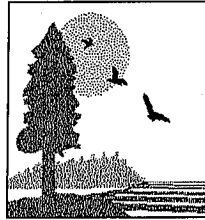


CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



CURTIS L. FOSSUM, *Executive Officer*

(916) 574-1800 FAX (916) 574-1810

*California Relay Service from TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922*

Contact Phone: (916) 574-2275

Contact FAX: (916) 574-1835

File Ref: PRC 8620.9

Mandy Allen
MBARI
7700 Sandholdt Road
Moss Landing, CA 95039

Subject: Application to Amend a General Lease – Right-of-Way Use, Undersea
Cable near Moss Landing, Monterey County

Dear Ms. Allen:

Enclosed is a copy of your fully executed Lease Amendment, No. PRC 8620.9, which was authorized by the California State Lands Commission at its August 18, 2012 meeting.

Our Accounting Office will be notifying you regarding a refund due or balance outstanding on this project within 90 days from the date of this letter.

The Commission appreciates your cooperation and patience in helping to complete this transaction. Please feel free to write or call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Drew Simpkin'. The signature is fluid and cursive, with the first name 'Drew' being more prominent.

Drew Simpkin
Public Land Management Specialist

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
State Lands Commission
Attn: Title Unit
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

STATE OF CALIFORNIA
OFFICIAL BUSINESS
Document entitled to free recordation
pursuant to Government Code Section 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

County: Monterey

STATE OF CALIFORNIA
STATE LANDS COMMISSION
AMENDMENT OF LEASE PRC 8620.9

WHEREAS, the State of California, acting through the State Lands Commission, hereinafter called Lessor, and the Monterey Bay Aquarium Research Institute, a nonprofit public benefit corporation, hereinafter called the Lessee, have heretofore entered into an agreement designated as Lease PRC 8620.9, authorized by the State Lands Commission on August 8, 2005 and executed September 2, 2005, whereby the Lessor granted to said Lessee a General Lease – Right-of-Way Use covering certain State Land situated in Monterey County and described in Section 3 of Lease PRC 8620.9; and

WHEREAS, Section 4, Paragraph 15(e) provides that the Lease may be terminated and its terms, covenants and conditions amended, revised or supplemented only by mutual written agreement of the parties; and

WHEREAS, Lease PRC 8620.9 covers; the continued use and maintenance of an existing submarine cable extending 31.7 miles offshore; and

WHEREAS, by reason of the foregoing, it is now the desire of the parties to amend the foregoing Agreement.

NOW THEREFORE, the parties hereto agree as follows:

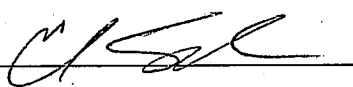
1. Section 2, Special Provisions, Paragraph 16 (d) is hereby deleted in its entirety and replaced with the following:
 - d) Lessee shall re-survey the cable burial every five years, beginning in 2015 and Submit to Lessor the survey report within 30 days of completion of the survey.

All other terms and conditions of the lease shall remain in full force and effect.

This Agreement will become binding on the Lessor only when duly executed on behalf of the State Lands Commission of the State of California.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date hereafter affixed.

MONTEREY BAY AQUARIUM RESEARCH
INSTITUTE, A NONPROFIT PUBLIC
BENEFIT CORPORATION

By: 

Title: President : Chief Executive Officer

Date: 7/25/12

STATE OF CALIFORNIA
STATE LANDS COMMISSION

By: Colin Connor

Title: Assistant Chief
Land Management Division

Date: SEP 19 2012

Execution of this document was authorized
by the State Lands Commission on

Aug. 14, 2012

Notary Acknowledgment Required

Attached

ACKNOWLEDGMENT

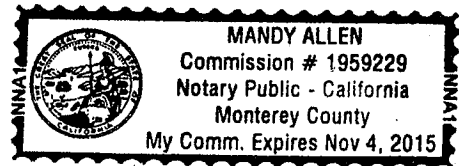
State of California
County of Monterey)

On July 25, 2012 before me, Mandy Allen, Notary Public
(insert name and title of the officer)

personally appeared Christopher A. Scholin,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Mandy Allen (Seal)