

OCT - 1 2008



Entergy

Private Facility/Activity Permit

Non-Commercial Single-Family Docks, Piers & Decks

(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

- 1) First Name: Bill and Mary Bergl Last Name: Bennett
Mailing Address: 112 Northshore Terrace
Day Telephone: 501-767-9420 Night Telephone: Same
E-mail Address: amberg133@yahoo.com
2. Lake Address: 112 Northshore Terrace
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: Bill - Bennett and Mary Bergl Bennett
b) Quarter Section S.W. Quarter, SE 1/4 Section 7 Township 3-S Range 20W
c) Lot 5 Block 1 Subdivision/Development Name Northshore Subdivision
5. Description of my proposed facility/facilities: (as outlined on attached drawings)

Facility #1. (Description of proposed facility)

- A) Type of Facility: (check one)
☒ boat dock, ☐ swim dock, ☐ boardwalk,
☐ pier, other (describe) Boat dock w/swim dock
B) Facility Size: 24' feet by 37' feet
C) Height: 8'8" (from water to top of facility, max. 15')
D) Number of Slips: 2
E) Length of Walkway to Dock: 31'
F) (Yes/No) Answer the following questions:
1) Will it have a roof? yes
2) Will it be floating? yes
3) Will it be on fixed piers? no
H) Complete the following statement:
My proposed facility will be 47' feet down the
shoreline from my property's West
(north, south, west or east) side property line.
G) Water Depth at land side of facility: 7 1/2'
(must be 7 feet or more if floating)

Facility #2. (Description of proposed facility)

- A) Type of Facility: (check one)
☐ boat dock, ☐ swim dock, ☐ boardwalk,
☐ pier, other (describe) 6' x 9' boat house
B) Facility Size: feet by feet
C) Height: 12' (from water to top of facility, max. 15')
D) Number of Slips: 1
E) Length of Walkway to Dock: 0
F) (Yes/No) Answer the following questions:
1) Will it have a roof? X
2) Will it be floating?
3) Will it be on fixed piers? X
G) Complete the following statement:
My proposed facility will be 1-2' feet down the
shoreline from my property's East
(north, south, west or east) side property line.
G) Water Depth at land side of facility: 1.5'
(must be 7 feet or more if floating)

6. Description of any other proposed activity or facility: NONE

7. Contractor (Name and Telephone Number) NONE

8. Do you have any other existing structures on or along the shoreline? If so, please describe: House built 1958
Bought 1988
PRE-EXISTING
old style
boat house 9' x 6' Not large enough for boat.
has been turned into work + storage space

Lakes Hamilton & Catherine

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. 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. 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.
7. A permit tag provided by Company shall be posted on the facility at a place designated by Company.
8. Deleted.
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 Entergy.
13. **This permit is non-transferable. If the permitted facility is sold or if the ownership is transferred, the Permittee shall promptly notify the Entergy Hydro Operations at 501-844-2148.**
14. **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.

Sept 26, 2008 Sign Here: William R Bennett Mary Beryl Bennett
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.

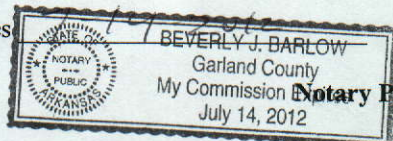
NOTARY PUBLIC ACKNOWLEDGMENT

STATE OF AR
COUNTY OF GARLAND

On this day, before me personally appeared William R Bennett and Mary Beryl Bennett, 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 26 day of Sept, 20 08.

My Commission Expires



Notary Public

(Below is to be completed by Entergy)

NON-COMMERCIAL SINGLE-FAMILY FACILITY PERMIT

PERMIT NUMBER: 4733

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: B. Barlow Date: 10/10/08

☒ Permit is granted as requested.

☒ Permit is granted in accordance with attached drawing.

ADDITIONAL CONDITIONS:

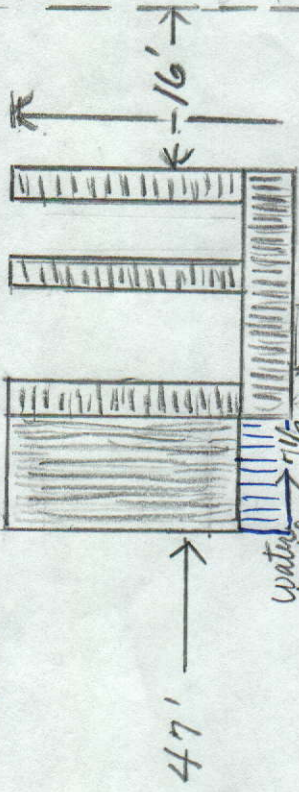
EXISTING BOAT HOUSE IS NO LONGER FUNCTIONAL AS A BOAT SLIP AND WAS NOT COUNTED AGAINST TOTAL # OF SLIPS.

112 NORTHSHORE TERRACE

Garland County
Lake Hamilton
Bill and Mary Beryl Bennett
Page: 1
Total pages: 3
9-26-08

EXTENDED SIDE OF PROPERTY LINE

PROPOSED 24' X 39' BOAT DOCK + SWIM DOCK



PRE-EXISTING concrete posts
(for) wooden pier
(from) concrete pier
and steps
Concrete walkway
to house

PRE-EX-B. House
used for
WORKSHOP,
STORAGE

APPROVED
10/10/08

112 NORTHSHORE
TERRACE

Bill + Mary Beryl Bennett
owners

LOT 5- NORTHSHORE
SUBDIVISION

100'

LOT 6

100'

LOT 4

VACANT LOT

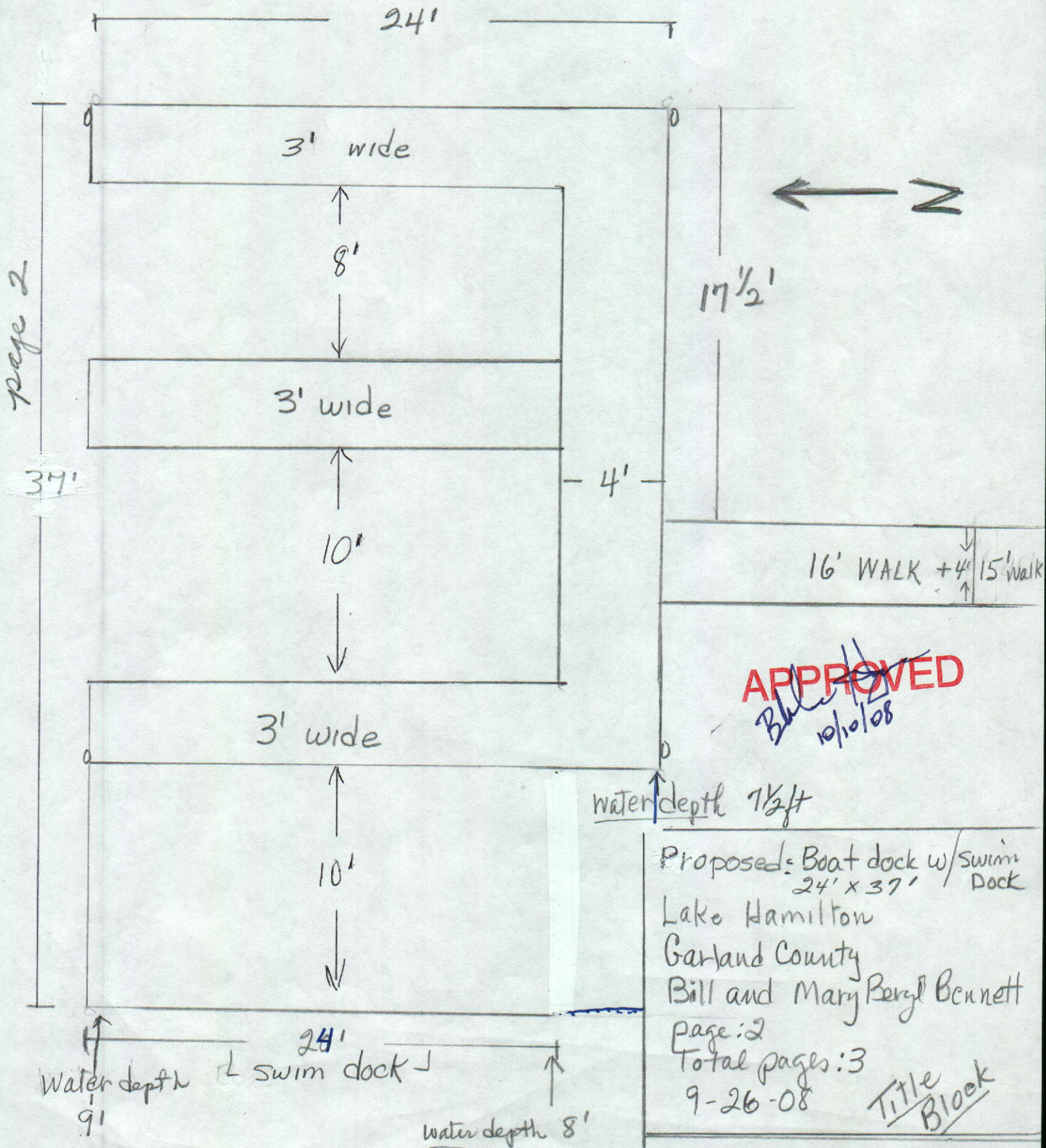
100'

LOT 3

503
NORTHSHORE
DRIVE

N

page 2 - Bill Bennett
Lake Hamilton



Lake Hamilton

Proposed Boat dock/swim dock: 24'x37'

Carland County
Lake Hamlet
Bell and Mary Beryl Bennett
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that pages 3

9-26-08

32" guard rail

Pre-existing wooden pier
on concrete posts in
water

APPROVED

APPROVED
Blair
10/10/08

N

MOORING SIDE

East Side

Water depth $7\frac{1}{2}$ ft

water depth