

Misty Ridge Dairy

Online / Phone Bidding Instructions

1. Read the Terms and Conditions for the sale.
2. Fill in Buyer Registration Form
3. Fax completed buyer registration form with bank letter of credit to Nilsson Bros. Clyde – Fax# 780-348-5704
4. Go to www.dlms.ca click Registration and fill out buyer registration.
5. Run the DLMS Downloads on your computer. Please confirm that on step 3 – Test your computer configuration you can see the Message window and bid button. If you cannot see this window please call DLMS at 780-699-5082 for assistance with downloads.

DEADLINE FOR ONLINE / PHONE BIDDING PAPERWORK is

Thursday January 17, 2012 • 1:00 PM

After Registration has been received by Nilsson Bros. Clyde you will be contacted by a DLMS/ NBI representative to confirm approval for sale.

Due to Choice being offered for all the cow lots in the sale we will only provide Internet bidding for Quota. Bidding for live cows will happen via Telephone. When the DLMS representative calls he will provide you with your sale day phone contact for any bidding on Cows.

If you have any question please call DLMS at 780-699-5082 or NBI at 780-348-5893

TERMS AND CONDITIONS OF MISTY RIDGE DAIRY COW AND QUOTA SALE

QUOTA

342 kg of total production quota allotted by Alberta Milk ("Quota") to be offered for sale on the following basis:

1. Quota Lots:
 - Lot 14 – 50 kg Quota
 - Lot 25 – 50 kg Quota
 - Lot 47 – 50 kg Quota
 - Lot 61 – 50 kg Quota
 - Lot 74 – 50 kg Quota
 - Lot 89 – 50 kg Quota
 - Lot 105 – 42 kg Quota
2. High Bidder will have the option to take 1 to 50 kg of Quota from each lot. Any remaining kgs in the lot will be re-auctioned with the option on remaining kgs in the lot.
3. Payment of 25% of the purchase price must be made at sale location on sale day by cash, certified check, or bank draft. This deposit will be non-refundable unless title to the Quota cannot be conveyed to the Buyer. Personal or Corporate checks will be accepted if accompanied by appropriate bank letter of guarantee.
4. Internet bidders must post an appropriate bank letter of guarantee in advance, and remit deposit by certified check, bank draft or wire within 48 hours.
5. All bidders will be required to register in advance by completing the bidder registration form attached including provision of bidders Canadian Dairy Commission Number.
6. Successful bidders must complete and sign the Buyers portion of Alberta Milk's Application to Transfer Total Production Quota on sale day.
7. Alberta Milk will process the applications for transfer of the Quota commencing February 15. Upon approval by Alberta Milk successful bidder must pay the balance of the purchase price to the Auctioneer by bank wire, draft or check within 48 hours of notice of approval.
8. Title to and property in the Quota will only pass upon payment in full and be effective on the date prescribed by Alberta Milk which is anticipated to be March 1, 2012. All successful bidders must have a current license with Alberta Milk in good standing.
9. The highest bidder will be the Purchaser and no bidder shall retract their bid(s). All sales are final and sold as is where is. In the event the high bidder fails to complete the purchase the Quota will be resold, and in addition to forfeiting its deposit the defaulting bidder will be liable for all resulting damages.
10. Any dispute arising as to any bidding will be determined by the Auctioneer at his sole discretion and, at the Auctioneer's discretion, the Auctioneer may immediately put the lot in dispute up for sale again.
11. The Auctioneers reserve the right to refuse any applicant the privilege of bidding at the auction sale and/or revoke such privilege at any time.
12. In the event of technical issues regarding the accompanying on-line sale the auction may be delayed at the discretion of the Auctioneer.

COWS

13. Payment of the full purchase price must be made at sale location on sale day by cash, certified check or bank draft.
14. Internet bidders must post an appropriate bank letter of guarantee in advance, and remit full payment by Personal or Corporate check, certified check, bank draft or wire within 48 hours.
15. Each animal becomes the risk of the Purchaser as soon as sold and is sold as is where is without any warranties as to fitness. Animals will be cared for in the normal farm operation manner until pickup, however the Cows will be at the Purchaser's risk until loaded out from the farm, which shall occur January 23 to 27.

In addition to the above, customary terms and conditions of sale by auction shall apply.

BIDDER REGISTRATION FORM

Buyer Registration #

**MISTY RIDGE DAIRY LTD.
COW & QUOTA SALE
Conducted by Nilsson Bros. Inc. (The Auctioneer)****A** BIDDER INFORMATION

Name (as registered with Alberta Milk, if applicable)

Canadian Dairy Commission No.

Mailing Address

Town or City

Postal Code

Phone

Fax

Email Address

Are you registered to purchase Quota Only Cows Only Cows & Quota**B** PAYMENT AND OTHER INFORMATION

Deposit will be made by:

 Cash Certified Check Bank Draft Money Order Electronic Funds Transfer Personal or Corporate Check (Bankers Letter of Guarantee attached)

Name of Financial Institution

C ACKNOWLEDGEMENT OF AUCTION POLICIES AND PROCEDURES

1. I have read and understand the Terms and Conditions of Sale attached hereto (Terms and Conditions) and acknowledge and agree that they are binding upon me.
2. No sales shall be invalidated by reason of incorrect description in the catalogue which has been prepared as a guide only. These Terms of Sale shall override any inconsistency in the catalogue and may only be amended in writing signed by the Auctioneer and the buyer or by announcement by the Auctioneer on the sale day.
3. The bidders and/or their agents acknowledge that an auction site is a potentially dangerous place. Every person at the auction site before, during and after the action sale shall be deemed to be there at their own risk with notice of the condition of the premises, the activities on the premises and the conduct of third parties. No person shall have any claim against the Auctioneer, its agents, employees or principals, or the property owners, for any injuries sustained, nor for damages to or loss of property, which may occur from any cause whatsoever.

D BIDDER'S ACCEPTANCE

I confirm that all information provided by me is true and correct. I have read all of the terms and conditions of this Agreement. I also agree that no verbal promises have been made to me by the Auctioneer or its employees. I understand that the written terms and conditions of this Agreement and the Terms and Conditions make up the entire Agreement.

Bidder's Signature

Date