

1 3. _____ ("Alternate Payee Spouse"),
2 whose social security number is _____, whose current
3 mailing address is _____, and
4 whose date of birth is _____, has a community property
5 interest in the pension benefits of the Participant in the Trust
6 arising from the marriage of the Alternate Payee Spouse to the
7 Participant.

8 DEFINITION OF COMMUNITY INTEREST OF ALTERNATE PAYEE SPOUSE

9 4. The community property interest of the Alternate Payee
10 Spouse ("Community Interest") shall mean the right of the
11 Alternate Payee Spouse to receive credits in and benefits from
12 the Trust, as more specifically set forth herein, based upon
13 one-half of any Prior Service Credits and Pension Credits
14 accumulated by the Participant during the period _____,
15 (month and year of marriage) through _____, (month and
16 year of separation.)

17 ASSIGNMENT OF BENEFITS TO ALTERNATE PAYEE SPOUSE

18 5. The Trust shall divide the Participant's Prior Service
19 Credits and Pension Credits and allocate part of such credits to
20 the Alternate Payee Spouse and assign to the Alternate Payee
21 Spouse the right to receive pension benefits based upon the
22 Community Interest. This assignment shall include all of the
23 Community Interest withheld by the Trust from the Participant's
24 pension, during the period on which the claim of the Alternate
25 Payee Spouse was reviewed by the Trust. The Participant shall
26 have no right to receive that portion of the pension benefits
27 assigned by this order to the Alternate Payee Spouse except in
28 the event that the Alternate Payee Spouse and each Alternate

1 Payee named in this order have died or upon further order of
2 this court.

3 6. The Alternate Payee Spouse shall have no right to
4 receive pension benefits from the Trust except as specifically
5 required by this order. All payment of pension benefits to the
6 Alternate Payee Spouse shall cease upon the death of the
7 Participant except for death benefits or benefits payable to a
8 surviving spouse required under Paragraph 11 of this order.

9 COMMENCEMENT OF BENEFITS

10 7. Payment of pension benefits to the Alternate Payee
11 Spouse shall begin on the first month after approval by the
12 Trustees of this order as a Qualified Domestic Relations Order,
13 after this order has been entered by the Court, and after the
14 Alternate Payee Spouse has made a written application for
15 benefits from the Trust pursuant to this order, when the
16 earliest of the following events occurs: (a) the Participant has
17 retired and begun receiving pension benefits from the Trust; (b)
18 the Participant is eligible for a Regular Pension, an Early
19 Pension, a Service Pension, or a Pro-Rata Pension from the Trust
20 (whether or not the Participant has retired and made application
21 for, or begun receiving, pension benefits from the Trust); (c)
22 the Participant dies before retiring or after retiring, but
23 before pension payments to the Participant commence, if the
24 Participant's Service Credits are vested in accord with Article
25 II, Section 5, of the Operating Engineers Pension Plan ("Plan").

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FORM OF BENEFIT PAYMENTS

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2 8. If the Participant has begun receiving pension
3 benefits when this order is approved by the Trustees, the
4 Alternate Payee Spouse shall receive pension benefits in the
5 form that such benefits are being paid to the Participant.

6 9. If the Participant has not yet begun receiving pension
7 benefits when this order is approved by the Trustees, then the
8 form of benefits payable to the Alternate Payee Spouse shall be
9 selected as follows:

10 a. If the Alternate Payee Spouse has been married
11 for not less than one year to the Participant, when her
12 application for benefits is made, benefits shall be paid to the
13 Alternate Payee Spouse in the form of the Husband-and-Wife-
14 Pension unless that form is rejected in the manner prescribed by
15 Article IV, Section 4, of the Plan. The Alternate Payee Spouse
16 shall be deemed the spouse of the Participant to the extent of
17 the Community Interest for purposes of the rejection specified
18 in Article IV, Section 4, of the Plan.

19 b. If the Alternate Payee Spouse has not been
20 married to the Participant for at least one year, when her
21 application for benefits is made, then pension benefits shall be
22 paid to the Alternate Payee Spouse in the form of a single life
23 annuity using the Participant's life as the measuring life.

24 c. If the Alternate Payee Spouse begins receiving
25 pension benefits pursuant to this order before the Participant
26 attains age 62, the Alternate Payee Spouse's monthly amount
27 shall not exceed the amount actuarially equivalent at the
28 Participant's current age to the amount the Participant would

1 have received at age 62. For this purpose, the actuarial
2 equivalent reduction shall be one half of one percent (.5%) for
3 each month by which the Participant's age precedes age 62. This
4 reduction shall be applied prior to any reduction for the
5 Husband-and-Wife Pension form.

6 10. In the event that the Husband-and-Wife-Pension, or the
7 survivor benefit payable under such pension, is paid to the
8 Alternate Payee Spouse pursuant to the rules of the Plan and
9 this order, the amount of benefits payable shall be calculated
10 using the age of the Participant and the age of the Alternate
11 Payee Spouse as the spouse for the computation of benefits under
12 Article IV, Section 4, of the Plan.

13 PAYMENTS AFTER PARTICIPANT'S DEATH

14 11. The Alternate Payee Spouse shall be deemed to be the
15 surviving spouse of the Participant, to the extent of the
16 Community Interest, and any benefit payable to a surviving
17 spouse under Article IV, Section 3, Article IV, Section 4, or
18 Article VI, Section 4, of the Plan following the Participant's
19 death, shall be paid, to the extent of the Community Interest,
20 to the Alternate Payee Spouse in accord with such provisions of
21 the Plan, whichever is applicable to the Community Interest
22 under the rules of the Plan and this order.

23 PAYMENT AFTER DEATH OF ALTERNATE PAYEE SPOUSE

24 12. In the event the Alternate Payee Spouse dies before
25 the Participant, any further pension benefits which would have
26 been payable to the Alternate Payee Spouse from the
27 Participant's pension, had the Alternate Payee Spouse lived

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1 until the Participant's death, shall be paid to the person or
2 persons set forth below in the proportion stated:

3	Name, Date of Birth, Social Security Number	Address	Relationship to Participant	% of Benefits
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23 Each of the persons named above is an Alternate Payee under
24 this Order and qualifies as such pursuant to Section 1056
25 (d) (3) (K) of Title 29 of the United States Code as the spouse,
26 former spouse, child or other dependent of the Participant.
27

1 the Alternate Payee Spouse. All of the remaining interest in
2 the Participant's pension benefits or death benefits shall be
3 paid in accord with the rules of the Plan without regard to this
4 order.

5 16. Except as expressly provided in this order, the
6 interest in pension benefits or death benefits of the
7 Participant, the Alternate Payee Spouse, and each Alternate
8 Payee named in this order shall not be assigned or alienated,
9 and all rights with respect to pension benefits or death
10 benefits shall exist and shall terminate in accordance with the
11 rules of the Plan.

12 17. Nothing herein shall be construed to require the Trust
13 to provide (1) any type or form of benefit, or any option, not
14 otherwise provided under the Plan; (2) increased benefits
15 (determined on the basis of actuarial value), over that which
16 would otherwise be payable under the Plan in the absence of this
17 order; or (3) benefits to an Alternate Payee Spouse or an
18 Alternate Payee which are required to be paid to another
19 alternate payee under another order previously determined under
20 this Plan to be a qualified domestic relations order as that
21 term is defined in Section 1056(d)(3)(B) of Title 29 of the
22 United States Code.

23 18. In the event that the Trust is terminated in whole or
24 in part pursuant to its Plan or pursuant to proceedings
25 instituted by the Pension Benefit Guaranty Corporation or other
26 federal agency, the interests of the Participant, the Alternate
27 Payee Spouse and each Alternate Payee shall be disposed of in
28 such manner as required by the Plan and by federal law.

1 19. Notwithstanding any other provision of this order, in
2 the event that the Participant, the Alternate Payee Spouse, any
3 Alternate Payee or another person claiming to derive rights to
4 benefits from any such person, shall make a claim which the
5 Trustees determine to be inconsistent with the terms of this
6 order or the terms of the Plan, the Trustees may forthwith cease
7 payments to all or any persons otherwise entitled thereto under
8 this order pending resolution of said claim and may take such
9 further action as is permitted under the rules of the Plan and
10 applicable federal law, including Section 1056(d) of Title 29 of
11 the United States Code.

12 20. This court reserves jurisdiction to make all other
13 necessary and proper orders required to carry out the terms of
14 this order.

15 Date _____

JUDGE OF THE SUPERIOR COURT

16
17 Approved as to form and content:

18 Date _____

Participant

19
20 Date _____

Attorney for Participant

21
22 Date _____

Alternate Payee Spouse

23
24 Date _____

Attorney for Alternate Payee Spouse