

CERTIFICATE OF ASSIGNMENT

of

AQUACULTURE LICENCE NO. 85

This is to certify that the Aquaculture Licence referred to has been assigned, with the approval of the Minister of State at the Department of Communications, Marine and Natural Resources, from:

**TURBARD IARTHAR CHONAMARA TEO,
57 DROIM OIR,
CLYBAUN ROAD,
KNOCKNACARRA,
CO. GALWAY**

to

**CONEMARRA FLATFISH LTD,
57 DROIM OIR,
CLYBAUN ROAD,
KNOCKNACARRA,
CO. GALWAY**

with effect from 23 February, 2007, subject to the terms and conditions thereof.

Signed: 

**A person authorised under Section 15 of the
Minister and Secretaries Act, 1924, to
authenticate the seal of the Minister for
Communications, Marine and Natural
Resources.**

23 February, 2007

AQUACULTURE LICENCE NO. 85**GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)**

The Minister for the Marine and Natural Resources in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23) hereby grants an Aquaculture Licence to:

TURBARD IARTHAR CHONAMARA TEO
57 DROM OIR
CLYBAUN ROAD
KNOCKNACARRA
CO. GALWAY

for the culture of halibut and turbot on a site at Lettercallow, Co. Galway (outlined on the attached drawing) in accordance with plans approved of by the Minister, subject to the provisions of the Act referred to and to the terms and conditions set out in the Schedule attached. Subject as aforesaid, this Aquaculture Licence shall remain in force for a maximum period of ten (10) years commencing on the 11th day of June, 1999 and only for so long as the Foreshore Licence granted on the 11th day of June, 1999, under Section 3(1) of the Foreshore Act, 1933 (No.12) in respect of the same sites for the purpose referred to is in force.



A person authorised under section 15(1)
of the Ministers and Secretaries Act, 1924
to authenticate the Seal of the Minister
for the Marine and Natural Resources
11 June 1999

PRESENT when the Seal of Office
of the MINISTER FOR THE MARINE
AND NATURAL RESOURCES
was affixed and was authenticated
by the Signature of:

THOMAS J. TOBIN



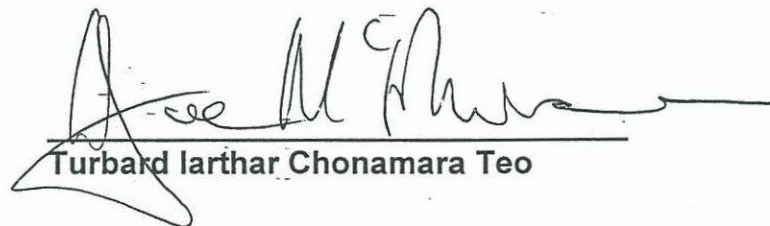
A person so authorised under Section
15(1) of the Ministers and Secretaries
Act, 1924 to authenticate the seal of
the Minister.

WITNESS: Michael Murphy

ADDRESS: Dept. of the Marine & Natural Resources
Leeson Lane, Dublin 2

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



Turbard Iarthar Chonamara Teo

in the presence of:

WITNESS: J. M. Shea

ADDRESS: 16 St. Marys Rd
Galway

OCCUPATION: Accountant

SCHEDULE

TERMS AND CONDITIONS TO APPLY TO 10 YEAR AQUACULTURE LICENCE FOR CULTURE OF HALIBUT AND TURBOT BY TURBARD IARTHAR CHONAMARA TEO AT LETTERCALLOW, CO GALWAY

General

1. Subject to the provisions of the Fisheries (Amendment) Act 1997, the Licence shall remain in force for so long as there is in force a planning permission granted by Galway County Council (or An Bord Pleanála) in respect of the fish farm, subject to a maximum of 10 years from the date of grant.
- 2.(a) The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper management and control of all fish culture activities at the fish farm, including in particular instructions issued in relation to any of the matters referred to in the following paragraphs.
- 2.(b) The Licensee shall regularly update its comprehensive Emergency Plan which shall, in particular, provide for appropriate response to significant fish mortalities; fish disease; fish escapes; chemical spills; failure of ultraviolet disinfection equipment or ozone treatment equipment, or any other significant matters arising in the course of the Licensee's operations.
3. The Licensee shall indemnify and keep indemnified the State, the Minister, their officers, servants or agents against actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of any aquaculture structures, apparatus or equipment in the exercise of rights granted under the Licence.
4. The Licence shall not be construed as authorising the Licensee in any way to interfere with or infringe the rights of any other person.
- 5.(a) In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit (including the disposal of any fish there and revocation of the Licence) and the Licensee shall be liable to reimburse the Minister the expense involved in so doing.
- 5.(b) The Minister shall be at liberty at any time to revoke or amend the Licence if he considers that it is in the public interest to do so, or if he is satisfied that there has been a breach of any condition specified in the Licence, or in the event of water quality results or general performance at the fish farm not meeting the standards set by the Department of the Marine and Natural Resources. Any such revocation or amendment shall be subject to the provisions for the Fisheries (Amendment) Act, 1997, or any amendment thereto.

Stocking, production and other restrictions

6. No fish other than halibut or turbot shall be stocked, bred or handled at the fish farm.
7. Expansion of production at the fish farm shall be on a closely monitored and phased basis and shall not exceed the following maxima:

YEAR	MAXIMUM PRODUCTION (TONNES)
1999	40
2000	70
2001	150
2002	200

Provided that:

- (a) if the results of monitoring at any stage provide sufficient grounds for concern, appropriate action will have to be taken either in capping or reducing production levels or, indeed, following of the fish farm for such appropriate period, as the Minister for the Marine and Natural Resources may direct in writing; and
- (b) in the year 2002, the Licensee shall prepare and submit to the Minister an Environmental Impact Statement in relation to any proposals it may then have for a further expansion of production in succeeding years together with a full environmental report of its operations in the meantime (including a report on fish health at the fish farm).

8. Such precautions shall be taken as the Minister may specify from time to time, in relation to;
- (a) the introduction of fish for stocking the fish farm, including disease-free certification, and
- (b) the adaptation of methods of operation or type of installation.

Hygiene and Fish Health

9.(a) The Licensee shall make adequate arrangements for the hygienic operation of the fish farm at all times (including the proper selection and preparation of food, and the proper treatment and disposal of wastes).

9.(b) The Licensee shall no later than 30 September 1999 install and maintain in operation, in accordance with such specification and capacity as may be approved by the Department of the Marine and Natural Resources,

- (i) ultraviolet disinfection equipment capable of killing pathogens (including viruses) to treat all water intake into, and all water discharged from, the fish farm, and
- (ii) ozone treatment equipment to treat all water discharged from the fish farm.

10. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from natural water courses adjoining the fish farm and also at a point as near as possible to the confluence of the fish farm waste channel and the natural water courses as will effectually prevent the admission of migratory fish into the fish farm feed channels, the fish farm waste channel and other water courses and ponds of the fish farm, and shall make adequate arrangements to ensure the safe passage past the fish farm of migratory fish, and shall make all necessary provisions to prevent the escape of fish from the fish farm.

11. The Licensee shall ensure that the abstraction of water by the fish farm shall be so regulated that sufficient water will be maintained at all times in the natural water courses adjoining the fish farm to ensure the free passage of migratory fish past the fish farm.

12. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible spread of disease by predators.

13. The Licensee shall carry out regularly water quality and other monitoring at the fish farm in accordance with the specifications of the Department of the Marine and Natural Resources (including the essential reference standards against which the monitoring shall be carried out) and provide the results of such monitoring to the Department of the Marine and Natural Resources on request.

14. All chemicals, antibiotics and disinfectants used on the fish farm shall be used in accordance with instructions issued by the Minister from time to time.

15. The Licensee shall keep full records of all chemicals, antibiotics and disinfectants with which fish are treated on the fish farm, including details of quantities used and times of use.

16. The Licensee shall notify the Coastal Zone Administration Division, Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, within 24 hours of the appearance or suspected appearance of any disease or parasite or abnormal losses or mortalities at the fish farm and shall send samples to the Fish Pathology Unit, Fisheries Research Centre, Marine Institute, Abbotstown, Castleknock, Dublin 15, in the prescribed manner as and when requested to do so, and shall comply with any directions by the Department as to the treatment, disposal or destruction of stocks of fish at the fish farm in the interests of safeguarding the stocks of other fish in the State.

17.(a) The Licensee shall make arrangements for the disposal of dead fish in a manner approved of by the Minister and Galway County Council.

17.(b) The Licensee shall not allow any discharge into the sea or to other waters of blood from harvesting.

18. The Licensee shall notify the Coastal Zone Administration Division, Department of the Marine and Natural Resources and the Fish Pathology Unit, at the above address, and the Western Regional Fisheries Board within 24 hours of any escapes of fish from the fish farm and shall keep full records of fish escaped, including records of numbers, origin, types and year classes, and shall make these records available to the Department, the Fish Pathology Unit and to the Western Regional Fisheries Board on request.

Inspections, records and returns

19. The fish farm and all structures and equipment used in connection with the operations of the fish farm shall be open to inspection at any time by any authorised officer within the meaning of the Fisheries Acts.

20. The Licensee shall keep full records at the fish farm of all fish introduced into, stripped, bred, held or handled at the fish farm and of all sales of fish from the fish farm and such records shall be available for inspection at all reasonable times by any inspector appointed for any purpose of the Fisheries Acts.

21. The Licensee shall furnish to the Coastal Zone Administration Division, Department of the Marine and Natural Resources, at the above address, such returns from the records kept at the fish farm as may be required from time to time.

22. The Licensee shall not assign the benefit of the licence without the written consent of the Minister, such consent not to be unreasonably withheld.

23. In the event of the benefit of the licence being granted to a company (within the meaning of the Companies Acts, 1963 to 1990) the following condition shall apply, namely, the Licensee shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensee where such change substantially alters the identity of the Licensee.

24. In the event of the benefit of the licence being granted to a society (within the meaning of Section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,

- (i) the rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
- (ii) the rules relating to the society shall be submitted to the Minister as soon as practicable after such assignment and the society shall not amend the rules thereafter, other than with the consent of the Minister; and
- (iii) the Minister may, if he considers it necessary in the interests of good management of the licensed areas, direct that an amendment may be made to the rules of the society, from time to time, and the Licensee shall amend the rules in accordance with that direction.

FORESHORE LICENCE IN RESPECT OF TWO INTAKE PIPES
AND ONE EFFLUENT DISCHARGE PIPE

AGREEMENT made the 11th day of June, 1999, between the Minister for the Marine and Natural Resources (hereinafter referred to as the "Minister"), of the one part, and

TURBARD IARTHAR CHONAMARA TEO
57 DROM OIR
CLYBAUN ROAD
KNOCKNACARRA
CO. GALWAY

(hereinafter referred to as the "Licensee") of the other part, whereby the Minister in exercise of the powers conferred on him by Section 3(1) of the Foreshore Act, 1933 (No.12) hereby grants to the Licensee licence to use and occupy those parts of the Foreshore at Ross, Lettercallow, Co Galway. delineated on the map annexed hereto for the purpose of laying, maintaining and using two seawater intake pipes as shown coloured red on the map annexed hereto and one effluent discharge pipe coloured blue on the map annexed hereto, in accordance with plans and drawings submitted to and approved by the Minister in connection with the cultivation of turbot and halibut on the terms and conditions set out in the Schedule attached.

TERMS AND CONDITIONS

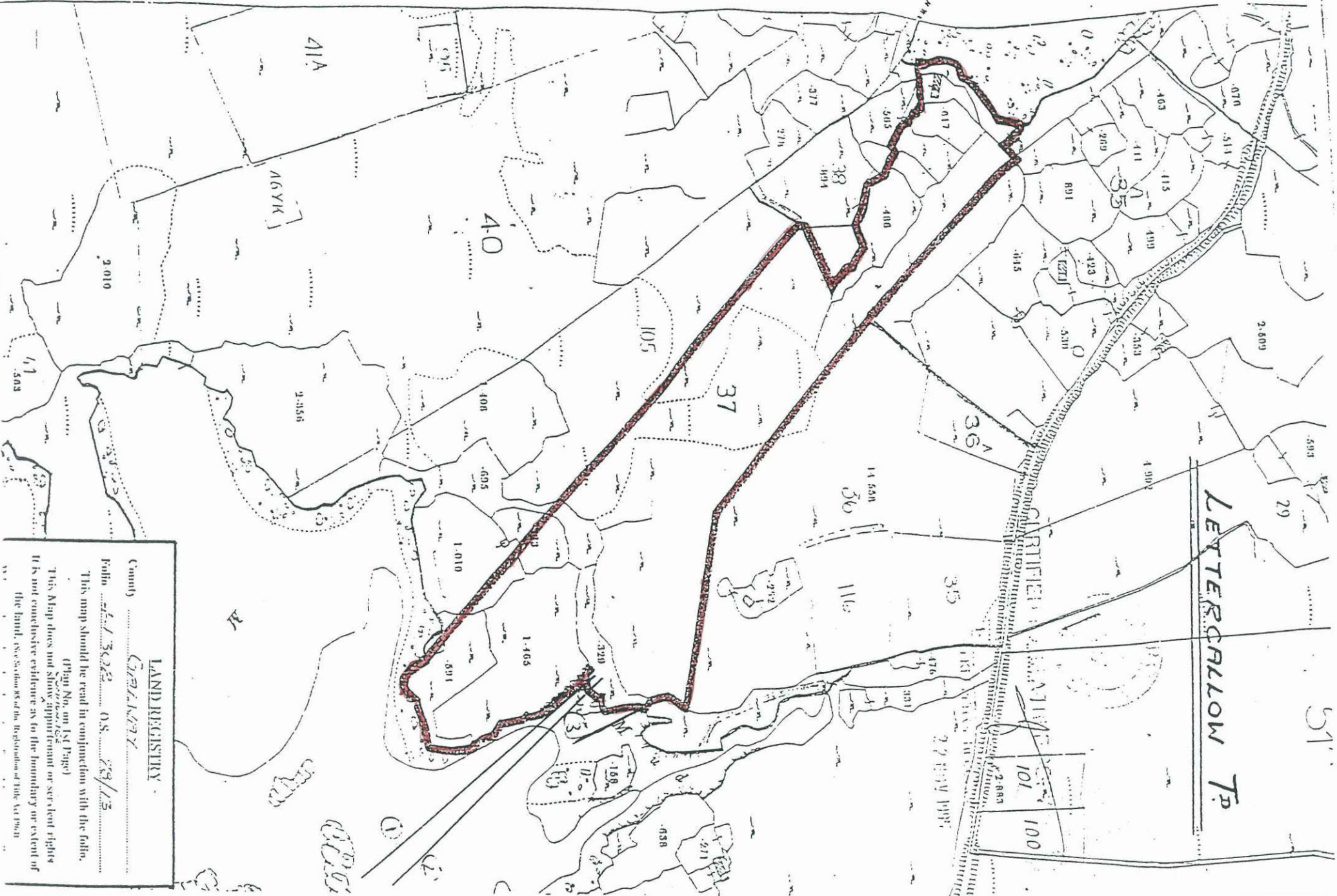
1. This Foreshore Licence shall remain in force for a maximum period of ten (10) years commencing on the 11th day of June, 1999, except as hereinafter provided and only for so long as the Aquaculture Licence No. 85 granted on the 11th day of June, 1999, is in force.
2. The Licensee shall pay to the Minister through the Department of the Marine and Natural Resources (Coastal Zone Administration Division), Leeson Lane, Dublin 2, an annual fee for the duration of this licence, the first payment, of £65, to be made on the signing hereof in respect of the year ending the 10th day of June, 2000.
3. The Licensee shall use those parts of the foreshore, the subject matter of this licence for the laying and maintaining of two seawater intake pipes and one effluent discharge pipe in connection with a turbot and halibut farm and for no other purpose whatsoever.
4. The Licensee shall cause the said pipes to be weighted to ensure that they remain submerged on the seabed at all times.
5. The Licensee shall generally conduct his operations with full regard for other persons in the area and for the environment.
6. The Licensee shall at all times during the continuance of the licence keep the said pipes in a good and proper state of repair and condition to the satisfaction of the Minister and ensure that they will not be injurious to navigation, the adjacent lands or the public interest and shall comply with any directions which may be issued by the Minister from time to time in that regard.
- 7(i). The proposed UV disinfection on the intake shall be capable of killing pathogens and viruses and shall be to a specification approved by the Department of Marine and Natural Resources and shall be installed as soon as possible but no later than 30 September, 1999, and
- 7(ii). The proposed filter and ozone treatment unit on the discharge shall be to a specification approved by the Department of Marine and Natural Resources and shall be installed as soon as possible but no later than 30th day of September, 1999.
8. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in connection with the licensed areas or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.

9. The Licensee shall, at the expense of the Licensee, if so required by the Minister, and within three weeks after receipt of such notice or on determination of the licence from any other cause, remove the said pipes to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said pipes to be removed and the licensed areas restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration, and the Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.
10. The Minister may revoke or amend the licence if he considers that it is in the public interest to do so or if he is satisfied that there has been a breach of any condition specified in the licence or that the licensed areas to which the licence relates are not being properly maintained or in the event of water quality results or general performance at the licensed areas not meeting with standards set by the Department of Marine and Natural Resources.
11. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.
12. The Licensee shall not carry out any operations authorised by the licence in the licensed areas in such a manner as to interfere unreasonably with fishing or navigation in the vicinity of the licensed areas and shall comply with any direction given to the Licensee in that regard by the Minister.
13. The Licensee shall not assign the benefit of the licence without the written consent of the Minister, such consent not to be unreasonably withheld.
14. In the event of the benefit of the licence being granted to a company (within the meaning of the Companies Acts, 1963 to 1990) the following condition shall apply, namely, the Licensee shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensee where such change substantially alters the identity of the Licensee.
15. In the event of the benefit of the licence being granted to a society (within the meaning of Section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,
 - (i) the rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
 - (ii) the rules relating to the society shall be submitted to the Minister as soon as practicable after such assignment and the society shall not amend the rules thereafter, other than with the consent of the Minister; and
 - (iii) the Minister may, if he considers it necessary in the interests of good management of the licensed areas, direct that an amendment may be made to the rules of the society, from time to time, and the Licensee shall amend the rules in accordance with that direction.

KILLISSEAN BAY

XXVII
Inch work
100 Acres

LETTERCLOW T^p



LAND REGISTRY

County

CHALMERS

Folio 241 3622 08 28/13

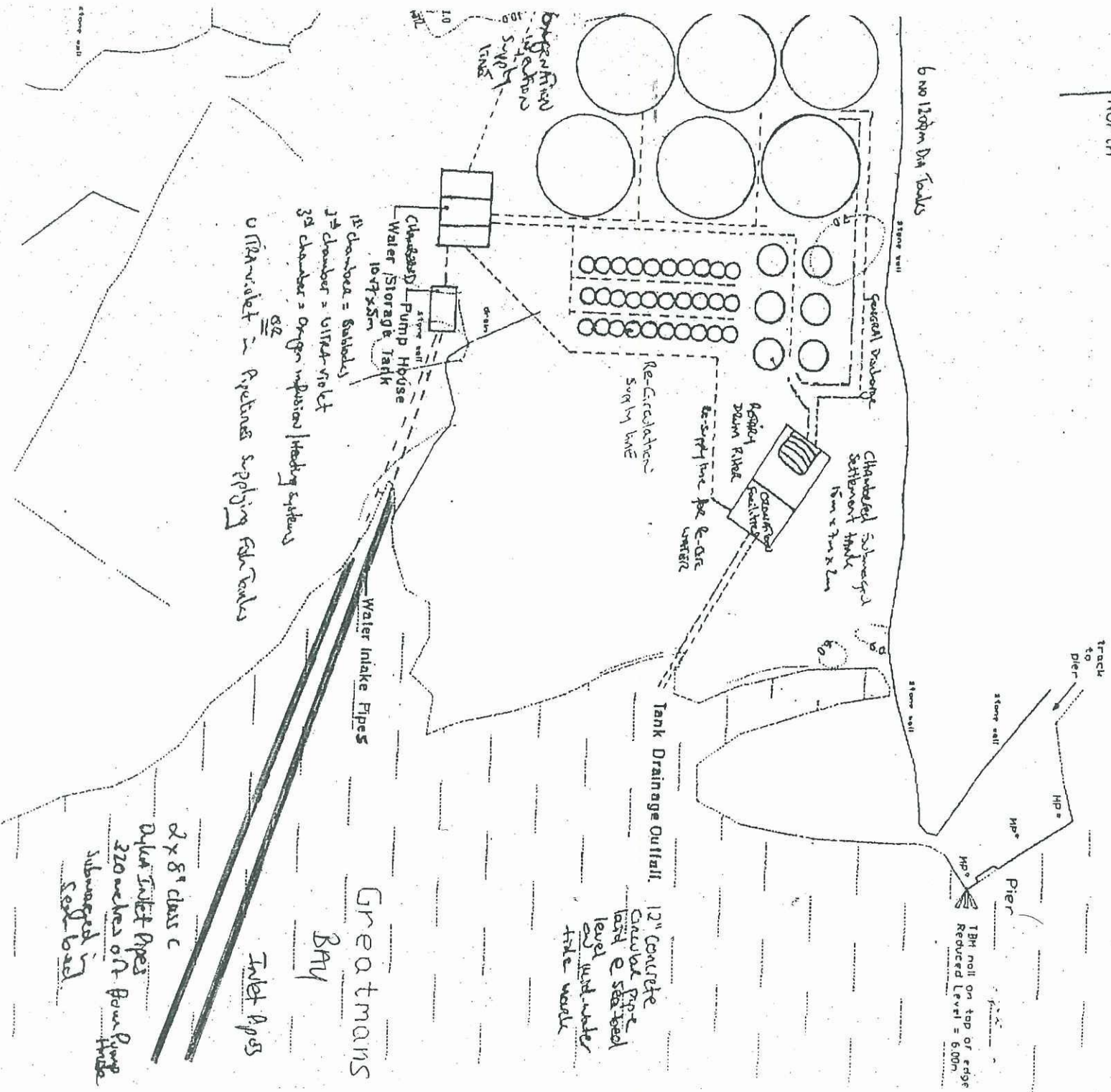
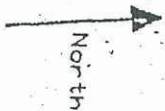
This map should be read in conjunction with the folio.

(Plan No. on 1st Page)

This Map does not show apparent or several rights
It is not conclusive evidence as to the boundary or extent of
the land, the location of the registration of the Act 1900

PPQ - Tanks + Equipment layout

Scale: 1:500



PRESENT when the Seal of Office
of the **MINISTER FOR THE MARINE
AND NATURAL RESOURCES**
was affixed and was authenticated
by the Signature of:

THOMAS J. TOBIN



A person so authorised under Section
15(1) of the Ministers and Secretaries
Act, 1924 to authenticate the seal of
the Minister.

WITNESS: Michael Murphy

ADDRESS: Dept. of the Marine & Natural Resources
Leeson Lane, Dublin 2

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



Turbard Iarthar Chonamara Teo

in the presence of:

WITNESS: Michael

ADDRESS: 16 St Marys Rd
Galway

OCCUPATION: Accountant