

NORTHERN TERRITORY OF AUSTRALIA
LICENCE TO TAKE OR USE SURFACE WATER
Pursuant to section 45 of the *Water Act 1992*

Licence No: 8141014

Licence Holder:	Vista Gold Australia Pty Ltd (ACN 117 327 509)		
Address:	PO Box 3449 Darwin NT		
Commencement Date:	1 June 2021		
Expiry Date:	1 June 2031		
Water Control District:	Daly Roper Beetaloo		
Management Zone:	Not applicable		
Water Allocation Plan:	Not applicable		
River Basin:	Daly River		
Waterway:	Horseshoe Creek		
Location of extraction point(s):	190311E; 8436850N (Zone 53; GDA94)		
Property(s) on which water is used:	NT Portion 4367		
Beneficial Use(s) of Water Entitlement	Maximum Water Entitlement ML/year	Security Level	Licence Trading Allowed?
Mining Activity	3480	Not Specified	N/A
Total Maximum Water Entitlement:	3480 ML/year		

Terms and Conditions:

1 General Conditions

- 1.1 The licence holder must comply with the provisions of the Act and all other laws in force in the Territory, including all regulations made under the Act.
- 1.2 The licence holder may surrender or apply for modification of this licence at any time.
- 1.3 The Controller may amend, revoke, suspend or modify this licence at any time, as provided for in section 93 of the Act.
- 1.4 Subject to Conditions 1.2 and 1.3, this licence is in force until the expiry date.

2 Water Extraction Conditions


- 2.1 The licence holder must extract no more than the stated Total Maximum Water Entitlement from the listed Waterway.
- 2.2 Subject to Conditions 2.3 and 2.4, the licence holder must ensure that total extraction from the listed Waterway over the Periods specified below does not exceed the following Entitlements:

Period	Entitlement
1 June 2021 to 30 April 2022	3192 ML
1 May 2021 to 30 April 2022	3480 ML

1 May 2022 to 30 April 2023	3480 ML
1 May 2023 to 30 April 2024	3480 ML
1 May 2024 to 30 April 2025	3480 ML
1 May 2025 to 30 April 2026	3480 ML
1 May 2026 to 30 April 2027	3480 ML
1 May 2027 to 30 April 2028	3480 ML
1 May 2028 to 30 April 2029	3480 ML
1 May 2029 to 30 April 2030	3480 ML
1 May 2030 to 30 April 2031	3480 ML
1 May 2031 to 1 June 2031	290 ML

- 2.3 In each Period the licence holder must ensure that total extraction from the listed Waterway does not exceed the Extraction Limit, which is determined as follows:
Extraction Limit (ML/yr) = Entitlement (ML) x Announced Allocation (%)
- 2.4 The licence holder must not extract more than the Monthly Extraction Limit from the listed Waterway in any one calendar month without the prior written approval of the Controller.
- 2.5 The licensee must ensure water extracted under this licence is not wasted.
For the purposes of this condition water is wasted where, irrespective of intention:
- (a) more water is used than is reasonably necessary for the immediate purpose for which water is taken, including used for irrigation;
 - (b) an unnecessary or excessive flow or flood of water is allowed to occur; or
 - (c) water is taken without adequate control or supervision of its taking.
- 2.6 The Maximum Water Entitlement must be used for no purpose other than that beneficial use without the prior written approval of the Controller.
- 2.7 The licence holder may only extract water under this licence from an extraction point listed on this licence.
- 2.8 The licence holder may only extract water under this licence for use on a property listed on this licence.
- 3 Water Metering and Reporting Conditions**
- 3.1 Extraction from the listed Waterway must be recorded by a meter or meters supplied, installed and maintained by the licence holder in accordance with the Northern Territory Non-Urban Water Metering Code of Practice for Water Extraction Licences, as amended from time to time.
- 3.2 Within two (2) weeks following the end of each Quarter, the licence holder must supply the Controller with a record of total extraction from each of the listed extraction point(s) during that Quarter, reportable by calendar month.
- 4 Trading Conditions**
- 4.1 The licence holder may only trade the Entitlements under this licence in accordance with a Water Allocation Plan.
- 4.2 The obligations under this licence remain with the licence holder unless and until the Entitlements under this licence are traded in accordance with a Water Allocation Plan.
- 5 Special Conditions**
- 5.1 If there is a conflict between the terms and conditions of this licence and the special conditions listed below, the special conditions will prevail to the extent of the inconsistency.
- 5.2 The licence holder may only extract water under this licence for Approved Mining Activities.
- 5.3 The licence holder must provide a written report to the Controller within forty-eight hours of identifying any contravention of the terms and conditions of this licence, including the special conditions. The written report must set out:

- (a) comprehensive details of the contravention; and
 - (b) how the licence holder proposes to rectify the contravention and prevent the contravention from reoccurring.
- 5.4 The licence holder must have in place a Mining Management Plan to conduct Approved Mining Activities, approved by the Minister in accordance with the Mining Management Act 2001 throughout the term of this licence. If the Mining Management Plan is revoked, the Controller may, by notice in writing served on the licence holder, revoke this licence or suspend this licence for such period as is specified in the notice.
- 5.5 Within 2 weeks of 30 June of each year, the licence holder must provide an annual report to Water Resources Division. The report must include:
- (a) Details of the licence holders compliance with the conditions of the Licence for the previous Water Year;
 - (b) A comparison of the volume of water taken between the previous water year and current water year, noting any discrepancies between projected and actual water use, with an explanation for the difference, where appropriate.
 - (c) Detail on any water saving measures implemented during the 12 months to June, and information on any planned water savings measures for the upcoming 12 months.
- 5.6 Without limiting the Controller's powers pursuant to s93 of the Act, the Controller may reduce the Total Maximum Water Entitlement conferred by this licence after consideration of any report or projection provided by the licence holder as required by condition 5.3



Joanne Townsend

Controller of Water Resources

11/6/2021

Definitions

"Act" means the *Water Act 1992* (NT).

"Announced Allocation" means the factor by which the Entitlements shown in Condition 2.2 must be adjusted. It is either:

- (a) The percentage allocation for the relevant Period notified to the licence holder in writing by the Controller, or
- (b) If no such percentage is notified, 100%.

"Approved Mining Activities" means a mining activity or activities that have been approved by the Minister in accordance with the Mining Management Act 2001.

"Controller" means the Controller of Water Resources.

"Entitlement" means the amount(s) specified in Condition 2.2.

"Extraction Limit" means the quantity of water calculated according to the formula in Condition 2.3.

"Minimum Extraction Limit" means the percentage of the Extraction Limit that is either:

- (a) If a percentage is set out in a relevant Water Allocation Plan, that percentage, or
- (b) Otherwise, 90%.

"Monthly Extraction Limit" means the percentage of the Extraction Limit that is either:

- (a) If a percentage is set out in a relevant Water Allocation Plan, that percentage, or
- (b) Otherwise, 30%.

"Period" means a period of time specified in Condition 2.2.

Quarter" means each period of 3 months ending on 30 June, 30 September, 31 December and 31 March during the Term of the Licence (or part of the Quarter occurring at the beginning or end of the term).

"Regulations" means the *Water Regulations 1992* (NT).

"Security level" means the order in which announced allocations are applied to licences. E.g. in years when a less than 100% announced allocation is required to ensure that environmental water provisions are satisfied, Low Security licence entitlements are reduced first, then Medium Security entitlements and finally High Security entitlements.