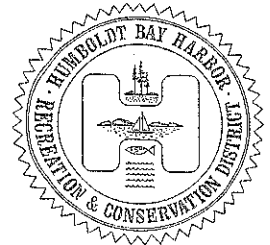


COMMISSIONERS  
1st Division  
R. Pellegrini  
2nd Division  
R.L.Curlless  
3rd Division  
M. Wilson  
4th Division  
D.G. Hunter  
5th Division  
C.L. Ollivier

HUMBOLDT BAY  
HARBOR, RECREATION, AND CONSERVATION  
DISTRICT

(707) 443-0801  
P.O. Box 1030  
Eureka, California 95502-1030

17 October 2006



Estate of Elmer Newby Jr.  
2626 Union Street  
Eureka, CA 95501

TO: Elmer Newby Jr.  
The Estate of Elmer Newby Jr.  
Successor-in-Interest to Elmer Newby Jr.  
Pamela Newby, as Community Property Co-Owner  
Of Property Owned by Elmer Newby Jr.

NOTICE OF REMOVAL AND FORFEITURE OF  
NON-PERMITTED VESSEL

NOTICE IS GIVEN that the "SPUD BARGE", located in the Fields Landing Channel southeast of the Fields Landing Turning Basin is a non-permitted vessel and subject to removal and forfeiture by Order of the Harbor Master, Humboldt Bay Harbor District under Ordinance Number 17 of the Humboldt Bay Harbor, Recreation and Conservation District.

The vessel is ordered removed at the sole expense of the owner, operator, master or agent within seventy-two (72) hours of the date of this notice or the vessel will be removed by order of the Harbor Master and stored at the expense of the owner, operator, master, or agent for which actual costs and expenses the vessel, and the owner, operator, master and agent are jointly and severally liable.

Failure to pay those accrued costs and expenses of removal, storage and emergency repairs within thirty (30) days of the removal will result in summary forfeiture of the vessel under Federal or State law without further notice required. If the vessel does not pose an immediate navigation hazard, or threat to security or the environment, at the discretion of the Harbor Master, in lieu of removal and forfeiture the vessel owner, operator, master or agent may post a bond or undertaking in the amount of the estimated cost and expense of removal and storage costs until such time as the vessel is removed by the owner, operator, master or agent.

Signed,

A handwritten signature in black ink, appearing to read "David M. Hull", is written over a circular stamp or mark.

David M. Hull  
Harbor Master