

CERTIFICATE OF ASSIGNMENT

of

LICENCE NO. 88

Dated 23rd June 1999

GRANTED TO

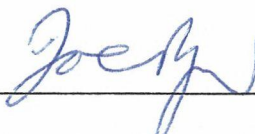
**MR WOLFGANG KOPKE
POULMOUNTY FISH FARM
CARRICKANORAN
CO CARLOW**

This is to certify that the above mentioned licence has been assigned, with the approval of the Minister of State at the Department of Communications, Marine and Natural Resources, subject to the terms and conditions thereof and subject to the provisions of the Fisheries (Amendment) Act, 1997 (No. 23)

To

**MR PAUL SOMMERVILLE
DERRYLEA HOLDINGS LTD,
CLIFDEN
CO. GALWAY**

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.

14 May, 2003

T27/7

AQUACULTURE LICENCE NO. 88GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

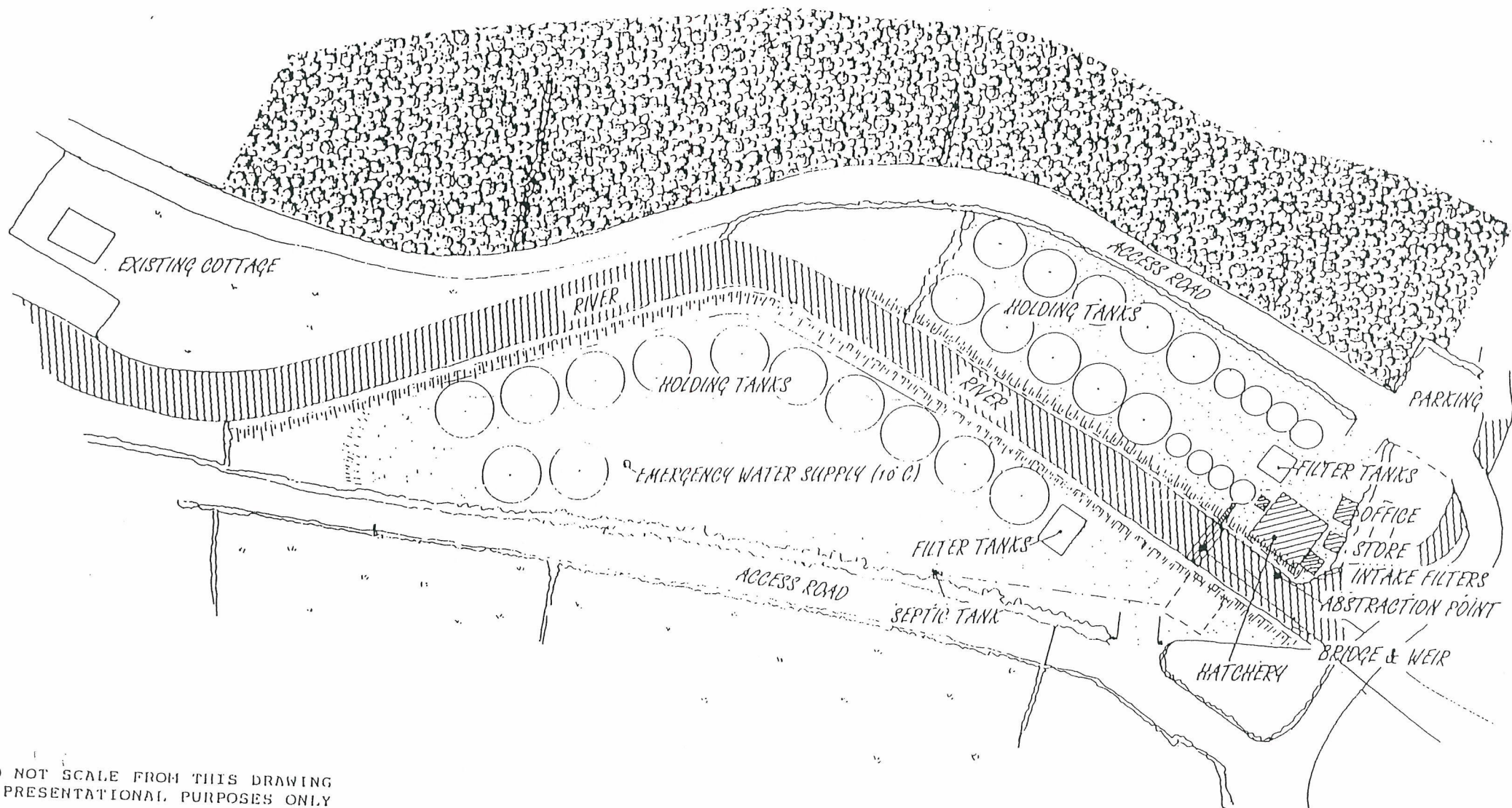
AGREEMENT made the 23rd day of June, 1999, between the Minister for the Marine and Natural Resources (hereinafter referred to as the "Minister"), of the one part, and

MR WOLFGANG KOPKE,
POULMOUNTY FISH FARM,
CARRICKANORAN,
GRAIGUENAMANAGH,
CO CARLOW,

(hereinafter referred to as the "Licensee") of the other part, whereby the Minister in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23) grants an Aquaculture Licence for the for the culture of salmon at Poulmounty Fish Farm, Poulmounty, New Ross, Co Wexford, (outlined in the attached drawings), 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 of 10 years from the 23rd day of June, 1999

LAYOUT PLAN OF FISH FARM AT POULMOUNTY CO. CARLOW



DO NOT SCALE FROM THIS DRAWING
REPRESENTATIONAL PURPOSES ONLY

FIGURE 2.0 Schematic Diagram of Land Based Facilities at Poulmounty fish farm

SCHEDULE

Operations Licensed

1. To carry on at or in connection with the fish farm situate in the townland of Ballyknockcrumpin, Barony of St Mullin's, Co Carlow, the plans of which have been submitted to and approved by the Minister, all necessary operations in relation to the culture of salmon.
2. To purchase, have in possession and sell live salmon smolts and the ova, fry, fingerlings or parr of salmon, the acquisition of which has been approved by the Minister.
3. To capture and have in possession within the confines of the said fish farm live salmon smolts and the ova, fry, fingerlings or parr of salmon, at any time of the year.
4. For the management of the said fish farm to have in possession and use nets, traps, or such engines as may be approved from time to time by the Minister.

Conditions subject to which this licence is granted

1. This licence shall remain in force for a period of ten years from the date hereof except as hereinafter provided.
2. No fish other than salmon shall be bred and handled at the said fish farm.
3. The Licensee shall comply with such instructions as the Minister may issue from time to time for the control of all fish culture activities concerned in the operation of the fish farm.
4. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from the river or other source and also at a point as near as possible to the confluence of the fish farm waste channel and the river as will effectually prevent the admission of migratory fish into the fish farm feed channels, the fish farm water waste channels and other water courses and ponds of the fish farm, and shall make adequate arrangements to ensure the safe passage past the farm of migratory fish, and shall make all necessary provisions to prevent the escape of fish from the ponds and water courses of the farm and shall carry out any such instructions issued in this connection from time to time by the Minister.
5. Abstraction of water 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. The licensee shall comply with any directions issued in that connection by the Minister from time to time.
6. The water abstraction from the Poulmounty river shall not exceed one million gallons per day or 60% of the flow of water in the river or an amount that would result in the flow in the river being less than 24 litres per second whichever is the lesser.
7. A method of determining the flow in the river past the farm shall be installed to the satisfaction of the Minister before the end of June 1999.
8. If so directed, a river flow recording device shall be installed and maintained to the satisfaction of the Minister within four months of such direction. Data from such recording shall be provided as directed to the Department of the Marine and Natural Resources, (Coastal Zone Administration Division) Leeson Lane, Dublin 2.
9. The licensee shall, before the end of June 1999, agree with the appropriate local authority a method of disposing of up to 8 tons of dead fish.
10. The annual production of fish at the farm shall not exceed such quantity as may be specified by the Minister from time to time and will not in any event exceed 200,000 salmon smolts.

11. Records shall be kept at the said fish farm of all fish stripped, bred, held and handled at the said fish farm and of all sales of fish from it and such records shall be available for inspection at all reasonable times by any inspector appointed for the purpose of Part X of the Fisheries (Consolidation) Act, 1959.
12. The Licensee shall furnish to the Department of the Marine and Natural Resources, (Coastal Zone Administration Division), Leeson Lane, Dublin 2 such returns from the records kept at the said fish farm as may be required from time to time by the Minister.
13. Live salmon smolts and the ova, fry, fingerlings and parr of salmon shall not be sold or disposed of to any person or in any way transferred outside the said fish farm save in accordance with the written permission of the Minister.
14. The said fish farm and all premises used in connection with operations carried on at the said fish farm shall be open to inspection at any time by any authorised officer within the meaning of the Fisheries Acts.
15. The Licensee shall carry out such water quality monitoring and provide such data relating to such monitoring as may be requested from time to time by the Department of the Marine and Natural Resources (Coastal Zone Administration Division) at the above address.
16. The Licensee shall notify the Department of the Marine and Natural Resources at the above address within forty-eight hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities and shall send samples to the Fish Health Unit, Fisheries Research Centre, Marine Institute, Abbotstown, Castleknock, Co Dublin, in a prescribed manner as and when requested to do so and shall comply with any directions as to the treatment, disposal or destruction of stocks of fish at the said fish farm in the interests of safeguarding the stocks of fish in the State.
17. The Licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish. All dead fish shall be disposed of in a manner approved by the Minister and acceptable to the relevant Local Authority.
18. The Licensee shall make adequate arrangements for the hygienic operation of the said fish farm (including selection and preparation of food, treatment and disposal of effluent) and in that connection shall comply with any directions which may be issued from time to time by the Minister.
19. All chemicals and antibiotics used in the fishery shall be used in accordance with instructions issued by the Minister from time to time.
20. The Licensee shall keep records of all drugs (including antibiotics), chemicals and disinfectants with which the fish have been treated, including quantities and times of use.

21. The Licensee shall notify the Department of the Marine and Natural Resources (Coastal Zone Administration Division), the above address within twenty-four hours of any escapes of fish from the fishery and shall keep records of fish escaped, including types and year classes and shall make these records available to the Department on request.
22. Such precautions shall be taken as the Minister may specify from time to time, in relation to (a) introduction of the ova, fry, fingerlings or parr of salmon, for stocking the farm, including disease free certification, in appropriate terms, and (b) the adaptation of methods of operation or type of installation (e.g. use of concrete ponds).
23. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible spreading of disease by predators and shall comply with any directions which may be issued by the Minister from time to time in that regard.
24. 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 this licence.
25. In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit to dispose of the fish including revocation of licence.
26. The Minister shall be at liberty at any time to revoke or amend this 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. Any such revocation or amendment shall be subject to the provisions of Section 68 of the Fisheries (Amendment) Act, 1997.
27. This licence is valid only so long as the layout of the fish farm conforms to the plans duly approved in Paragraph 1 of this licence and so long as the licences granted by Wexford County Council on 21 December 1988 and Carlow County Council on 28 January 1994 to discharge effluent from the fish farm remain valid.
28. This licence is not to be construed as authorising the Licensee in any way to interfere with or infringe the rights of any other person.

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

WITNESS: _____

ADDRESS: _____

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee

in the presence of:

WITNESS: _____

ADDRESS: _____

OCCUPATION: _____

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