deemed necessary by the board.
- (b) A roster showing the names and places of business of all foresters registered under this chapter shall be published by the secretary of the board during the month of April each year. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public on request.
- (c) The records of the board shall be prima facie evidence of the proceedings of the board.
- (d) A transcript of the records of the board, certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the originals were produced.
- (e) The board shall submit to the Governor an annual report of its transactions of the preceding year by April 1 and shall also transmit to the Governor a duly certified audit and financial statement prepared by a certified public accountant showing receipts and expenditures of the board.

**History.** Acts 1969, No. 535, §§ 11, 12; A.S.A. 1947, §§ 71-2411, 71-2412.

### **17-31-208. Disposition of funds.**

- (a)(1) The Secretary of the Arkansas State Board of Registration for Foresters shall receive, disburse, and account for all income paid to or received by the board.
- (2) The secretary shall institute a system of books and financial records satisfactory to the Director of the Department of Finance and Administration.
- (3)(A) The secretary shall open an account in a bank in this state designated by the board as its official depository.
- (B) The secretary and one (1) other officer of the board shall both sign all checks disbursing funds of the board.
- (C) The secretary shall deposit all funds of the board which he or she receives in the bank designated as the official depository within forty-eight (48) hours, excluding holidays and Sundays, after he or she receives the funds.
- (b) All fines collected for the violation of any provisions of this chapter shall be paid over to the board to be used by it in the same manner as funds received for the issuance of licenses.

- (c) Under no circumstances shall the total amount of warrants issued by the board in payment of the expenses and compensation provided for in this chapter exceed the amount of the application, registration, and other fees collected as herein provided.
- (d) Any surplus funds at the end of the fiscal year may be retained by the board for future expenditures, and the board shall not be required to pay any surplus into the General Revenue Fund Account of the State Apportionment Fund.

**History.** Acts 1969, No. 535, §§ 10, 22; A.S.A. 1947, §§ 71-2410, 71-2422; Acts 1997, No. 296, § 2.

### **Subchapter 3. Certificate of Registration**

#### **17-31-301. Requirement - Exemptions.**

- (a) Any person using in connection with the person's name or otherwise assuming, using, or advertising any title or description tending to convey the impression that the person is a forester engaged in the practice of forestry on private lands shall be registered as provided in this subchapter.
- (b) All foresters are eligible to apply for registration. However, nothing in this chapter shall be construed as requiring:
- (1) Any person, employee of a firm, partnership, corporation, or department or agency of any branch of the government to be registered pursuant to this chapter in order to practice forestry on the person's or its own lands or manage the person's or its own timberlands, woodlands, or forests or to supervise the removal of any products therefrom; or
  - (2) Any person to be registered pursuant to this chapter in order to perform duties as an employee of a registered forester acting under the supervision of the registered forester.
- (c) Certificates of registration shall be issued only to individuals. No firm, company, partnership, or corporation may be registered under this chapter.

**History.** Acts 1969, No. 535, §§ 2, 18; A.S.A. 1947, §§ 71-2402, 71-2418; Acts 1999, No. 993, § 8.

#### **17-31-302. Qualifications**

Effective January 1, 2001, the following shall be considered as minimum evidence satisfactory to the Arkansas State Board of Registration for Foresters that an applicant is qualified to be registered as a forester:

- (1) A bachelor's or advanced degree in forestry from a college or university program accredited by the Society of American Foresters. The written examination on basic forestry subjects administered by the board shall be passed with a score of at least seventy percent (70%);
- (2) A bachelor's or advanced degree in forestry from a college or university program not accredited by the Society of American Foresters and, subject to graduation, three (3) years or more experience in forestry work of a nature satisfactory to the board. The written examination on basic forestry subjects

- administered by the board shall be passed with a score of at least seventy percent (70%);
- (3) A bachelor's degree in a natural resources-related field from a college or university program, including, but not limited to, wildlife management, with at least twenty (20) semester hours of forestry courses approved by the board and, subsequent to graduation, three (3) years' or more experience in forestry work of a nature satisfactory to the board. The written examination on basic forestry subjects administered by the board shall be passed with a score of at least seventy percent (70%);
  - (4) A bachelor's degree not related to natural resources from a college or university program and, subsequent to graduation, six (6) years' or more experience in forestry work of a nature satisfactory to the board. The written examination on basic forestry subjects administered by the board shall be passed with a score of at least seventy percent (70%); and
  - (5) A two-year associate's degree in forestry from a community college or junior college and, subsequent to graduation, six (6) years' or more experience in forestry work of a nature satisfactory to the board. The written examination on basic forestry subjects administered by the board shall be passed with a score of at least seventy percent (70%).

**History.** Acts 1969, No. 535, § 13; 1973, No. 245, § 1; A.S.A. 1947, § 71-2413; Acts 1999, No. 993, § 9.

### **17-31-303. Application for registration.**

- (a) Application for registration shall:
  - (1) Be on forms prescribed and furnished by the Arkansas State Board of Registration for Foresters;
  - (2) Contain statements under oath giving a detailed summary of the applicant's education and technical experience; and
  - (3) Contain the names and addresses of not fewer than five (5) references, of whom three (3) or more shall be foresters who have personal or professional knowledge of the applicant's forestry experience or his or her character and ability. Not more than one (1) such reference may come from persons employed by the same firm or individual as that of the applicant, and not more than one (1) reference may come from personnel of the school or college attended by the applicant.
- (b) The amount of the application fee and the registration fee shall be set annually by the board.
- (c) No person shall be eligible for registration as a forester who is not of good character and reputation.

**History.** Acts 1969, No. 535, § 14; 1971, No. 122, § 2; A.S.A. 1947, § 71-2414; Acts 1999, No. 993, § 10.

### **17-31-304. Examinations.**

- (a) When written examinations are required, they shall be held at such times and places as the Arkansas State Board of Registration for Foresters shall determine.
- (b) The scope of the examinations and the methods of procedure shall be prescribed by the board.

- (c) A candidate who fails an examination may apply for another examination at the expiration of six (6) months from the date of failure of the prior examination.
- (d) Subsequent examinations will be granted only upon payment of the prescribed fee.

**History.** Acts 1969, No. 535, § 15; A.S.A. 1947, § 71-2415.

#### **17-31-305. Issuance - Form - Evidence.**

- (a) The Arkansas State Board of Registration for Foresters shall issue a certificate of registration upon payment of a registration fee as provided for in this chapter to any applicant who, in the opinion of the board, has satisfactorily met all of the requirements of this chapter.
- (b) The certificate shall show the full name of the registrant, shall have a serial number, and shall be signed by the chair and the secretary of the board under the seal of the board.
- (c) The issuance of a certificate of registration by the board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered forester while the certificate remains un-revoked or unexpired.

**History.** Acts 1969, No. 535, § 16; A.S.A. 1947, § 71-2416.

#### **17-31-306. Seal - Unlawful use.**

- (a) Each registrant may obtain a seal of a design authorized by the Arkansas State Board of Registration for Foresters, bearing the registrant's name, serial number, and the legend "Registered Forester, Arkansas." All registrants engaged in the practice of forestry, either in a private professional practice or as an employee of an agency of the government or of a corporation, company, partnership, individual, or other private employer, shall endorse with his or her name and impress with his or her seal all plans, specifications, maps, reports, or documents which he or she prepares or which shall be prepared under his or her supervision.
- (b) Anyone who endorses his or her name or impresses his or her seal upon any document, after the certificate of registration of the registrant named thereon has expired or has been revoked, shall be charged with a misdemeanor unless his or her certificate has been renewed or reissued.

**History.** Acts 1969, No. 535, § 16; A.S.A. 1947, § 71-2416.

#### **17-31-307. Expiration and renewal.**

- (a) Certificates of registration shall expire on December 31 of the year for which issued or renewed and shall become invalid thereafter unless renewed.
- (b) The Secretary of the Arkansas State Board of Registration for Foresters shall notify by letter to the last known address every person registered under this chapter of the date of the expiration of the certificate and the amount of the fee required for its renewal of one (1) year. Notice shall be mailed at least one (1) month in advance of the date of the expiration of such a certificate.
- (c)(1) The board shall require persons who are licensed under this subchapter to complete not fewer than six (6) hours of continuing forestry education during

the previous year beginning January 1, 2001, as a condition of license renewal. Continuing forestry education shall be equivalent to the Society of American Foresters Category I for continuing forestry education which includes, but is not limited to, seminars, short courses, and workshops in forestry or a related subject matter as approved by the board.

(2) Credit accrues at a rate of one (1) hour for each hour of actual contact. Three (3) hours of tours or field sessions equal one (1) contact hour.

(3) The board may approve continuing forestry education courses offered by professional organizations, institutions of higher learning, qualified individuals, or specialty societies. The board may approve credit hours for meetings, presentations, or other activities considered by the board to be a form of continuing forestry education.

(4) A successful applicant for licensure under this subchapter shall have two (2) years from the date the license is issued to complete the first six (6) hours of continuing forestry education. After two (2) years, the registered forester shall complete the continuing forestry education requirements as required by this subsection.

(d) The board may waive the continuing forestry education requirements in cases of hardship, illness, or retirement from active forestry practice.

(e) The board may promulgate rules and regulations to ensure compliance with the requirements of this section.

(f) Renewal of a certificate of registration shall be for an annual fee set annually by the board.

(g) The failure on the part of any registrant to renew the certificate annually in the month of December as required in this section shall not deprive the person of the right of renewal, but the fee to be paid for the renewal of a certificate after December 31 shall be increased ten percent (10%) for each month or fraction of a month that payment of renewal is delayed. However, the maximum fee for delayed renewal shall not exceed twice the annual renewal fee.

**History.** Acts 1969, No. 535, § 17; 1971, No. 122, § 3; A.S.A. 1947, § 71-2417; Acts 1999, No. 993, § 11.

### **17-31-308. Reciprocity.**

Upon application therefor and the payment of a fee set by the Arkansas State Board of Registration for Foresters, the board may issue a certificate of registration as a registered forester in Arkansas to any qualified person of any state of the United States or its possessions, or Canada, provided that:

(1) The person is a legally registered forester or the equivalent in the person's own state or province and has submitted evidence satisfactory to the board that the person is so registered and that the requirements therein are substantially equivalent to the requirements of registration under this chapter; and

(2) The state in which the person is so registered will accept the certificates of registration issued by the board on a reciprocal basis.

**History.** Acts 1969, No. 535, § 19; A.S.A. 1947, § 71-2419; Acts 1999, No. 993, § 12.

**17-31-309. Revocation - Grounds - Proceedings.**

- (a) The Arkansas State Board of Registration for Foresters may receive and investigate complaints against registered foresters and make findings thereon.
- (b) The board may revoke the certificate of any registered forester who has been convicted of a felony or who is found guilty by the board of any fraud, deceit, gross negligence, misrepresentation, willful violation of contract, misconduct, or gross incompetence. The board shall investigate such charges.
- (c) All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three (3) months after the date on which they are presented to the board.
- (d) Before the board shall revoke the certificate of any registered forester, the board shall conduct a hearing, the time and place for which shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed by registered letter to the last known address of the registered forester at least thirty (30) days before the date fixed for the hearing.
- (e) At any hearing, the accused registered forester shall have the right to appear personally and, by counsel, to cross-examine witnesses appearing against him and her and to produce evidence and witnesses in his or her own defense.
- (f) A written record, including the testimony of all witnesses, shall be made and filed by the secretary.
- (g) If the accused registered forester is found guilty of the charges made against him or her, the board shall revoke his or her certificate of registration.
- (h) A registered forester whose certificate of registration has been revoked may apply for a review of the proceedings of the board by any court of competent jurisdiction within sixty (60) days following the action of the board. The petition to the circuit court shall set out in detail what adverse action of the board was erroneous. After citation of the board as provided by law and full hearing, the court shall make such decree sustaining or reversing the action of the board as may seem just and proper.

**History.** Acts 1969, No. 535, § 20; A.S.A. 1947, § 71-2420.

**17-31-310. Re-issuance.**

- (a) A new certificate of registration to replace any revoked, lost, destroyed, or mutilated certificate may be issued, subject to the rules of the Arkansas State Board of Registration for Foresters, and for a charge fixed by the board.
- (b) The board may also reissue a certificate of registration to any person whose certificate has been revoked if:
  - (1) Four (4) or more members of the board vote in favor of re-issuance; and
  - (2) The person presents satisfactory assurances that the grounds which caused the certificate to be revoked will not occur again and that the person is otherwise qualified to be registered hereunder. **History.** Acts 1969, No. 535, § 21; A.S.A. 1947, § 71-2421.

## NOTES

NOTES

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**ARKANSAS  
REGISTERED FORESTERS  
CODE OF ETHICS**

The applicant agrees to conform to the following rules of professional conduct:

1. He will advertise only in a dignified manner, setting forth in truthful and factual statements the services he is prepared to render for his prospective clients and for the public.
2. He will strive for correct and increasing knowledge of forestry and the dissemination of this knowledge, and will discourage and condemn the spreading of untrue, unfair, and exaggerated statements concerning forestry.
3. When serving as an expert witness on forestry matters, in a public or private fact-finding proceeding, he will base his testimony on adequate knowledge of the subject matter, and render his opinion on his own honest convictions.
4. He will refrain from expressing publicly an opinion on a technical subject unless he is informed as to the facts relating thereto, and will not distort or withhold data of a substantial or other nature for the purpose of substantiating a point of view.
5. He will not voluntarily disclose information concerning his business affairs of his employers, principals, or clients, which they desire to keep confidential, unless express permission is first obtained.
6. He will not, without the full knowledge and consent of his client or employer, have an interest in any business which may influence his judgment in regard to the work for which he is engaged.
7. He will not, for the same service, accept compensation of any kind, other than from his client, principal, or employer, with full disclosure, knowledge, and consent of all parties concerned.
8. He will engage, or advise his client or employer to engage, other experts and specialist in forestry and related fields when ever the client's or employer's interest would be best served by such actions, and will cooperate freely with them in their work.
9. He will aid in safeguarding against the registration of persons disqualified because of lack of good moral character or of adequate training.
10. If he has substantial and convincing evidence of unprofessional conduct of a registered forester, he will present the information to the State Board of Registration for Foresters.