

Warsaw, 11 May 2012

MINISTER OF THE ENVIRONMENT

DGiKGw-4770-34 /18621/ 12/MK

DECISION

Acting on the basis of art. 155 of the Code of Administrative Procedure of June 14th, 1960 (Journal of Laws of 2000 no. 98 item 1071 as amended) and art. 16 item 1 clause 2, item 4, item 5a and art. 85 item 5 of the act of February 4th, 1994 Geological and mining law (Journal of Laws of 2005 no. 228, item 1947 as amended), art. 133 in association with art. 217 and art. 22 of the act of June 9th, 2011 – Geological and mining law (Journal of Laws no. 163, item 981), upon request of Liesa Energy Sp. z o.o. (former Liesa Investments Sp. z o.o.) seated in Warsaw, upon obtaining opinions as specified in the Geological and mining law act of the appropriate local cooperating bodies

I hereby decide

to amend concession no. 39/2009/p of July 13th, 2009, issued by the Minister of the Environment on behalf of Mazovia Energy Resources Sp. z o.o. (transferred to Liesa Energy Sp. z o.o.), for prospecting and identification of natural gas deposits in the „**Rawicz**” area (**part of concession blocks no. 246, 247, 266 and 267**), located within the area of the following communes: Pępowo, Pakosław, cities and communes: Krobia, Pogorzela, Poniec, Kobylin, Zduny, Bojanowo, Jutrosin, Miejska Górka, Rawicz in wielkopolskie province in the following manner:

1) item 1 of the concession shall state as follows:

„1. Provide Liesa Energy Sp. z o.o. seated in Warsaw (NIP 782-00-21-358) with a concession for prospecting and identification of natural gas deposits in the „**Rawicz**” area (**part of concession blocks no. 246, 247, 266 and 267**), located within the area of the following communes: Pępowo, Pakosław, cities and communes: Krobia, Pogorzela, Poniec, Kobylin, Zduny, Bojanowo, Jutrosin, Miejska Górka, Rawicz, **Góra**, Wąsosz, Żmigród in wielkopolskie province, communes: Jemielno, Wińsko, commune and city of Wolów in dolnośląskie province, for which the boundaries are established by lines connecting points (1-27) with the following coordinates:

Point no.	Coordinates of turning points of the boundaries of the „Rawicz” concession area							
	WGS84						PUWG 1992	
	Width			Length			X	Y
1	51	46	45,00	16	54	15,00	436832,570	355463,920
2	51	46	40,78	16	59	23,47	436535,850	361368,970
3	51	46	40,80	17	14	53,48	436076,830	379183,890
4	51	39	58,79	17	14	53,49	423662,300	378886,020
5	51	39	58,78	16	59	53,49	424106,220	361603,390
6	51	33	31,00	16	59	53,50	412131,710	361275,530
7	51	33	20,00	16	57	30,00	411868,410	358503,940
8	51	29	30,00	16	45	52,00	405159,400	344851,060

9	51	26	0,00	16	37	55,00	398964,390	335446,870
10	51	24	25,00	16	36	50,00	396071,790	334096,820
11	51	24	12,00	16	33	0,00	395816,990	329641,880
12	51	22	55,00	16	30	25,00	393540,500	326567,580
13	51	24	40,00	16	27	50,00	396885,240	323685,020
14	51	29	25,00	16	29	30,00	405618,560	325917,380
15	51	29	35,00	16	31	25,00	405851,820	328144,520
16	51	30	40,00	16	31	20,00	407862,080	328116,120
17	51	31	31,74	16	29	53,51	409207,640	326493,820
18	51	31	53,85	16	29	53,51	410199,100	326527,710
19	51	31	43,76	16	38	53,51	409542,430	336917,200
20	51	31	45,00	16	44	0,00	409394,330	342821,330
21	51	33	45,00	16	47	30,00	412976,020	346977,800
22	51	35	0,00	16	42	30,00	341325,080	417013,470
23	51	35	50,00	16	37	30,00	335555,830	417197,700
24	51	36	50,00	16	37	0,00	335616,050	419050,360
25	51	38	0,00	16	40	0,00	338568,660	421118,910
26	51	37	30,00	16	44	0,00	343151,670	420047,330
27	51	37	0,00	16	50	30,00	350619,90	418893,93

Excluding coordinates of turning points of the boundaries of the „Zakrzewo" deposit area

Point no.	Width			Length			X	Y
	WGS84						PUWG 1992	
1	51	40	11,23	16	52	42,83	424724,250	353344,780
2	51	40	37,64	16	52	44,54	425538,840	353401,450
3	51	41	3,37	16	52	46,70	426331,980	353465,960
4	51	41	14,46	16	52	47,21	426674,190	353485,730
5	51	41	13,45	16	53	9,87	426630,370	353919,700
6	51	41	12,49	16	53	22,90	426593,690	354168,900
7	51	41	10,09	16	53	39,87	426509,880	354492,580
8	51	41	6,71	16	53	54,62	426397,440	354772,650
9	51	41	2,87	16	54	6,02	426272,530	354987,990
10	51	40	58,83	16	54	13,71	426143,530	355132,040
11	51	40	54,85	16	54	19,43	426017,610	355238,230
12	51	40	48,16	16	54	24,66	425808,250	355332,840
13	51	40	41,61	16	54	25,90	425605,100	355350,730
14	51	40	34,27	16	54	25,12	425379,080	355329,330
15	51	40	25,75	16	54	19,97	425118,690	355222,970
16	51	40	6,53	16	53	59,86	424536,290	354819,730
17	51	39	45,74	16	53	32,56	423909,500	354276,940
18	51	39	32,88	16	53	9,54	423525,010	353823,490
19	51	39	17,45	16	52	38,47	423066,070	353212,840

and excluding those parts of the concession block no. 266, which have been granted to Polskie Górnictwo Naftowe i Gazownictwo S.A., on the basis of the following concessions

Point no.	Concession no. 142/93/p of June 21st, 1993 for mining of natural gas from „Ślubów" deposit	
	Topographic coordinates according to system of 1942	
1	5720900.00	3612800.00
2	5721350.00	3612750.00
3	5721600.00	3612800.00
4	5721700.00	3612900.00
5	5721700.00	3613150.00
6	5721680.00	3613300.00
7	5721610.00	3613400.00
8	5721280.00	3613700.00
9	5720650.00	3614000.00
10	5720440.00	3614050.00
11	5720200.00	3613860.00
12	5720110.00	3613700.00
13	5720100.00	3613560.00
14	5720125.00	3613420.00
15	5720250.00	3613250.00
16	5720500.00	3613050.00

Point no.	Concession no. 143/93/p of June 21st, 1993 for mining of natural gas from „Zalęcze" deposit	
	Topographic coordinates according to system of 1942	
1	5721300.00	3618760.00
2	5721400.00	3618850.00
3	5721540.00	3619050.00
4	5721620.00	3619200.00
5	5721750.00	3619400.00
6	5722000.00	3619525.00
7	5722309.00	3619750.00
8	5722350.00	3619825.00
9	5722450.00	3620200.00
10	5722500.00	3620400.00
11	5722700.00	3620950.00
12	5722900.00	3621700.00
13	5722850.00	3622150.00
14	5722700.00	3623250.00
15	5722300.00	3623900.00
16	5722000.00	3624100.00
17	5721730.00	3624100.00
18	5721240.00	3624050.00
19	5721000.00	3624150.00
20	5720500.00	3624600.00

21	5720200.00	3624750.00
22	5720000.00	3624820.00
23	5719850.00	3624840.00
24	5719170.00	3624860.00
25	5718770.00	3624750.00
26	5718510.00	3624550.00
27	5718320.00	3624200.00
28	5718040.00	3623460.00
29	5718025.00	3623250.00
30	5718100.00	3623000.00
31	5718350.00	3622560.00
32	5718550.00	3622370.00
33	5718800.00	3622260.00
34	5719240.00	3622170.00
35	5719300.00	3622060.00
36	5719200.00	3621960.00
37	5718410.00	3621750.00
38	5718320.00	3621650.00
39	5718350.00	3621510.00
40	5718900.00	3620730.00
41	5719470.00	3620250.00
42	5719730.00	3620000.00
43	5719850.00	3619750.00
44	5719900.00	3619500.00
45	5720300.00	3619100.00
46	5721100.00	3618770.00

Point no.	Concession no. 144/93/p of June 21st, 1993 for mining of natural gas from „Wiewierz E" deposit	
	Topographic coordinates according to system of 1942	
1	5723817.00	3615364.00
2	5723840.00	3615459.00
3	5723832.00	3615599.00
4	5723794.00	3615877.00
5	5723734.00	3615907.00
6	5723653.00	3616237.00
7	5723552.00	3616394.00
8	5723362.00	3616610.00
9	5723218.00	3616751.00
10	5722420.00	3617236.00

11	5722288.00	3617326.00
12	5722064.00	3617534.00
13	5721772.00	3617863.00
14	5721654.00	3617961.00
15	5721327.00	3618134.00
16	5721208.00	3618167.00
17	5721006.00	3618148.00
18	5720803.00	3618058.00
19	5720609.00	3617923.00
20	5720547.00	361783.00
21	5720550.00	3617759.00
22	5720583.00	3617683.00
23	5720662.00	3617621.00
24	5721408.00	3617341.00
25	5721502.00	3617279.00
26	5721796.00	3616865.00
27	5721952.00	3616710.00
28	5722286.00	3616454.00
29	5722464.00	3616366.00
30	5722613.00	3616331.00
31	5721038.00	3616259.00
32	5723316.00	3616118.00
33	5723448.00	3615989.00
34	5723519.00	3615792.00
35	5723558.00	3615563.00
36	5723596.00	3615423.00
37	5723635.00	3615362.00
38	5723695.00	3615321.00
39	5723776.00	3615329.00

Point no.	Concession no. 145/93/p of June 21st, 1993 for mining of natural gas from „Wiewierz W" deposit	
	Topographic coordinates according to system of 1942	
1	5722998.00	3615345.00
2	5723010.00	3615456.00
3	5722982.00	3615621.00
4	5722953.00	3615716.00
5	5722884.00	3615818.00
6	5722796.00	3615931.00
7	5722604.00	3616129.00
8	5722491.00	3616217.00
9	5722387.00	3616217.00
10	5722307.00	3616263.00
11	5722231.00	3616222.00
12	5722199.00	3616168.00
13	5722162.00	3616059.00
14	5722163.00	3615907.00
15	5722188.00	3615685.00
16	572230.00	3615500.00
17	5722262.00	3615422.00
18	5722310.00	3615330.00
19	5722478.00	3615177.00
20	5722568.00	3615135.00
21	572689.00	3615113.00
22	5722811.00	3615130.00
23	5722883.00	3615184.00
24	5722956.00	3615268.00

The area of the „Rawicz” concession area, after exclusion of the areas described above, is 742, 6 km²

2. Item 2 shall state as follows:

„2. The objective of prospecting and identification works conducted in Carboniferous and Permian period formations is discovery and preliminary documentation of deposits of natural gas in the area described above.”

3. Item 3 shall state as follows:

„3. The conditions to be met by the concession holding entity have been specified in the agreement for establishment of mining usufruct of July 13th, 2009, concluded between the State Treasury, represented by the Minister of the Environment, and Mazovia Energy Resources Sp. z o.o. seated in Warsaw and annex 1 to the agreement of May 11th, 2012, concluded between the Undersecretary of State at the Ministry of the Environment, the Chief Geologist of the State Mr. Piotr Grzegorz Woźniak, acting in the name and on behalf of the State Treasury – the Minister of the Environment, the basis of the power of attorney of December 29th, 2012, and Liesa Energy Sp. z o.o. seated in Warsaw”;

4. Item 4 shall state as follows:

„4. The following scope of prospecting and identification works has been established:

4.1. Stage I (12 months):

- reprocessing and interpretation of historic geophysical data.

4.2. Stage II (36 months):

- Optionally – preparation of an aerogravimetric image,
- Performance of 100 km²* of 3D seismic imaging or 150 km of 2D seismic imaging;
- Performance of a borehole to the maximum depth of 4000 meters
- Optional performance of a borehole to the maximum depth of 4000 meters with a horizontal section of the length of 1000 m.

4.3. Stage III (12 months):

- Performance of a borehole to the maximum depth of 4000 meters with an optional horizontal section of the length of 1000 m;
- Optional performance of 150 km²* of 3D seismic imaging or 200 km of 2D seismic imaging?
- Optional performance of a borehole to the maximum depth of 2000 meters with a horizontal section of the length of 1000 m;
- Optional performance of a borehole to the maximum depth of 4000 meters with an optional horizontal section of the length of 1000 m.

* The area of 3 D works specifies the operating area of the seismic image.

Commencement of works in the subsequent stage shall depend upon the results of works performed during the previous stage.

The scope of works has been specified in the project of geological works and in annex 1 to the project of geological works for prospecting and identification of natural gas deposits in “Rawicz” area, constituting an appendix to the application for amendment of the concession under concern.

Information on precise location of geophysical works and boreholes shall be provided in the project of geological works (prepared in accordance with the Regulation of the Minister of the Environment on detailed requirements for projects of geological works, including

works that can be performed only on the basis of a concession), which is to be presented to the concession body no later than 60 days prior to commencement of field works.

5. **item 8 shall state as follows:**

„8. The concession is granted for the period of 5 years from the concession granting date.”

6. **following item 10, item 10a is added, stating as follows:**

„10 a. Commencement of seismic works shall take place within 6 months after the issue of this decision.”

7. **following item 10a, items 10b and 10c are added, stating as follows:**

„10 b. Prospecting and identification works shall be conducted in accordance with the environmental conditions for the undertaking, specified in the decision on environmental conditions, issued by the Head of the Commune of Wińsko on November 2nd, 2011, no. RGOŚ6227/I/04/2011.

10 c. Within the area subject to this concession, the entrepreneur is obliged to follow the prohibition to engage in seismic and drilling works within the area of direct protection of underground water of the area of 20 m² x 20 m² (400 m²) around each well located in the town of Giżyn and on land plots no. 37/2 (two wells of the area of 0,09 hectares), no. 32/2 (two wells of the area of 0,07 hectares), no. 15/2 (one well of the area of 0,17 hectares) located in the town of Golina Wielka .”

8. **following item 14, item 14 a is added, stating as follows:**

„14 a. The payment for activity specified in the concession in association with increasing of the concession area amounts to PLN 157 149,01 (in words: one hundred and fifty seven thousand and one hundred and forty nine zlotys 01/00), payable within 14 days after the date of granting of the concession. The payment for activity specified in the concession shall be settled in 60% as revenue of the communes, in which the activity is to be conducted, proportionally to the concession area within the boundaries of individual communes, and in 40% - as revenue of the State Fund for Environmental Protection and Water Management – account number BGK 3rd branch in Warsaw, 92 1130 1062 0000 0109 9520 0013.

Liesa Energy Sp. z o.o. seated in Warsaw is obliged to deliver immediately to the concession granting body and the entities specified in art. 141 of the act of June 9th, 2011 Geological and mining law the copies of proofs of payment made on the basis of art. 133 of the act of June 9th, 2011 Geological and mining law. “

Justification

On the basis of the decision of July 13th, 2009, the Minister of the Environment granted to Mazovia Energy Resources Sp. z o.o. seated in Warsaw (transferred to Liesa Energy Sp. z o.o.) concession no. 39/2009/p for prospecting and identification of natural gas deposits in the “Rawicz” area (part of concession blocks no. 246, 247, 266 and 267), located within the area of the following communes: Pępowo, Pakosław, cities and communes: Krobia, Pogorzela, Poniec, Kobylin, Zduny, Bojanowo, Jutrosin, Miejska Górka, Rawicz in wielkopolskie province.

In the application of October 2nd, 2011, Liesa Energy Sp. z o.o. addressed the Minister of the Environment, requesting amendment of concession no. 39/2009/p with regard to amendment of the area of the concession by increasing it from the area of 389,1 km² to 742,6 km² by including in the “Rawicz” concession area the “Wińsko” area, established on the basis of concession on. 20/2009/p for prospecting and identification of natural gas deposits, located within the area of the communes of Jemielno and Wińsko and the communes and cities of: Wołów, Wąsosz in dolnośląskie province, withdrawn by decision of the Minister of the Environment of May 11th, 2011, no. DGiKGw-4770- II%6JO /12/MK, and amendment of the scope of prospecting and identification works (performance, during the 1st stage, of reprocessing and interpretation of historic geophysical data, during the second stage – performance of: km² of 3D seismic imaging or 150 km of 2D seismic imaging, a borehole to the maximum depth of 400 meters and, depending on the results of works performed earlier: an aerogravimetric image, a borehole to the maximum depth of 4000 m with a horizontal section of length of 1000m, at the third stage – performance of a borehole to the maximum depth of 4000m with an optional horizontal section of the length of 1000 m and optional performance of 150 km² of 3D seismic imaging or 200 km of 2D seismic imaging, a borehole to the maximum depth of 2000 m and 4000m with horizontal sections of the length of 1000 m).

The activity planned within the scope specified in the application for amendment of the concession, accordingly with the act of October 3rd, 2008 on granting access to information on the environment and its protection, participation of the society in environmental protection and environmental impact assessments (Journal of Laws no. 199, item 1227 as amended) and the secondary legislation (Regulation of the Council of Ministers of November 9th, 2010 on undertakings that may exert significant impact on the environment (Journal of Laws no. 213, item 1397), constitutes an undertaking of significant potential impact on the natural environment.

Due to the above, the applicant has attached to the application the final decision of the Head of the Commune of Wińsko of November 2nd, 2011, confirming lack of necessity to conduct an environmental impact assessment for the undertaking planned. The entrepreneur is obliged to comply with the conditions of this decision of the Head of the Commune of Wińsko, as well as all legal provisions, instructions and recommendations in order to limit to a minimum the possibility of emergence of any environmental nuisance.

Due to the fact that the application for amendment of the concession under concern had been filed prior to coming into force of the new act of June 9th, 2011 Geological and Mining Law (Journal of Laws no. 163, item 981), the former legal provisions shall apply to this procedure in accordance with art. 222 of the act mentioned.

Accordingly with art. 16 item 4 and 5a of the act of February 2nd, 1994 Geological and Mining Law (Journal of Laws of 2005 no. 228, item 1947 as amended), the concession granting body has obtained the opinions of the appropriate city mayors and commune heads, who issued positive opinions on the decision with regard to the issue under concern.

At the same time, the Mayor of Bojanowo, through decision of November 20th, 2011, no. ROS.6523.19.2011, issued a positive opinion on the application under the condition of exclusion from prospecting and identification of the area of direct protection of groundwater in the town of Golina Wielka, established by the resolution of the Council of the District of Rawicz of December 28th, 2001 and the decision of the Governor of Wielkopolskie Province of December 20th, 1994.

The resolution and the decision mentioned above introduced a prohibition to use the area of direct protection of the groundwater intakes, located in the towns of Golina Wielka and Giżyn, for any purposes other than use of water intake devices. Accordingly with the decision of the Governor of Wielkopolskie Province, the dimensions of the direct protection area are 20 m² x 20 m² (400 m²) around each well located in the town of Giżyn. According to the resolution of the District Council

of Rawicz, the direct protection area in the town of Golina Wielka encompasses land plots no. 37/2 (two wells of the area of 0,09 hectares), no. 32/2 (two wells of the area of 0,07 hectares), no. 15/2 (one well of the area of 0,17 hectares). Due to the above, the concession granting body has imposed on the entrepreneur, in clause 10b of this decision, the obligation to comply with the prohibition to conduct works within the established areas of direct protection of groundwater intakes.

According to the Regulation of the Council of Ministers of August 8th, 2000 on the state system of spatial references, starting from January 1st, 2010, for the purpose of e.g. graphic appendices, constituting components of concession applications, two equitable systems of Cartesian plane coordinates, that is, "2000" and "1992". Due to the above, the applicant adapted item 1 of the concession under concern (amendment of the record of geographic coordinates in the concession) to the applicable legal standards.

In this decision, the age of geological formation (Carboniferous and Permian period), in which prospective and identification works are to be conducted, has been specified in detail.

The entrepreneur has been obliged to make a payment for prospecting of mineral deposits, which has been established on the basis of art. 133 in association with art. 217 of the act of June 9th, 2011 Geological and mining law, as the product of the payment rate for prospecting of mineral deposits (PLN 105.81) and expressed in square kilometers of the area subject to concession (742, 6 km²), in which the activity is to be conducted. The payment shall constitute revenue of the communes, in which the activity is to be conducted, and revenue of the State Fund for Environmental Protection and Water Management.

In the course of the procedure, the Minister of the Environment established, as required by art. 155 of the Code of Administrative Procedure, that amendment of the decision is in the interest of the party, and the amendment is not against any legislative provisions or public interest.

Due to the above, the decision has been made as stated in the introduction.

A party not satisfied with the decision may, within 14 days upon its receipt (in accordance with legal provisions on appeals), file an application at the Ministry of the Environment, requesting repeated consideration of the case.

To be received by:

1. Liesa Energy Sp. z o.o.
2. A/a

To the attention of:

1. City and Commune Office of Krobia
2. Commune Office of Pępowo
3. Municipal and Commune Office of Pogorzela
4. Municipal and Commune Office of Poniec
5. Municipal and Commune Office of Kobylin
6. Municipal and Commune Office of Zduny
7. Municipal and Commune Office of Bojanowo
8. Municipal and Commune Office of Jutrosin
9. Municipal and Commune Office of Miejska Górka
10. Commune Office of Pakosław
11. Municipal and Commune Office of Rawicz
12. Municipal and Commune Office of Góra
13. Municipal and Commune Office of Wąsosz

14. Municipal and Commune Office of Żmigród
15. Commune Office of Jemielno
16. Commune Office of Wińsko
17. Municipal and Commune Office of Wołów
18. District Starost's Office in Gostyn
19. District Starost's Office in Krotoszyn
20. District Starost's Office in Rawicz
21. Marshall's Office of Wielkopolskie Province
22. District Mining Office in Poznan
23. District Starost's Office in Góra
24. District Starost's Office in Wołów
25. Marshall's Office of Dolnośląskie Province
26. District Mining Office in Wrocław
27. State Fund for Environmental Protection and Water Management in Warsaw
28. Ministry of Economy in Warsaw
29. a/a