

## LEASE TRANSFER APPLICATION

### 1. LEASE. Identify the lease to be transferred.

Acronym of Lease Proposed for Transfer	MIDD CI
Date Lease Expires	07/26/2040
Town	Harpswell, ME
Water Body	Middle Bay
Acreage	2.64 ac
Authorized Species	American/eastern oysters, hard clams/northern quahogs
Army Corps of Engineers Authorization Number	NAE-2019-00244
Payment Type	<input type="checkbox"/> Check <input type="checkbox"/> Credit Card

### 2. TRANSFEROR. Identify the present lessee (*if multiple lessees, provide information for each one; use a separate sheet if necessary*).

Applicant	Timothy M. Johnson
Contact Person	Timothy M. Johnson
Address	452 Woodside Rd.
City	Brunswick
County	Cumberland
State, Zip	ME, 04011
Country	USA
Telephone	207-504-7115
Email	littlefiddles@gmail.com

**Note:** The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

### 3. PAST USE OF LEASE

Has this lease been used for aquaculture during its term?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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A. If “Yes”, describe the aquaculture activities, including but not limited to seeding, cultivation, or harvest of organisms.

On an annual basis, in early Spring, seed has been deployed in floating bags. In June the Upweller raft is put in place on the western end of the lease. In mid June, 1mm seed has been put into the upwellers which in sorted with the tumbler and deployed in mid July-August into floating bags. This seed is grown out to roughly 1.5” and distributed to the bottom on MIDD BP lease. By late Fall, all floating gear is removed for the winter season.

B. If “No”, explain why no aquaculture has been conducted.

N/A

**4. TRANSFEREE.** Identify the proposed transferee (*if multiple transferees, provide information for each one; use a separate sheet if necessary*).

Applicant	Mere Point Oyster Company, LLC.
Contact Person	Douglas Niven
Address	1087 Mere Point Road
City	Brunswick
County	Cumberland
State, Zip	ME, 04011
Country	USA
Telephone	207-798-3311
Email	dougniven@merepointoyster.com
Transfer Type	<input type="checkbox"/> Include transferee on lease with current leaseholder <input checked="" type="checkbox"/> Transfer entire lease to transferee

**Note:** The email address you list here will be the primary means by which we will contact you. Please provide an email address that is checked regularly. If you do not use email, please leave this blank.

**5. TRANSFEREE'S CURRENT LEASE(S).** List all Maine aquaculture leases now held by the transferee(s).

Lease Acronym	Expiration Date	Town	Water Body	Acreage	Authorized Species
MAQ MP	12/18/29	Brunswick	Maquoit Bay	34.54	Oyster Eastern / American, Oyster European Flat, Scallop Bay, Scallop Sea, Clam Northern Quahog / Hard

## 6. RIPARIAN LANDOWNERS AND SITE ACCESS

A. If the lease is within 1,000 ft of shorefront land (**which extends to mean low water or 1,650 ft from shore, whichever is less, according to NOAA charts**), the following supporting documents are required:

1. A labeled copy of a tax map(s) including the following elements:
  - Label the map “Tax Map: Town of (name of town).”
  - Legible scale
  - Tax lot numbers clearly displayed
  - The boundaries of the lease
2. Please use the Riparian Landowner List (included on the next page) to list the name and address of every shorefront landowner within 1,000 ft of the lease. Have the tax collector or clerk of the municipality certify the list. Refer to the Riparian Determination guidance document to ensure all riparian landowners are included:  
<https://www.maine.gov/dmr/aquaculture/forms/documents/RiparianDetermination.pdf>



MIDDLE

## RIPARIAN LANDOWNER LIST

THIS LIST MUST BE CERTIFIED BY THE TOWN CLERK

On this list, please include the map number, lot number, and the current owners' names and mailing addresses for all shorefront parcels within 1,000 feet of the lease site. It is the applicant's responsibility to assemble the information for the Town Clerk to certify. The Town Clerk only certifies that the information is correct according to the Town's records. Once you have completed the form, ask the Town Clerk to complete the certification section below. If riparian parcels are located within more than one municipality, provide a separate tax map and certified riparian list for each municipality.

TOWN OF: Harpswell

MAP #	LOT #	Landowner name(s) and address(es)
80	6	Ellis Chris Thomas & Chrystal Trustees of the Ellis Family REV Living Trust 3 Twin Oaks Road Harpswell, ME 04079
80	22	BOPP FRED III ESQ PERSONAL REPRESENTATIVE OF THE ESTATE OF MARGARET L KLEIN 121 MAIN STREET YARMOUTH, ME 04096
80	24	HARPSWELL HERITAGE LAND TRUST 153 HARPSWELL NECK ROAD HARPSWELL, ME 04079

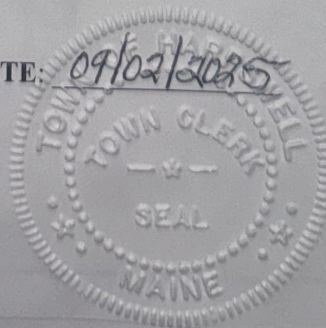
Please use additional sheets if necessary and attach hereto.

### CERTIFICATION

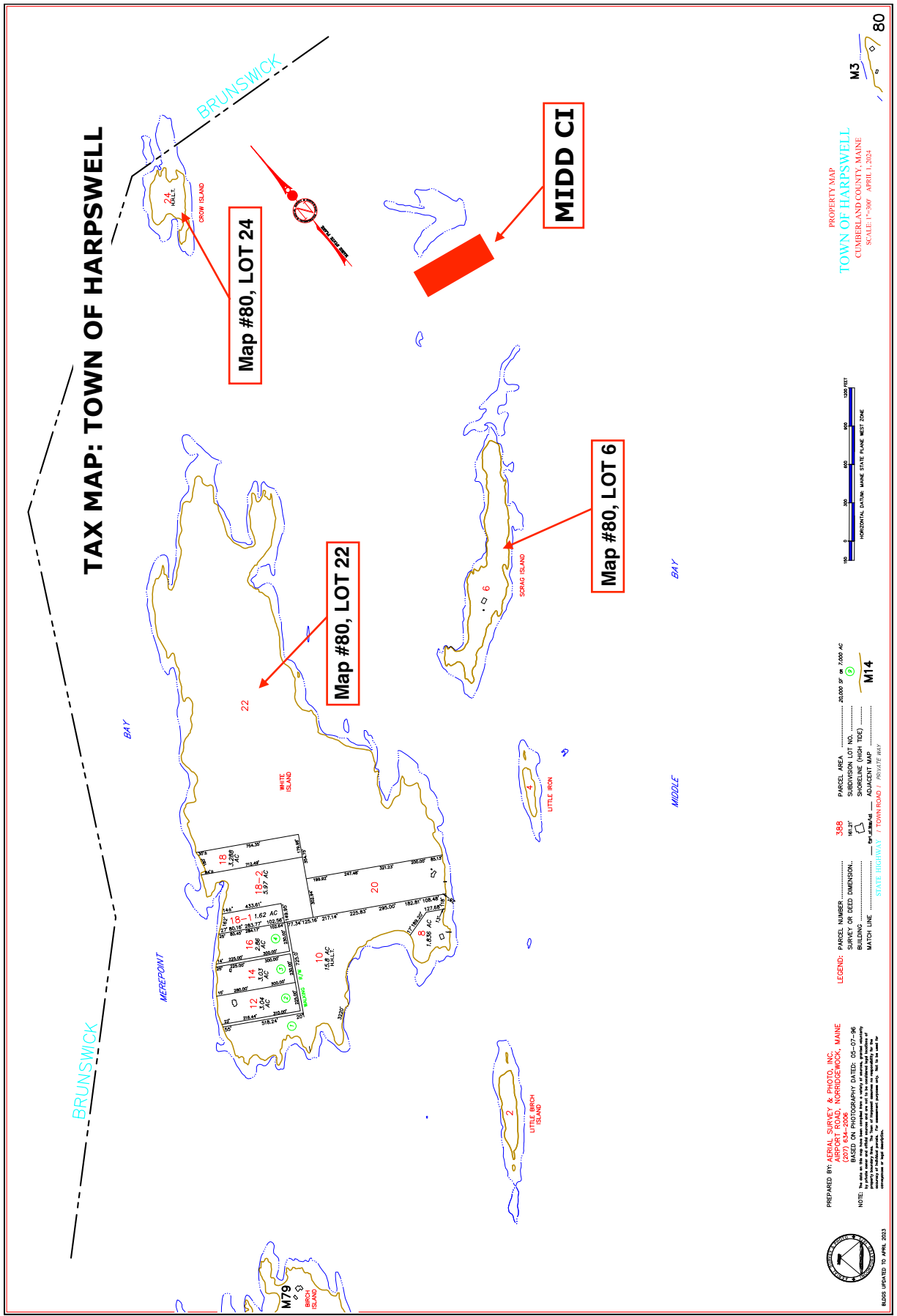
I, Deborah Davis, Town Clerk for the Town of Harpswell, me, certify that the names and addresses of the property owners listed above, as well as the map and lot numbers, are those listed in the records of this municipality and are current as of this date.

SIGNED: Deborah Davis, Deputy

DATE: 09/02/2025







TAX MAP: TOWN OF HARPSWELL

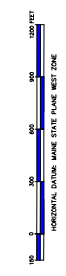
Map #80, LOT 24

Map #80, LOT 22

Map #80, LOT 6

MIDD CI

PROPERTY MAP  
TOWN OF HARPSWELL  
CLIMBERLAND COUNTY, MAINE  
SCALE 1"=360' APRIL 1, 2024



LEGEND:  
PARCEL NUMBER: 385  
SUBDIVISION LOT NO.: 20,000 SF or 7,000 AC  
BUILDING: 18-22  
BATCH DATE: 05-07-96  
STATE HIGHWAY: 1 TOWN ROAD / PRIVATE WAY

PREPARED BY: AERIAL SURVEY & PHOTO, INC.  
AIRPORT ROAD, NORRIDGEWICK, MAINE  
BASED ON PHOTOGRAPHY DATED: 05-07-96  
NOTE: This map was prepared from aerial photography and is not a survey. It is not to be used for legal purposes. For additional information, call 603-883-1111.



MAPS UPDATED TO APRIL 2024

## 7. TECHNICAL CAPABILITY OF THE TRANSFEREE

Provide information regarding professional expertise. For each transferee, attaching a resume or documentation of practical experience necessary to undertake aquaculture activities would satisfy this requirement.
Mere Point Oyster Company has been cultivating oysters for over 5 years. The owners of the company have been cultivating oysters for over 10 years on their individual Limited Purpose Aquaculture sites.

## 8. FINANCIAL CAPABILITY OF THE TRANSFEREE

A. Please provide a letter from a financial institution indicating the applicant has an account in good standing.
<b>Note:</b> Any financial information you submit with your application is part of the public record. Please exercise discretion when submitting financial information.

B. Please provide cost estimates of the aquaculture activities the transferee plans to conduct on this lease.
Mere Point Oyster Company already has experience with aquaculture and a lot of the equipment necessary to farm oysters. We anticipate buying seed from approved hatcheries in the state that we will be deploying into the upwellers (roughly \$35,000). We may need to replace some of the floating bags and lines in the grid with an estimated expense of \$10,000. In addition, we will be paying for labor and other operating costs in the amount of roughly \$30,000.

## 9. BIRD DETERRENT

Suspended culture gear can attract birds that roost on the gear and defecate, potentially creating a pollution source impacting shellfish held within the gear. In order to comply with the National Shellfish Sanitation Program (NSSP) Model Ordinance (MO), DMR is requiring that all applications involving the suspended culture of shellfish include a description of mitigation or deterrent measures to minimize the potential pollution impacts of birds at the proposed site. If appropriate, include sketches or photos that clearly depict those measures put into practice.

Examples may include:

- Submerging suspended gear and associated product at a depth sufficient to deter roosting for two weeks before harvest
- Attaching physical deterrents (i.e. zip ties) to gear
- The site is proposed for the culture of seed only
- The site is proposed for the culture of adductor-only scallops (i.e. no other shellfish species would be grown on the site)
- Proposed gear would always be suspended below the surface of the water at a depth sufficient to deter roosting (i.e. as is common for scallop lantern nets)

The site is for the culture of seed only.

## 10. FORM OF OWNERSHIP

*State law limits the maximum aquaculture lease acreage a lessee can hold to 1,000 acres. Lease acreage held by a corporation or partnership is attributed to the stockholders or partners in the same proportion as their ownership in the corporation or partnership. For example, a 35% shareholder in a company holding a 100-acre lease is deemed to hold 35 acres (See [DMR Rule 2.12\(3\)](#)).*

**A. Individuals.** Answer the following questions if any transferees are assuming this lease as individuals.

1. Have you applied for other aquaculture leases in Maine?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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2. If "Yes", list the transferee's name and state the outcome and current status of each
--



lease

3. How many acres of aquaculture leases do you currently hold, whether as an individual, a stockholder, a partner, or other co-owner of a lease or leases?	
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4. Have you ever been arrested, indicted, or convicted of or adjudicated to be responsible for, any violation of any state or federal marine resources or environmental protection law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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5. If “Yes”, list all such incidents.

**B. Corporations or Partnerships.** Complete the following steps if any transferees are organized as corporations or partnerships, including LLCs.

1. Include a copy of corporate filing information with this application
2. Complete and submit with this application the “Corporate Applicant Information Document” available at:  
<http://www.maine.gov/dmr/aquaculture/forms/standard.html>

**11. TRANSFEROR'S STATEMENT** *(if multiple lessees/transferors, provide additional completed signature pages as necessary)*

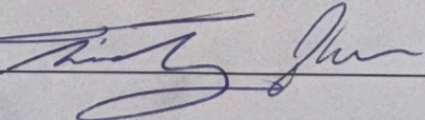
By signing this application, the UNDERSIGNED LESSEE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned lessee certifies that the following information is true and correct:

- The lease site is in good order and is in compliance with all DMR aquaculture laws and regulations;
- There are no rent bills outstanding;
- The required bond or escrow account is in place and will remain effective until the transferee obtains new coverage; and
- All required reports have been filed.

MIDD CI

Print name: Timothy M. Johnson

Title (if corporate applicant): Owner

Transferor's Signature:  Date: September 4, 2025

Print name: \_\_\_\_\_

Title (if corporate applicant): \_\_\_\_\_

Transferor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**12. TRANSFEREE'S STATEMENT** (if multiple transferees, provide additional completed signature pages as necessary)

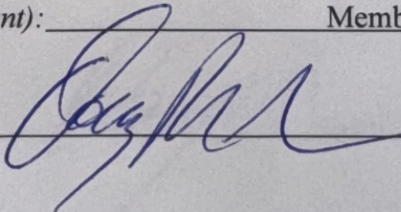
By signing this application, the UNDERSIGNED TRANSFEREE hereby states that they have read and understand the requirements of the Department's statutes and rules governing aquaculture and the transfer application instructions. The undersigned transferee hereby certifies that:

- The information in this application is true and correct;
- I understand that I am bound by the requirements of Maine law and DMR's statutes and rules governing aquaculture;
- I understand that I am assuming the existing lease, including any conditions; and
- Upon approval of the transfer by DMR I will either open an escrow account or obtain a performance bond, as required by DMR.

MDD CI

Print name: Douglas M Niven

Title (if corporate applicant): Member

Transferee's Signature:  Date: 9/4/25

Print name: \_\_\_\_\_

Title (if corporate applicant): \_\_\_\_\_

Transferee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_





*Benj. F. Packard*

## Bath Savings Institution

*Since 1852*

July 10, 2025

Commissioner Carl Wilson  
State of Maine, Department of Marine Resources  
State House  
Augusta, ME 04333

Dear Commissioner Wilson:

Mere Point Oyster has discussed their intentions to submit an application for lease with Bath Savings Institution.

Bath Savings Institution has a long-standing relationship with Mere Point Oyster dating back to 2021. The business currently has a variety of deposit and loan products at our bank with an aggregate deposit account balance in the mid five-figure range. The bank has made multiple loans to the company and considers them an excellent credit risk. Their loans require regular monthly payments that have always been made as agreed and they have always demonstrated an ability to handle all accounts satisfactorily.

Based on this relationship and their track record of success, we would be pleased to consider future financing requests with them.

Please feel free to contact me at 207-371-4218 if any further information is needed.

Regards,

Mara K Pennell  
Vice President, Commercial Lending



## **MAINE DEPARTMENT OF MARINE RESOURCES**

*Aquaculture Division, 21 State House Station, Augusta, ME 04333-0021 (207) 624-6567*

### **CORPORATE APPLICANT FORM**

#### **For Standard and Experimental Aquaculture Lease Applications**

Corporations or partnerships that apply for aquaculture leases in the State of Maine must complete this form. Corporations must submit information as requested under A. Corporate Applicant. Partnerships must submit information as requested under B. Partnership Applicant.

#### **A. Corporate Applicant**

**Note:** You must attach a copy of the Articles of Incorporation (Inc.) or Certificate of Formation (LLC) to your application.

1. Name of Corporation: Mere Point Oyster Company, LLC

2. Date of incorporation: March 30, 2016 State of incorporation: Maine

3. List the names, addresses, and titles of all officers:

<b>Name</b>	<b>Address</b>	<b>Title</b>
Douglas Niven	37 West Marginal Road Brunswick, Maine 04011	President

**Please use additional sheets if necessary and attach to the application.**

4. List the names and addresses of all directors/members:

<b>Name</b>	<b>Address</b>
Douglas Niven	37 West Marginal Road Brunswick, Maine 04011
Nicole Niven	37 West Marginal Road Brunswick, Maine 04011

**Please use additional sheets if necessary and attach to the application.**



5. Has the corporation, or any stockholder, director, or officer applied for an aquaculture lease for Maine lands in the past?    ☒ Yes    ☐ No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease.

Mere Point Oyster Co. LLC applied and was granted MAQ-MP

Mere Point Oyster Co. LLC and co-applicant Dana Smith have a “completed” application submitted.

6. List the names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each stockholder.

<b>Name</b>	<b>Address</b>	<b>Percentage of Owned Stock</b>
Douglas Niven	37 West Marginal Road Brunswick, Maine 04011	42
Daniel Devereaux	362 Maquoit Road Brunswick, Maine 04011	43
Bill Floyd	64 East Marginal Road Brunswick, ME 04011	5
Tyler Niven	1160 Mere Point Road Brunswick, Maine 04011	5
Cameron Niven	1160 Mere Point Road Brunswick, Maine 04011	5

**Please use additional sheets if necessary and attach to the application.**

7. List the names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person based on the percentage of owned stock listed in question 6. If none, write, “None.”

<b>Name</b>	<b>Address</b>	<b>Lease Acronym</b>	<b>Acreage</b>
None			

**Please use additional sheets if necessary and attach to the application.**

8. Has the corporation or any officer, director, member, or shareholder listed in item 5 above ever been arrested, indicted, convicted of, or adjudicated to be responsible for any violation of any marine resources or environmental protection law, whether state or federal?

XYes ☐ No

If you selected “yes”, please provide details

Shellfish Tagging Violation

### **B. Partnership Applicant**

**Note:** You must attach a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership to your application.

1. Name of Partnership: \_\_\_\_\_

2. Date of formation: \_\_\_\_\_ State of partnership: \_\_\_\_\_

3. List the names, addresses, and ownership shares of all partners:

<b>Name</b>	<b>Address</b>	<b>Ownership Shares</b>

**Please use additional sheets if necessary and attach to the application.**

4. Has the partnership, or any partner applied for an aquaculture lease for Maine lands in the past? ☐ Yes  
☐ No

If you selected “yes,” please indicate who applied for the lease and the status of the application or lease.

5. List the names and addresses of any partner owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person, based on their ownership shares from question 3.

<b>Name</b>	<b>Address</b>	<b>Lease Acronym</b>	<b>Acreage</b>

**Please use additional sheets if necessary and attach to the application.**

6. Has the partnership or any partner been arrested, indicted or convicted of or adjudicated to be responsible for any violation of marine resources or environmental protection law, whether State or Federal?

☐ Yes ☐ No

If you selected “yes”, please provide details.

MAINE  
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20164481DC Pages 2  
Fee Paid \$ 175  
DCN 2161022300011 DLLC  
-----FILED-----  
03/30/2016

  
Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

**FIRST:** The name of the limited liability company is:

Mere Point Oyster Company LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "L3c" - see 31 MRSA 1508.)

**SECOND:** Filing Date: (select one)

- ☒ Date of this filing; or  
☐ Later effective date (specified here): \_\_\_\_\_

**THIRD:** Designation as a low profit LLC (Check only if applicable):

- ☐ This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
- A. The company intends to qualify as a low-profit limited liability company;
  - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
  - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
  - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

**FOURTH:** Designation as a professional LLC (Check only if applicable):

- ☐ This is a professional limited liability company\* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

\_\_\_\_\_  
(Type of professional services)

Form No. MLLC-6 (1 of 2)

**FIFTH:** The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

☐ Commercial Registered Agent CRA Public Number: \_\_\_\_\_

\_\_\_\_\_  
(Name of commercial registered agent)

☒ Noncommercial Registered Agent

Douglas Niven  
(Name of noncommercial registered agent)

37 W. Marginal Rd, Brunswick, ME 04011  
(physical location, not P.O. Box – street, city, state and zip code)

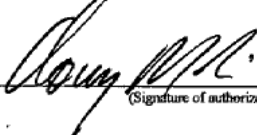
\_\_\_\_\_  
(mailing address if different from above)

**SIXTH:** Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

**SEVENTH:** Other matters the members determine to include are set forth in the attached Exhibit \_\_\_\_\_, and made a part hereof.

**\*\*Authorized person(s)**

Dated 3/21/16

  
(Signature of authorized person)

Douglas M. Niven  
(Type or print name of authorized person)

\_\_\_\_\_  
(Signature of authorized person)

\_\_\_\_\_  
(Type or print name of authorized person)

**\*Examples** of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)

**\*\*Pursuant to 31 MRSA §1676.1.A, Certificate of Formation MUST be signed by at least one authorized person.**

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

Secretary of State  
Division of Corporations, UCC and Commissions  
101 State House Station  
Augusta, ME 04333-0101  
Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov

Form No. MLLC-6 (2 of 2) Rev. 10/31/2012



Douglas Niven  
37 West Marginal Rd.  
Brunswick, Maine 04011  
(207) 798-3311

dougniven@merepointoyster.com

**EDUCATION**

Brunswick High School, Brunswick, Maine class of 1987  
Rochester Institute of Technology, Rochester, NY class of 191

**EMPLOYMENT**

Lewiston Sun Journal, Summers of 1987-1990

The Associated Press. 1991-1993

The Times Record

Technical Specialist. 1993-1994

Assistant Publisher. 1994-1995

Associate Publisher. 1995-1997

Publisher. 1997-2008

Mere Point Oyster Compnay, LLC 2016 to present

**CURRENT ACTIVITIES**

President, Sea Point Land Company, 2020-2023

Road Commissioner, Sea Point Land Company, 2017 to present

Assoc. Member, Brunswick Rivers and Coastal Waters Commission, 2014 to present

Member Mid Coast Health Services Planning Committee, 2001-2017

Member Mid Coast Health and Human Resources Committee, 2001-2017

Corporator, Mid Coast Health Services, 1996 to present

Member, Brunswick Rotary Club, 1994 to present

Incorporator of Bath Savings Institution, 1994 to present

**PAST ACTIVITIES**

Treasurer, Sea Point Land Company, 2013-2016

Member, Brunswick Economic Development Corporation, 2003 to 2008

President, Maine Daily Newspaper Publishers Association, 2000 to 2002

Director, Maine Daily Newspaper Publishers Association, 1997 to 2008

Director, New England Newspaper Association, 2001 to 2008

Board of Trustees, Mid Coast Hospital, 2007-2016

Board of Trustees, Mid Coast Health Services 2001 to 2007

Director, United Way of Mid Coast Maine 1998 to 2005

Chair of the Commerce and Industry division of the 1994 United Way Campaign

Co-Chair of the Commerce and Industry division of the 1997 United Way Campaign

United Way of Mid Coast Maine Admissions and Distribution Committee Chairperson

Member Success by Six Leadership Council Untied Way 1996 to 2008

President Maine State Music Theater, 2001 to 2003

Board of Trustees, Maine State Music Theater, 1996 to 2010

Advisory Board, Maine State Music Theater 2003 to 2010

Brunswick Rotary Club Board of Directors

Brunswick Rotary Club Vocational Program Chair 2000 too 2002

Brunswick Rotary Club Program Chair 1995 to 1997

Director, The Chocolate Church, 1994 to 1995

Director, The Chamber of Commerce for the Bath Brunswick Region

The Chamber of Commerce Bath Brunswick Region, Membership Committee

Member, Brunswick Downtown Association, Legislative Committee, 1994 to 2006

Member, Brunswick Assets (BRASS), community asset building committee

Member, Community Health Partners of Parkview Hospital, 1997 to 1999

Member of the Mid Coast Millennium Committee