



Private Activity Permit Geothermal / Heat Exchange Unit

(Please read attached "Specifications".)

Attach: 1. Survey Plat, 2. Deed, 3. All required Drawings
4. Adjacent Property Owner Review Forms, 5. Processing Fee.

Print or type **all** information requested below and return **original** to:
Entergy, Hydro Operations, 141 West County Line Road, Malvern, AR 72104

Lakes Hamilton & Catherine

1) **First Name:** _____ **Last Name:** _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Day Telephone: _____ Night Telephone: _____
E-mail Address: _____

2. **Lake Address:** _____

3. **Check lake and county:** Lake Hamilton Lake Catherine / Garland County Hot Spring County

4. **Legal description of my property:** *(Using your deed, complete below item "a" and either "b" or "c")*
(Attach copy of deed. Applicant must have legal ownership of adjoining lakefront property.)

- a) Grantee Name on Deed: _____
- b) Quarter Section _____ Section _____ Township _____ Range _____
- c) Lot _____ Block _____ Subdivision/Development Name _____

5. **Description of my proposed facility/facilities:** (as outlined on attached drawings)

Facility #1. (Description of proposed facility)

A) **Type of Facility:** Geo thermal Loop

B) **Coil Size:** _____ feet by _____ feet

C) **Coil Height:** _____

D) **Length of Coil into Water:** _____

E) Complete the following statement:
My proposed facility will be _____ feet down the shoreline from my property's _____ (north, south, west or east) side property line.

F) **Water Depth at Loop:** _____

G) **Fluid used in Loop:** _____
(Enclose MSDS Paperwork for fluid with Application)

6. **Description of any other proposed activity or facility:** _____

7. **Contractor (Name and Telephone Number)** _____

8. **Do you have any other existing structures on or along the shoreline? If so, please describe:** _____

CONDITIONS OF ENTERGY PERMIT FOR PRIVATE FACILITY/ACTIVITY

Applicant understands and agrees that this instrument conveys no property rights in real estate. The consent of Entergy (Company) permit is based on Article 412 to the License for Federal Energy Regulatory Commission (FERC) Project No. 271.

Permittee agrees to the following conditions:

1. THIS PERMIT MAY BE REVOKED BY COMPANY AT ANY TIME. In the event the permittee fails to comply with any of the conditions and requirements of this permit, Entergy may revoke the subject permit as well as all rights and privileges, both current and future, associated with said permit. In the event Entergy revokes any permit and permittee fails to remove said facilities, Entergy may, and hereby has permittee's permission and authorization, to remove said facilities at permittee's expense. In the event litigation is required by Entergy to enforce any of its rights related to this process, permittee shall be responsible to Entergy for Entergy's legal fees and all expenses incurred by Entergy in connection with its enforcement of said rights.
2. This permit applies only to the facilities and structures described within the permit application. Any alterations, additions, relocations, or other physical changes to the facilities or structures must be approved by the Company prior to such changes. This includes but is not limited to: any changes to an existing facility's footprint, roofline or roof footprint, facility support structure, or location. Any unapproved alterations, additions, relocations, or other physical changes to the facility or structures may result in revocation of the permit and removal of the facility in accordance with the preceding paragraph.
3. The facilities shall not be used for human habitation, nor shall any vessel of any description moored thereto have toilet facilities located thereon or therein, unless such toilet facilities shall meet the applicable city, county, state and federal standards for such facilities.
4. Permittee agrees to defend, indemnify and hold harmless Company from and against all claims, losses, expenses, including attorney fees, or any other liability claimed against or incurred by the Company, including, but not limited to, property damages, personal injury, or loss of life arising out of the construction, maintenance, condition, or use of the facilities or structures covered by this permit. Further, permittee assumes all risks of damages to said facilities or structures or to the property used or stored in connection therewith, resulting from lake level fluctuations or changes, waves caused by wind or vessels, or any other cause.
5. All facilities allowed by this permit are subject to inspection by Company. If such an inspection reveals conditions that deviate from the approved plans, such conditions will be corrected immediately by the Permittee upon notification in writing, which will be sent to Permittee by certified mail or process server. Failure by the permittee to immediately take action to correct the conditions of which notification has been given by the required date as set forth in the notification will result in revocation of the permit and removal of the facility in accordance with Paragraph 1 of this page.
6. Permittee agrees not to install any buoys, floats or other objects tied or anchored in a fixed position or location within the reservoir without obtaining approval from the proper regulatory authorities. Permittee also agrees not to cut/remove trees, brush or vegetation on Company property or along the shoreline without prior written approval from the Company.
7. A permit tag provided by Company shall be posted on the facility at a place designated by Company.
8. Permittee shall complete and present, the Company furnished "Comment Form" to adjoining property owners for review of the proposed facilities described on the application.
9. It is understood by Permittee that all or a portion of the facilities herein described lies within the boundaries of FERC Project No. 271. Permittee covenants and agrees that the use of the facilities or adjoining premises shall not endanger health, create a nuisance, or otherwise be incompatible with the overall Project recreational use. This permit is also subject to the condition that the Permittee's use of the facilities or adjoining premises shall not adversely affect the environmental qualities, including aesthetic values of the area. Any breach of the aforesaid covenant or condition shall be sufficient cause for the Company's termination of the permit herein granted.
10. This permit reserves to the Company and its successors and assigns the right to use the project area for all Project purposes. Further, this permit is made subject to any order, regulation or rule of the FERC or any other governmental agency which now is in effect or may hereafter be made affecting the reservoir or facilities herein described, and Permittee hereby waives and releases any claim or action at law or equity that it may have against Company as the result of the compliance by Company with such order, rule or regulation.
11. Permittee agrees that no drainage, including sewage from the premises, docks or boats moored to said docks or shoreline will contaminate or pollute the waters of the Lake and that he will control all drainage at all times so that it will comply with all applicable city, county, state and federal laws or regulations. If at any time violations of the above occur, the applicant agrees to immediately correct same.
12. Permittee agrees to immediately notify Entergy and stop all work if any historical or archeological resources are discovered during the construction or installation of the permitted facility or activity. Permittee will be required to consult with the Arkansas State Historical Preservation Office to determine what treatment, if any, is appropriate. Permittee agrees not to resume construction or installation until approved, in writing, by the Company.
13. All work associated with shoreline stabilization/retaining walls, boat ramps, dredging/excavation and cut-in boat docks to be performed must also comply with the conditions of General Permit 60, which was issued by the U.S. Army Corps of Engineers, Vicksburg District to Entergy Arkansas, Inc. on September 18, 2009. A copy of the General Permit 60 can be obtained from: www.entergy.com/hydro
14. This permit is non-transferable. If the permitted facility is sold or if the ownership is transferred, the Permittee shall promptly notify the new owner and Entergy Hydro Operations at 501-844-2148.
15. This permit is void and null if the permitted facility or activity as described on the front of this permit is not completed within 12 months from the issue date of permit.

**APPLICANT'S AGREEMENT TO TERMS AND CONDITIONS
FOR A NON-COMMERCIAL SINGLE-FAMILY PRIVATE FACILITY/ACTIVITY**

I understand and agree to the conditions of a non-commercial private facility/activity permit as listed on page two (2) of this document and the requirements and specifications as set forth in Entergy's "General Information" and "General Guidelines & Specifications for Private Shoreline Facilities/Activities" (effective 01-01-06) for Lakes Hamilton and Catherine hereby incorporated by reference which I hereby acknowledge having received and reviewed. I further agree not to begin construction, placement or use until a "Permit" is issued by Entergy.

_____ Sign Here: _____
Date (Applicant's Signatures Must Be Notarized Below)

NOTICE: VIOLATION OF THIS PERMIT IS SUBJECT TO A "NON-COMPLIANCE PENALTY FEE" OF UP TO \$1,000 FOR EACH OCCURRENCE AND/OR REVOKING OF PERMIT IN ADDITION TO ANY AND ALL COSTS INCURRED TO ENFORCE THE VIOLATION.

**NOTARY PUBLIC
ACKNOWLEDGMENT**

STATE OF _____
COUNTY OF _____

On this day, before me personally appeared _____ and _____, known to me to be the persons whose names are subscribed to the instrument and acknowledged that they had executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal on this _____ day of _____, 20 _____.

My Commission Expires _____

Notary Public _____

(Below is to be completed by Entergy)

NON-COMMERCIAL SINGLE-FAMILY FACILITY PERMIT

PERMIT NUMBER: _____

Entergy hereby issues the above applicant a conditional and revocable permit to construct and/or maintain the above described facilities to accommodate single-family dwellings only as shown on plans on record at Entergy (Company) and subject to the requirements and specifications of the Company and the conditions listed on page two (2) of this document hereof is hereby granted.

Entergy By: _____ Date: _____

- Permit is granted as requested. Permit is granted in accordance with attached drawing.

ADDITIONAL CONDITIONS:



Entergy Adjacent Lakefront Property Owner Comment Form

Lakes Hamilton & Catherine

Note: The intent of this comment form is to allow lakefront neighbors to provide input to Entergy Arkansas Inc., that may be pertinent to Entergy's evaluation of the applicants' proposed facilities or activity. All comments will be considered, but objections are not an absolute cause for denial of a lake use permit.

Instructions:

1) Applicants should provide a written description of proposed facility/activity in the area below, and drawings to each lakefront neighbor for review. If neighbor is unavailable for comment, applicant may provide proof of a certified letter used to notify them. 2) Neighbors should initial the applicants' drawings and provide comments, if any, for Entergy's consideration in the area below. 3) Neighbors should sign and return this review form and initialed drawings to the applicant, which will be a required document for their submittal to Entergy. If the neighbor would prefer to send the comments directly to Entergy, they may be mailed to ENTERGY, c/o Lakes & Property Coordinator, 141 West County Line Rd, Malvern, AR 72104.

Dear Lakes & Property Coordinator:

I am the owner of property adjacent to _____ owned by _____
(Applicant's Lake Address) (Applicant's Name)

who is proposing to utilize the reservoir area of the lake with a private facility/activity. The applicant has explained to me that this proposed facility/activity consists of: *(Applicant should describe proposed facility in detail)*

(Drawings are attached)

(Neighbor should check one below.)

_____ I have no comments for this proposed facility/activity. (Please Initial Drawings Attached)

_____ I do have comments to assist with Entergy's review, and they are: _____

(Attach additional pages if necessary)

Sincerely,

Neighbor's Signature Lake Address Telephone Number

Neighbor's Printed Name Mailing Address Email Address

Date City, State & Zip

THIS FORM IS TO BE PRESENTED TO THE ADJACENT LAKEFRONT PROPERTY OWNER IMMEDIATELY TO EACH SIDE OF THE APPLICANT'S PROPERTY WHERE PROPOSED FACILITY IS TO BE CONSTRUCTED.



Entergy Adjacent Lakefront Property Owner Comment Form

Lakes Hamilton & Catherine

Note: The intent of this comment form is to allow lakefront neighbors to provide input to Entergy Arkansas Inc., that may be pertinent to Entergy's evaluation of the applicants' proposed facilities or activity. All comments will be considered, but objections are not an absolute cause for denial of a lake use permit.

Instructions:

1) Applicants should provide a written description of proposed facility/activity in the area below, and drawings to each lakefront neighbor for review. If neighbor is unavailable for comment, applicant may provide proof of a certified letter used to notify them. 2) Neighbors should initial the applicants' drawings and provide comments, if any, for Entergy's consideration in the area below. 3) Neighbors should sign and return this review form and initialed drawings to the applicant, which will be a required document for their submittal to Entergy. If the neighbor would prefer to send the comments directly to Entergy, they may be mailed to ENTERGY, c/o Lakes & Property Coordinator, 141 West County Line Rd, Malvern, AR 72104.

Dear Lakes & Property Coordinator:

I am the owner of property adjacent to _____ owned by _____
(Applicant's Lake Address) (Applicant's Name)

who is proposing to utilize the reservoir area of the lake with a private facility/activity. The applicant has explained to me that this proposed facility/activity consists of: *(Applicant should describe proposed facility in detail)*

(Drawings are attached)

(Neighbor should check one below.)

_____ I have no comments for this proposed facility/activity. (Please Initial Drawings Attached)

_____ I do have comments to assist with Entergy's review, and they are: _____

(Attach additional pages if necessary)

Sincerely,

Neighbor's Signature Lake Address Telephone Number

Neighbor's Printed Name Mailing Address Email Address

Date City, State & Zip

THIS FORM IS TO BE PRESENTED TO THE ADJACENT LAKEFRONT PROPERTY OWNER IMMEDIATELY TO EACH SIDE OF THE APPLICANT'S PROPERTY WHERE PROPOSED FACILITY IS TO BE CONSTRUCTED.