

Crown Pastoral Land Tenure Review

Lease name: BEN NEVIS

Lease number: PO 241

Public Submissions - Part 2

These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

July

10

CROMWELL

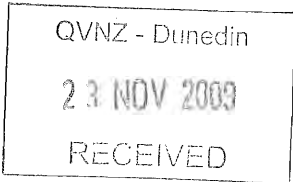
Paterson Pitts Partners (Central) Limited
 30 The Mall, Cromwell 9310
 P.O. Box 84, Cromwell 9342
 New Zealand
 Tel: 64 3 445 1826
 Fax: 64 3 445 1812
 Email: cromwell@pppgroup.co.nz
 Web: www.pppgroup.co.nz

Principal: Peter Dymock

Our Ref: C1708

20 November 2009

The Commissioner of Crown Lands
 C/- Darroch Valuations
 P O Box 215
 DUNEDIN 9054



Attn: David Paterson

P A T E R S O N P I T T S

SURVEYING • LAND PLANNING • LAND DEVELOPMENT • RESOURCE MANAGEMENT

Dear Sir

RE: SUBMISSION ON PRELIMINARY PROPOSAL – BEN NEVIS PASTORAL LEASE TENURE REVIEW – SUBMISSION OF MR AND MRS ADIE

1. This is a submission on behalf of Mr Ken Adie and Mrs Ann Adie.
2. The Adies have an interest in the Ben Nevis Pastoral Lease that has not been recognised in the proposed Tenure Review. This is a surprise to the Adies as they had been assured by Land Information NZ that their interests would be considered in the Tenure Review. See attached letter dated 7 July 2004.
3. The Adie family have continuously occupied a substantial dwelling at “Lower Nevis” since 1899 (i.e. for 110 years). See attached location plan. Mr Adie currently resides almost full time in the house.
4. The attached photograph shows a picture of the dwelling with the Adie family taken in the early 1900’s. The dwelling remains essentially the same as in this photo, to this very day as can be seen from recent photographs of the house (attached)..
5. The family has been paying rates to the Central Otago District Council and to its predecessor, the Vincent County Council, for at least 56 years, if not much longer. The property has a rating reference of 28441/13600 and a copy of the current rates assessment is attached to this submission. The land area rated is 4047m² (1 acre).
6. The property had a residence site licence (733) issued for it by the Cromwell Wardens Court in 1899, as did two other properties in the immediate neighbourhood (now Lot 37 DP 404642 owned by the Stewart family and Lot 36 DP 401253 owned by the Pemberton family).

Both these adjoining properties were bought into the land transfer system as fee simple titles under the Mining Tenure Registration Act 1962. However, by an oversight, the Adie’s mining residence licence appear to have lapsed in 1951 and was not renewed, therefore this option to obtain a fee simple title could not be pursued.

7. In 1982 the Commissioner of Crown Lands put before the family a proposal to issue them with a fee simple title, which was accepted by the family. Please refer to the attached exchanges of correspondence extracted from the Adie’s records. This correspondence is but a representative sample of the extensive correspondence the Adie family have had with LINZ and its predecessors over many years. The Adies paid the \$20 purchase price and administration fee, but unfortunately the lessee at the time would not agree to surrender part of his pastoral lease. However, this issue has

ALEXANDRA • CROMWELL • DUNEDIN • QUEENSTOWN • WANAKA

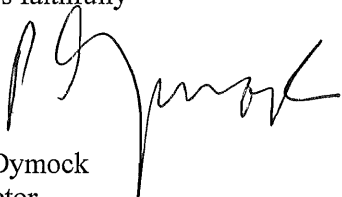
now been resolved, with both the previous lessee (Trevor Heaney) and now the current lessee (Pioneer Generation Ltd) giving their written approval. See attached letter from Pioneer Generation Ltd dated 3 December 2003.

8. In April 2009 LINZ, through DTZ's (Darroch Ltd) Christchurch office, commissioned Hughes and Associates to prepare a topographic plan of the Adie's dwelling and associated curtilage. See attached copy of plan.
9. However, this plan has not been incorporated into the formal tenure review proposal. Please refer to the attached plan copy, taken from the tenure review proposal. This shows the Adie's property as being included in area CA2 to be vested or retained in Crown control as conservation area.
10. The Adies believe that their long standing interest in the land and previous offer by the Crown entitles them to a full fee simple title to the land that they are occupying. They therefore request that their land be excluded from area CA2 as shown in the plans attached to the tenure review proposal.
11. There would appear to be several options for granting the Adies a fee simple title and these are, in order of preference:
 - (a) The Adies be granted a fee simple title under the provisions of the Land Act 1948 before the tenure review is given effect to under the Crown Pastoral Lease Act 1998. Given that Pioneer Generation Ltd has consented in writing to the partial surrender of its lease, there would appear to be no impediment whatever to this occurring right now.
 - (b) The Adies be issued with a fee simple title as part of the tenure review. However, discussions with Darroch Ltd is that this may not be technically possible as the Crown Pastoral Lease Act only provides that a single fee simple can be issued to the current lessee (Pioneer Generation Ltd), not two titles to two separate entities
 - (c) That a single fee simple title be issued to Pioneer Generation Ltd, which includes the Adie's land and that the Adies enter into a "back to back" agreement with Pioneer Generation Ltd to subsequently subdivide their land out of Pioneer's title under the Resource Management and Land Transfer Acts.
12. The Adies undertake to pay for all necessary resource consents, survey, legal costs and LINZ and/or Pioneer's administration and statutory fees and charges, which ever option is chosen. It would be possible to obtain a subdivision resource consent now, prior to the tenure review taking place (a subdivision consent under the RMA91 does not, of course, override any other legal requirements necessary to give effect to such a subdivision e.g. actual ownership of the land). Such a subdivision would be a controlled activity (Council must grant consent) under Rule 4.7.2 (iii) (b) (iii) of the Central Otago District Council District Plan – dwelling surplus to the requirement of a permitted activity.
13. Advice from Mr Ken Stewart of the Department of Conservation's Dunedin office is that if the Adie's land were to become conservation land under the Tenure Review, then under the Conservation Act and DOC's current operating policies, DOC would not subsequently be able to grant the Adies a fee simple title. At best, a concession (short term occupation licence) is all that is possible. This is not acceptable to the

Adies, whose long standing undisputed occupation rights and previous offer from the Crown entitle them to a full fee simple title.

14. While very unusual, claims for adverse possession against the Crown have been successful in the past, notwithstanding the provisions of Sec 21 of the Land Transfer Amendment Act 1963. The Adies may have a reasonable case for a claim for title by adverse possession particularly as their continuous and undisputed occupation extends well beyond the 60 years time limit set in the Statute of Limitations.
15. In summary, the Adies submission is that:
 - The land they occupy be excluded from the tenure review.
 - That the Crown in good faith stands by its 1982 offer of a fee simple title to the Adies for a consideration of \$20, now that the agreement of the current lessee has been secured.
 - That the process to issue them with a fee simple title be commenced immediately and that this title issue prior to the tenure review being given effect to. In the first instance, this would entail the Adies obtaining a subdivision resource consent from the Central Otago District Council.
 - The Adies undertake to obtain and pay for all necessary resource consents, survey and legal conveyancing fees and to pay the Crown and Pioneer Generation Ltd's legal and administration fees and charges.
16. I would be grateful if you could acknowledge receipt of this submission.

Yours faithfully



P L Dymock
Director
(For and on behalf of Mr Ken Adie and Mrs Ann Adie)
Encl.

Cc Mrs Ann Adie
78A Charles Street
RANGIORA 7400

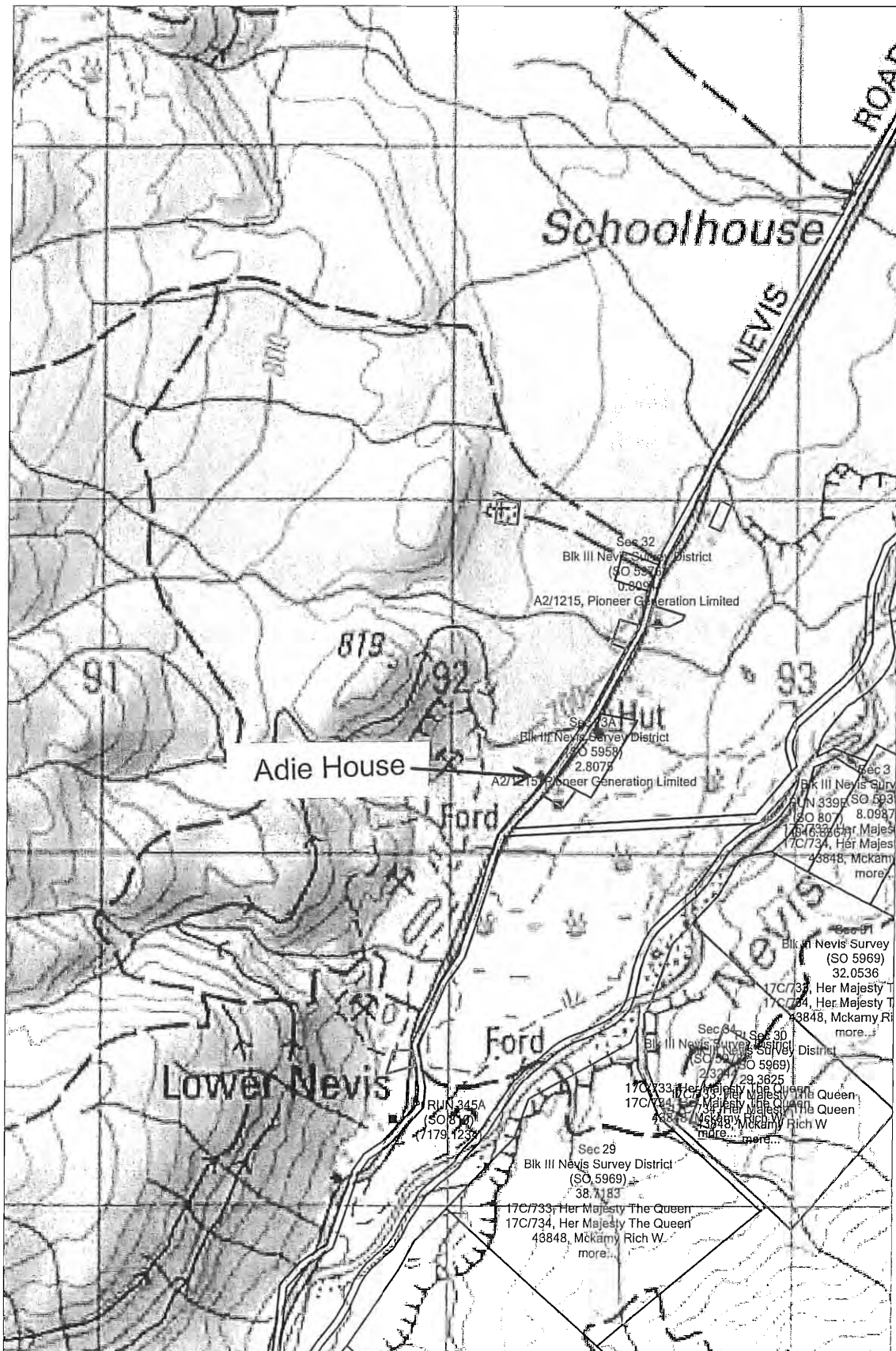
Pioneer Generation Ltd
P O Box 275
ALEXANDRA 9340

Attn: Peter Mulvihill

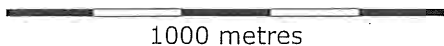
Department of Conservation
P O Box 5244
Moray Place
DUNEDIN 9058

Attn: Ken Stewart

Adie Location plan

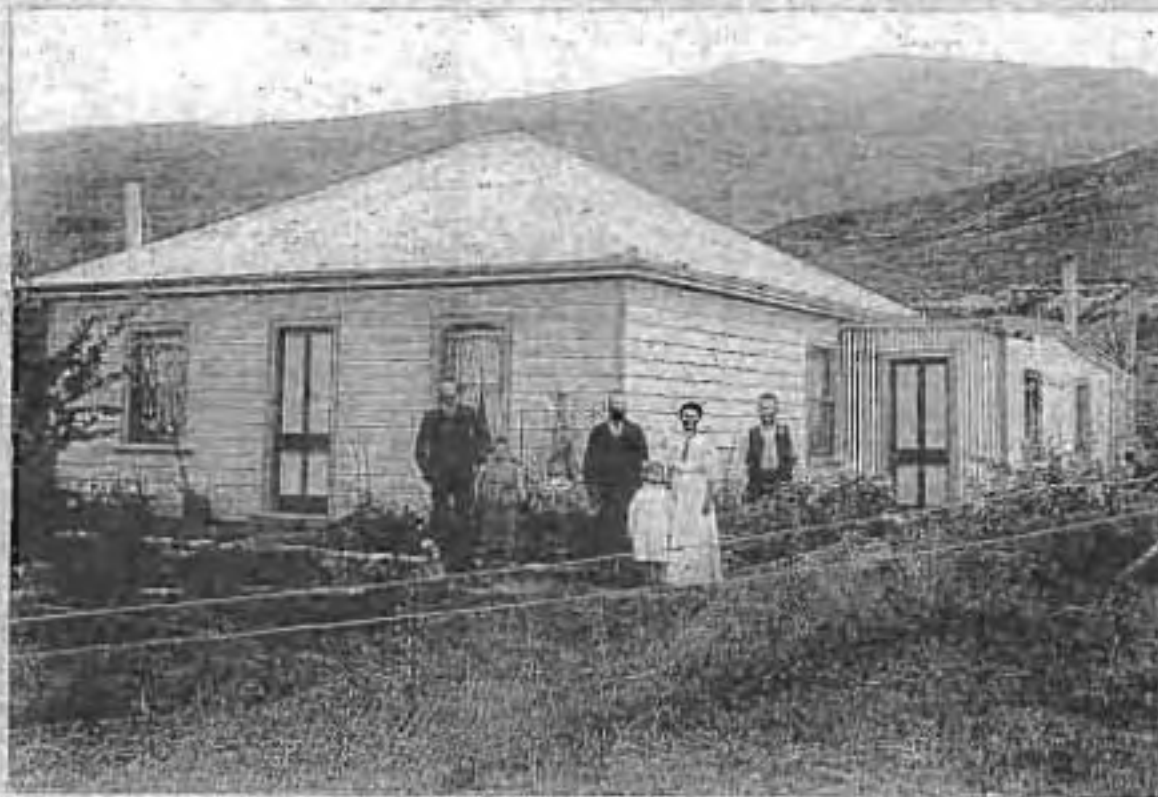


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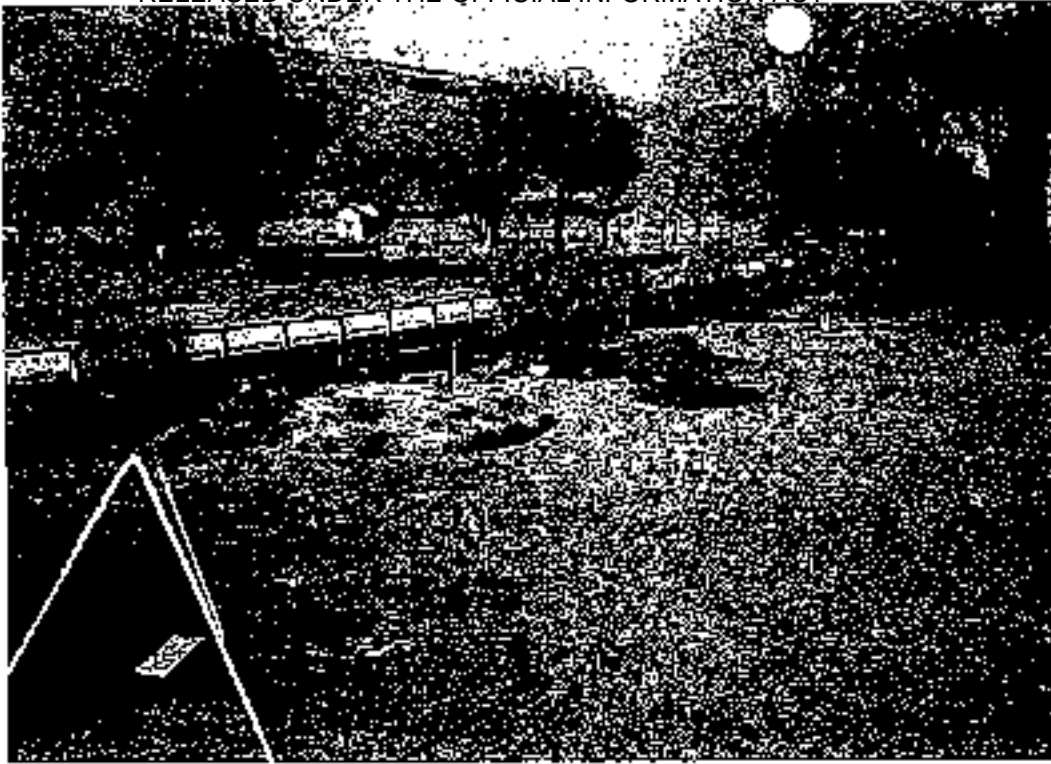


1000 metres





Mr. & Mrs. D. Adie & Family





de Prevor, 445 3006
Henry

Central Otago District Council

General Property Information

Murray

Rapid Details

Grant Farber

Property

David John Aide

Valuation No.	2844113600: (GIS)
Location	NEVIS RD
Legal Description	RES AREA IN NEVIS TN
Owner	ADIE KENNETH NOEL :
Owner Address	78A CHARLES STREET : RANGIORA :: 7400
Area (hectares)	0.4047

Rates

Government Valuation	
Land	\$ 8,000
Capital Value	\$ 61,000
Improvements	\$ 53,000
Current Rates Year 2009 to 2010	
Annual Rates	\$ 640.00
Current Instalment	\$ 160.00
Outstanding Balance	\$ 160.00
Arrears for Previous Years	
Next Instalment Date	20/11/09

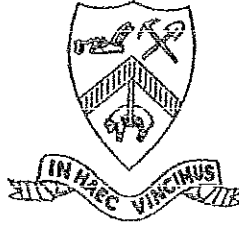
Planning/Resource Management	
No information located	
Building	
No information located	
Contributions	
No information located	
Licences	
No information located	
Sewer & Drainage	
Water	No information located
Sewer	No information located
Land and Building Classifications	
No information located	
Transport	
No information located	
Special Land Features	
No information located	
Swimming Pools	
No information located	
Other	

VINCENT

PLEASE QUOTE
FILE R/8

COUNTY

P.O. BOX No. 4
CLYDE, N.Z.



COUNCIL

TELEPHONE No.
CYD 807 Alexandra

6

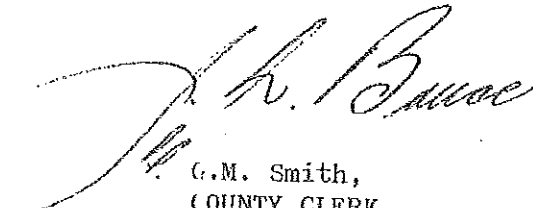
24 June, 1981.

Mr. K. Adie,
29 Botha Street,
DUNEDIN.

Dear Sir,

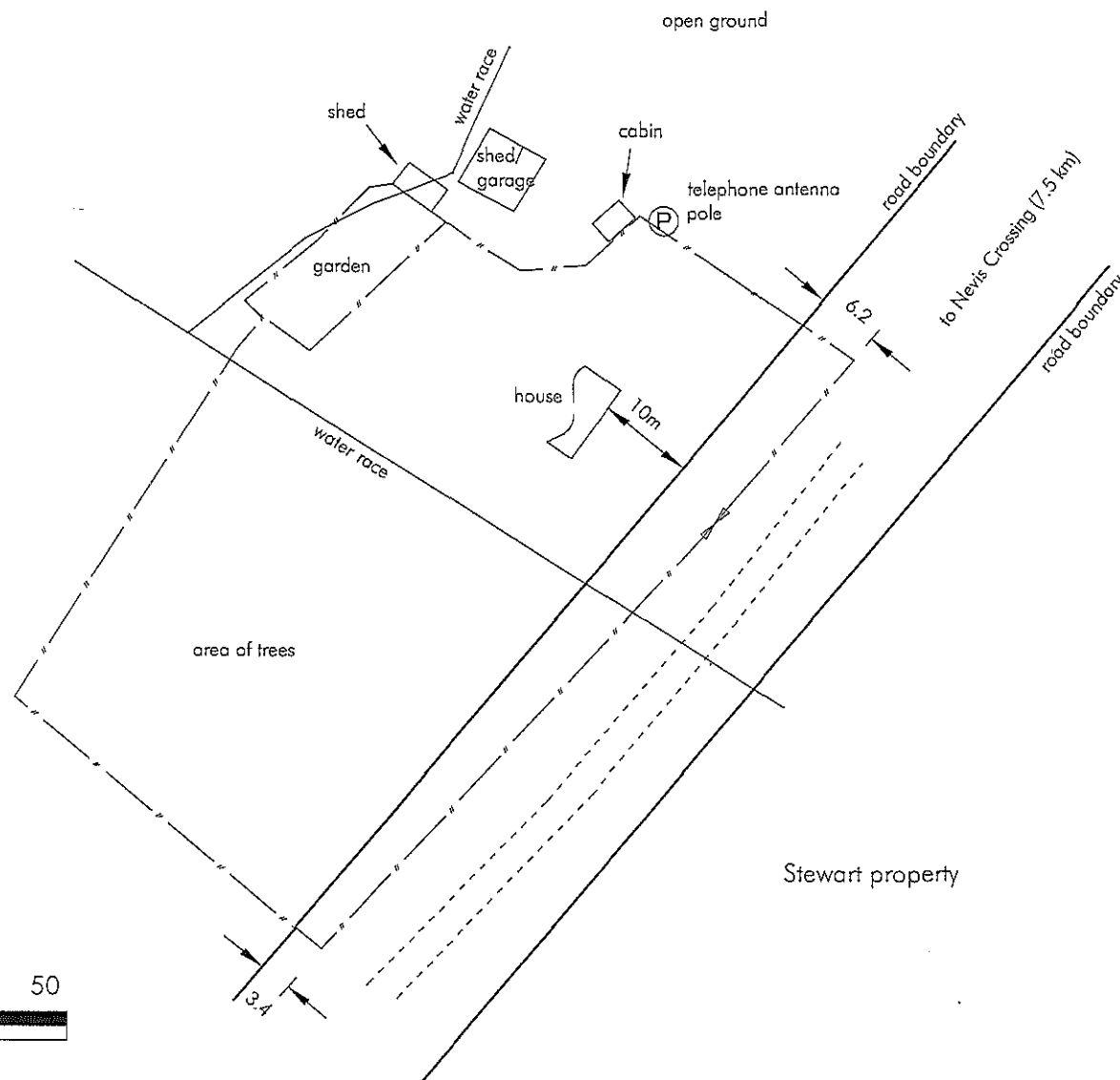
It would appear from our rate records that rates have been paid from
1954/55 to ~~1980/81~~ on your section in the Nevis township.
1997/98

Yours faithfully,


G.M. Smith,
COUNTY CLERK.



Minimum area enclosed by road boundary and fences is 0.253 ha



C. HUGHES & ASSOCIATES LTD
 Surveying and Resource Management • Central Otago



Christchurch
 174 Munnings Ln, Tel: 03 443 0376
 PO Box 211 Fax: 03 443 0372
 christchurch@chughesassociates.co.nz

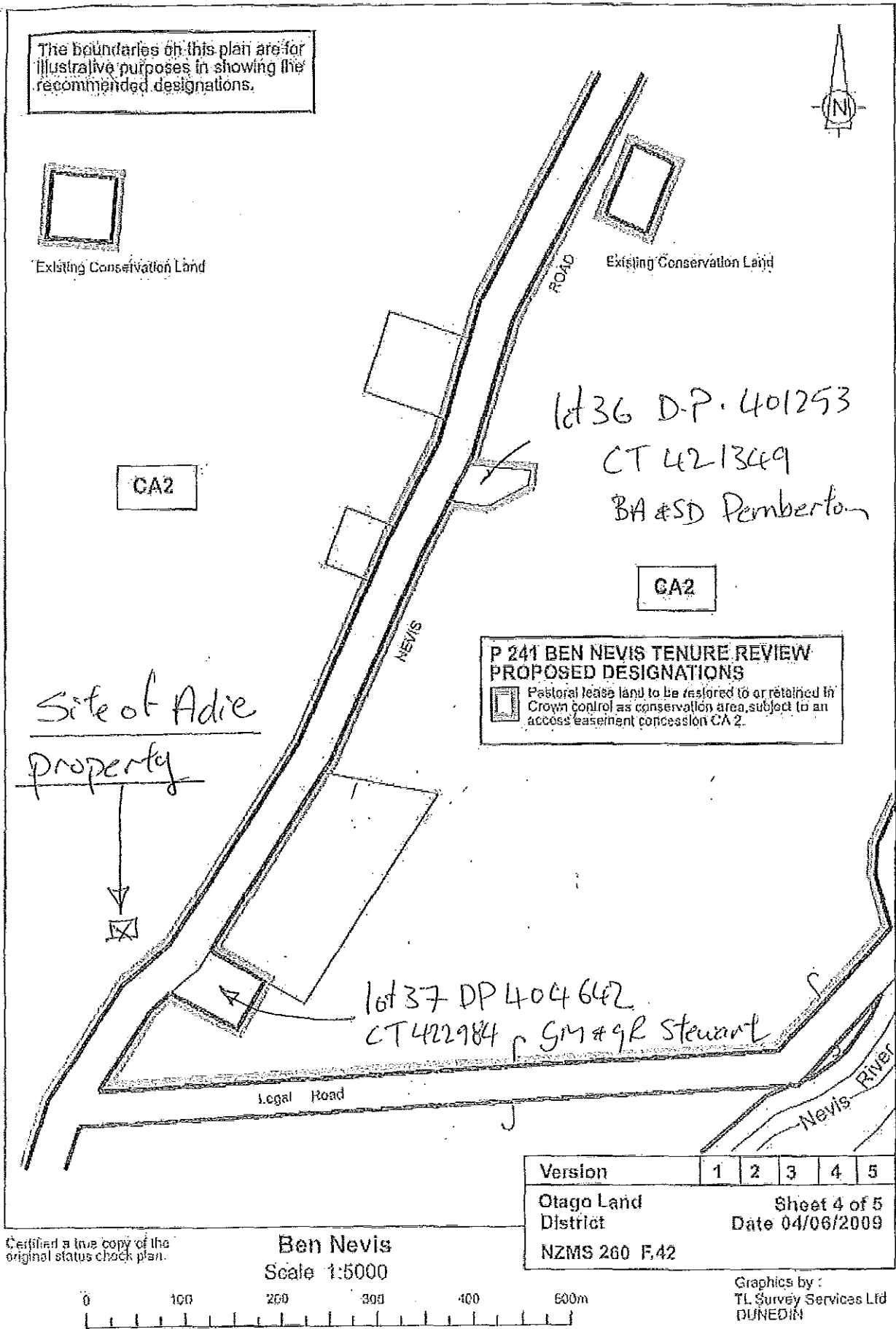
Wanaka
 60 Ardmore St, Tel: 03 443 5052
 PO Box 599 Fax: 03 443 5002
 wanaka@chughesassociates.co.nz

The Adie House
 Ben Nevis Pastoral Lease
 Nevis Valley

ISSUE	AMENDMENTS	DATE
A		
B		
C		
D		
E		

SCALE	1:500@A3
DATUM	MSL

JOB No.	4921
PLAN No.	C1044
SHEET No.	
DATE	April 2009



DEPARTMENT OF LANDS AND SURVEY

TELEGRAPHIC ADDRESS: 'LANDS'

FOR VERBAL INQUIRIES
PLEASE ASK FOR MRS Kilpatrick.

TELEPHONE No. 770 650



OUR REFERENCE: 10/h/3140

YOUR REFERENCE:

DISTRICT OFFICE,
P.O. BOX 896
DUNEDIN

13 August 1982

Mrs A Adie
59 Botha Street
TAINUI

Dear Mrs Adie

CROWN LAND SITUATED IN BLOCKS III AND XIII ADJOINING PART
RUN 345A AND OPPOSITE SECTIONS 13A AND 37 BEING FORMER
RESIDENCE SITE LICENCE NO 733

I refer to your application for the above land.

Approval has been given to the disposal of the above land to
you at a purchase price of \$10.00 payable in cash; subject
to the following condition: You arranging and paying for the
cost of survey.

If you wish to accept the Board's offer would you please take
the following action.

1 Pay the fees etc as follows for cash:

purchase price	\$10.00
title fee	10.00
	<u>\$20.00</u>

2 arrange for a private surveyor to undertake the survey.
The surveyor should contact the Chief Surveyor to ascertain his
requirements before commencing the work. It is suggested you
first obtain a quote as the survey costs will be quite considerable.

Please advise me whether or not you wish to accept this offer and
also whether the freehold title is to issue in Kenneth Noel Adie
of Dunedin Assembly Worker or Kenneth Noel Adie of Dunedin
Assembly Worker and Ann Adie his wife as tenants in common in
equal shares.

Yours faithfully

A M Kilpatrick
A M Kilpatrick (Mrs)
for Commissioner of Crown Lands

No. 12/06

Application for Exchange for Title under "The Mining Act, 1898."

To the WARDEN of the Otago Mining District,
at Cromwell

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned⁽¹⁾ William Adie
of Nevis Miner

being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for a corresponding mining privilege under that Act.

Address for service: care of A. M. Brodrick Solicitor Cromwell

Dated at Cromwell, this 23rd day of January
1906.

SCHEDULE.

Name of Mining Privilege proposed to be surrendered, and Act under which title is held.	Locality and Area of Mining Privilege.	Existing Instrument of Title, with Date and Registered Number.	Whether Instrument produced or not.	Time from which Priority is claimed.	Name of Proposed Corresponding Mining Privilege.
Water Race under "The Mining Act 1898"	At foot of Rylands Gully Nevis	License No 6357/30/1/91	produced	16/2/77	Water Race for Mining
					Proposed Term of New License.
					42 years.

J/A-10, (1811) Applications 1906
NATIONAL ARCHIVES
Warden's Court
Cromwell
Dunedin

Signature of Applicant⁽²⁾ William Adie
A. M. Brodrick

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

(3) Insert date and time—e.g., 6th August, 1900, at 2.30 p.m.

(4) Insert date, time, and place—e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at

Precise time of filing the foregoing application⁽³⁾ 23/1/06
Time and place appointed for the hearing of the application and all objections thereto:
Thursday, 8th February, 1906, at
11 a.m., at Warden's Court, Cromwell.
Objections must be filed in the Registrar's office and notified to applicant at least ~~two~~ 24 hours days before the day so appointed.

A. M. Brodrick
Mining Registrar.

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LICENSE FOR WATER-RACE.

No. 6357

District of Otago, Cromwell

Date of issue: 30th January 1896

Issued to William Eadie in lieu of similar title held under "The Mines Act 1877" and preceding act dated the 16th February 1877. Original No. 4760 and surrendered by the said William Eadie

To be in force until 29th January 1906 for gold mining purposes

In pursuance of the provisions of "The Mining Act, 1886," the person above named is authorized to construct and use the water-race and divert water as hereinafter described, that is to say, commencing at a point at foot of Rylands Creek Lewis

and terminating at Sutherland's Claim in Stonewall Gulch Lewis

The length of such race is Half (1/2) a mile or thereabouts, and its intended course is

Right to divert two (2) Government heads of water - priority to such water to date from and including the 16th February 1877

The mean depth of such race is feet inches; and the mean breadth is feet inches. Subject to the payment of £s. annually.

This license was issued by me, at Cromwell, in the Mining District of Otago

Murray Wood
REGISTERED AS DEPUTY CLERK OF THE MINE WARDEN.

Registrar, CROMWELL, at 3 p.m. on 19 February, 1906, as

No. 1915
W. B. Beattie
Mining Registrar.

380.4099
2177
Received for a term of 15 years
Wm. H. Keegan
Warden
8/2/16

Registered at the office of the Mining Registrar, CROMWELL, at 3 p.m.

on 19 February, 1906, as No. 1916

W. B. Beattie
Mining Registrar.

License accepted, and exchanged for license ordered to issue as for a Water Race

for a term of 15 years.

Wm. H. Keegan
Warden.
8/2/16



J/A-10, (TB11)
Applications
1906

Under "The Mining Act, 1898."

70.14
06

Application for Exchange for Title under "The Mining Act, 1898."

To the WARDEN of the Otago Mining District,
at Cromwell

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned (1) William Adie
of Nevis Miner

being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for a corresponding mining privilege under that Act.

Address for service: Care of A. M. Brodrick, Solicitor Cromwell

Dated at Cromwell, this 23rd day of January

1906 .

SCHEDULE.

Name of Mining Privilege proposed to be surrendered, and Act under which title is held.	Locality and Area of Mining Privilege.	Existing Instrument of Title, with Date and Registered Number.	Whether Instrument produced or not.	Time from which Priority is claimed.	Name of Proposed Corresponding Mining Privilege.
Water Race under "The Mining Act 1886"	In Creek half a mile south of Deep Creek Nevis	License No 2197/16/1/91	Produced	24/7/73	Water Race for mining purposes Proposed Term of New License. 42 years

J/A-10, (TB11)
Applications
F06
NATIONAL ARCHIVES
Warden's Court
Cromwell
DUNEDIN

Signature of Applicant: (2) William Adie
A. M. Brodrick

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

Precise time of filing the foregoing application (3) 23/1/06

(3) Insert date and time—e.g., 8th August, 1900, at 2.30 p.m.

Time and place appointed for the hearing of the application and all objections thereto: Thursday, 8th February, 1906, at

(4) Insert date, time, and place—e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at

11 a.m., at Warden's Court, Cromwell.

Objections must be filed in the Registrar's office and notified to applicant at least ~~two~~ 24 hours ~~days~~ before the day so appointed.

A. M. Brodrick

Mining Registrar.

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14

LICENSE FOR WATER-RACE.

No. 2197

District of Otago Cromwell

Date of issue: 16th January 1906

Issued to William Eadie in lieu of similar title held under "The Mines Act 1877" and preceding acts dated 21st July 1873 Original No 2746 and surrendered by the said William Eadie

To be in force until 15th January 1906 for gold mining purposes

In pursuance of the provisions of "The Mining Act, 1886," the person above named is authorized to construct and use the water-race and divert water as hereinafter described, that is to say, commencing at a point

in a creek half a mile south of Deep Creek Tevis

and terminating in Stomenall Creek

The length of such race is two and a half (2 1/2) miles or thereabouts, and its intended course is

Right to divert two (2) government heads of water - priority to such water to date from and including 21st July 1873

The mean depth of such race is feet inches; and the mean breadth is feet inches. Subject to the payment of 5s. annually.

This license was issued by me, at Cromwell, in the Mining District of Otago

Renewed for a term of 15 years
Two Warden
8/2/06

REGISTERED at the office of the Mining Registrar, CROMWELL, at 3/11 m. on 19 February, 1906, as No. 1918
A. B. Bowling
Mining Registrar.

Surrender accepted, and exchanged license ordered to issue as for a Water Race for a term of 4 1/2 years.

Two Warden
8/2/06

REGISTERED at the office of the Mining Registrar, CROMWELL, at 3/11 m. on 19 February, 1906, as No. 1919
A. B. Bowling
Mining Registrar.



J/A-10, (TBII) Applications 1906

RELEASED UNDER THE OFFICIAL INFORMATION ACT
 Application for Exchange for Title under "The Mining Act, 1898."

To the WARDEN of the Otago Mining District,
 at Cromwell

(4) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned⁽¹⁾ William Adie of Nevis Miner Annie Thomas wife of Philip Thomas of Nevis Miner James Webber and William Robertson both of Nevis miners and John Warburton Scott of Cromwell Corporation Dayman being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for a corresponding mining privilege under that Act.

Address for service: Care of A. M. Brodrick Solicitor Cromwell

Dated at Cromwell, this 23rd day of January

1906.

SCHEDULE.

Name of Mining Privilege proposed to be surrendered, and Act under which title is held.	Locality and Area of Mining Privilege.	Existing Instrument of Title, with Date and Registered Number.	Whether Instrument produced or not.	Time from which Priority is claimed.	Name of Proposed Corresponding Mining Privilege.
Water Race under "The Mining Act 1886"	Commencing at a point in Commissioners Creek Nevis & terminating on a spur on south side of Stonewall Gully such race being extended a distance of 1 mile by License No 306/16/2/00 from south side of Stonewall Gully to Stewarts Gully	License for Water Race No 7815/16/1/91	produced	16/5/73	Water Race for Mining Irrigation Industrial pursuits and domestic purposes
INTERESTS OF PARTIES: William Adie, three-fifths. Annie Thomas, James Webber, William Robertson, & John Warburton Scott Two-fifths equally among them.					Proposed Term of New License.
Encumbrance 1794, Mortgage Annie Thomas to James Horn.					42 years

J/A-10, (TB11)
 Applications 1901
 NATIONAL ARCHIVES
 Warden's Court
 Cromwell
 DUN.

Signature of Applicant: ⁽²⁾ William Adie, Annie Thomas, James Webber, William Robertson, John Warburton Scott

(1) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

(2) Insert date and time—e.g., 6th August, 1900, at 2.30 p.m.

(3) Insert date, time, and place—e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at

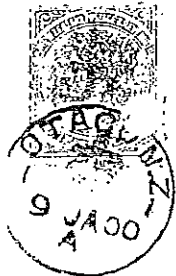
Precise time of filing the foregoing application ⁽³⁾ 23/1/06

Time and place appointed for the hearing of the application and all objections thereto: Thursday, 8th February, 1906, at 11 a.m., at Warden's Court, Cromwell.

Objections must be filed in the Registrar's office and notified to applicant at least ~~two~~ 24 hours before the day so appointed.

A. M. Brodrick
 Mining Registrar.

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17/1/18th

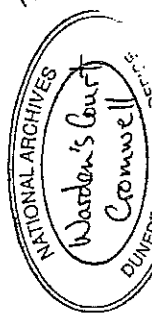
The Agreement made the day of December one thousand eight hundred and ninety nine Between Andrew Williamson of Newis Miner and Helen Miller Elliot of Newis Hotelkeeper (hereinafter called the Vendors) of the one part and John Hector Robertson William Robertson James Webber and John Warburton Scott all of Newis Miners (hereinafter called the purchasers) of the other part Whereby it is agreed as follows:

1. The Vendors agree to sell and the Purchasers agree to purchase a two fifths share or interest of and ~~of~~ all that Water Race held under License 7815 dated the sixteenth day of January one thousand eight hundred and ninety seven which said License is issued as a duplicate of water Race License 2200 dated the sixteenth day of January one thousand eight hundred and ninety one and is described as commencing in Connelmore Creech and terminating on a Spur on South side of Bonivall Gully length three miles with right to divert eight heads of water

2. The price of the said two fifths share or interest shall be the sum of three hundred and fifty pounds sterling and shall be paid by a payment of one hundred and seventy five pounds sterling on the execution hereof and the balance of sum of one hundred and seventy five pounds sterling without interest on or before the first day of February on the ^{same} ~~thousand~~ hundred and one

3. The Purchasers shall be entitled to the possession of the said two fifths interest on the execution hereof and on the first instalment of purchase money of one hundred and seventy

7A-10, (TBIU) Applications 1906



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five pounds being duly paid _____
 4. On the purchase money being paid
 in full the Vendors will at the cost in all
 things of the Purchasers execute to and in favor
 of the Purchasers or as they shall direct a valid
 assignment ^{of} ~~as~~ a two fifths share or interest
 of and in the said Water Race hereby agreed
 to be void free from encumbrance. _____

5. This agreement shall extend to and
 bind the executors administrators and assigns
 of the Vendors and the executors administrators
 and assigns of the purchasers. _____

As Witness the hands of the parties hereto

Helen M. Elliot
 Novis 18th Dec 1899
 Andrew Williamson
 Novis 18 Dec 1899

John Hector Robertson
 Novis 15 Dec 1899
 William Robertson
 Cromwell, 19 Dec. 1899.
 James Wether
 Novis 15th Dec 1899
 John Warburton Scott
 Novis 18th Dec 1899



J/A-10, (TB11)
 Applications
 1906

LICENSE FOR WATER-RACE.

Mining Registrar 71
District of Otago Cromwell

o. 7815

date of issue: 16th January 1891

issued to George Paul 2/5 William Adie 1/5 A. Williamson 1/5 and A. Allan 1/5
in lieu of similar title held under "The Mines Act 1847" and preceding Acts
dated the 15th May 1843 Original No 26134 surrendered by the said
George Paul, William Adie, A. Williamson and A. Allan
To be in force until 15th January 1906

in pursuance of the provisions of "The Mining Act, 1891" the person & above named are authorized to construct
and use the water-race and divert water as hereinafter described, that is to say, commencing at a point
in Commissioners Creek, Kaiti

and terminating at on a spur on the
to the side of Stonewall Gully

the length of such race is Three miles or thereabouts, and its intended course is
Right to divert right Government heads
of water to date from and including the 15th
May 1843

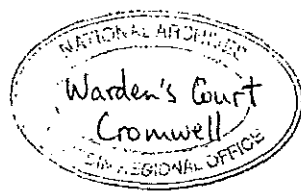
the mean depth of such race is _____ feet _____ inches; and the mean breadth is _____ feet _____ inches.
subject to the payment of \$s. annually.

This license was issued by me, at Cromwell, in the Mining District of Otago

James Stirling
Mining Registrar
21701

(signed)

Sturges Wood
Warden.



J7A-10, (TB11)
Applications
1906

William Adie of New Miner having made application to me under section 7 of "The Mining Act 1891" in that behalf and Walter Paul having consented thereto is order that he be and he is hereby put in possession of the interest the within named Walter Paul (being an undivided two fifths part) in and to the within described Water Race, and all rights appurtenances and appurtenances thereto belonging to the said Walter Paul given under the hand of the Warden and the seal of the Court for the Otago Mining District at Cromwell this 6th day of April 1894
Signed J. August Wood
Warden

3128 William Adie to David Anderson Jolly 1/5 part
1894 E.M.R.

3141 Helen Miller Secy registered as proprietor by transmission
10.94 of the interest of A. Allan deceased E.M.R.

Renewed for a term of 15 years

W. M. Hughes
Warden
8/2/6

REGISTERED at the office of the Mining Registrar, CROMWELL, at 3 p. m. on 19 February, 1906, as No. 1909
O. Bowling
Mining Registrar.

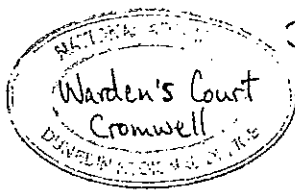
The order accepted, and exchanged license ordered to issue as for a

Water Race

for a term of 15 years.

W. M. Hughes
Warden.
8/2/6

REGISTERED at the office of the Mining Registrar, CROMWELL, at 3 p. m. on 19 February, 1906, as No. 1910
O. Bowling
Mining Registrar.



Under "The Mining Act, 1898."

W.P. 11
06

Application for Renewal of License for Mining Privilege.

To the WARDEN of the Otago Mining District,
at Cromwell

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned⁽¹⁾ William Adie of Nevis Miner

being the holder of the license specified in the Schedule, hereby applies for a renewal thereof for a term of forty two years, commencing on the expiry of the current term.

Address for service: Care of A. M. Brodrick Solicitor Cromwell

Dated at Cromwell, this 23rd day of January, 1906.

J/A-10, (TB11) Applications 1906



SCHEDULE.

Particulars of Current License.

Date and registered number: 6357/30/1/91

Name and locality of mining privilege: Water Race Rylands Creek Nevis

Date of expiry of term: 29th January 1906.

Signature of Applicant: ⁽²⁾ *William Adie*
A. M. Brodrick

[a.0005/1502-4193]

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

Hearing Thursday, 8th February, 1906, at 11 a.m., at Warden's Court, Cromwell.

A. M. Brodrick
Minning Registrar

[Signature]

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NOT TO BE FURTHER COPIED OR REPRODUCED
WITHOUT NATIONAL ARCHIVES PERMISSION

Under "The Mining Act, 1898."

Application for Renewal of License for Mining Privilege.

To the WARDEN of the Otago Mining District,
at Cromwell.

(1) Full name, residence, and occupation.

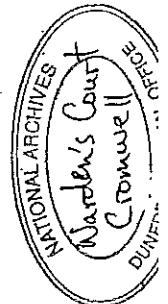
PURSUANT to "The Mining Act, 1898," the undersigned⁽¹⁾ William Adie
of Nevis Miner

being the holder of the license specified in the Schedule, hereby applies for a
renewal thereof for a term of forty two years, commencing on
the expiry of the current term.

Address for service: Care of A. M. Brodrick Solicitor Cromwell

Dated at Cromwell, this 23rd day
of January, 1906.

J/A-10, (TB11)
Applications
1906



SCHEDULE.

Particulars of Current License.

Date and registered number: 2197/16/1/91

Name and locality of mining privilege: Water Race from Creek half a mile south of Deep Creek Nevis

Date of expiry of term: 15 th January 1906.

Signature of Applicant: ⁽²⁾

William Adie
[Signature]
[2.0 10/5/1902-4193]

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

Bearing Thursday, 8th February, 1906, at
11 a.m., at Warden's Court, Cromwell.

O. B. Bechoy
Mining Registrar

[Signature]

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Under "The Mining Act, 1908."

Application to surrender Mining Privilege absolutely.

To the WARDEN of the OTAGO Mining District, at CROMWELL

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1908," the undersigned (2) Charles Masters, William Masters, David Adie and John Adie all of Nevis, Miners.

being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same absolutely, and not for the purpose of exchange.

Address for service: C/O A.M. Brodrick, Solicitor, Cromwell. Dated at Cromwell, this 18th day of June, 1919.

SCHEDULE.

Table with 4 columns: Name of Mining Privilege, Locality, Existing Instrument of Title, and Whether Instrument is produced or not. Row 1: License for a Special Alluvial Claim, at Nevis, 1956/10. 5. 06, Produced.

Handwritten signatures of Charles Masters, William Masters, David Adie, and John Adie.

Signature of Applicant: (3)

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

(3) Insert date and time—e.g., 6th August, 1900, at 2.30 p.m.

Precise time of filing of the foregoing application (3) 18.6.1919 @ 12.30 p.m.

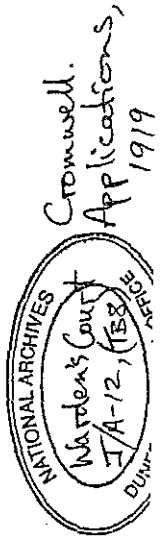
Time and place appointed for the hearing of the application and all objections thereto:

(4) Insert date, time, and place—e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at

(4) Wednesday the 9th day of July, 1919 at 11 a.m. at the Wardens Court at Cromwell.

Objections must be filed in the Registrar's office and notified to applicant at least three days before the day so appointed.

Handwritten signature of the Deputy Mining Registrar.



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No. 7/06

[Form 44 (Reg. 47)]

Under "The Mining Act, 1898."

Application for Renewal of License for Mining Privilege.

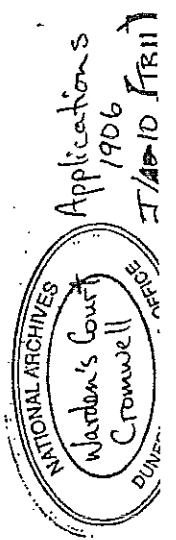
To the WARDEN of the Otago Mining District, at Cromwell

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned (1) William Adie of Nevis Miner Annie Thomas wife of Philip Thomas of Nevis Miner James Webber and William Robertson of Nevis Miners and John Warburton Scott of Cromwell Corporation Dayman being the holder of the license specified in the Schedule, hereby applies for a renewal thereof for a term of forty two years, commencing on the expiry of the current term.

Address for service: Care of A. M. Brodrick Solicitor Cromwell

Dated at Cromwell, this 23rd day of January, 1906



SCHEDULE

Particulars of Current License.

Date and registered number: 7815/16/1/91

Name and locality of mining privilege: Water Race Commissioners Creek Nevis

Date of expiry of term: 15 January 1906

Signature of Applicant: William Adie, Annie Thomas, James Webber, William Robertson, John Warburton Scott, Philip Robertson

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

Hearing

Thursday, 8 February, 1906, at 11 a.m., at Warden's Court, Cromwell

Handwritten signatures: J. E. Howling, Mining Registrar

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LICENSE FOR WATER-RACE.

No. 6357

District of Otago, Cromwell

Date of issue: 30th January 1890

Issued to William Eadie in view of prior title held under "The Mines Act 1877" and preceding act dated the 16th February 1877. Original No. 4760 and surrendered by the said William Eadie

To be in force until 29th January 1906 for gold mining purposes

In pursuance of the provisions of "The Mining Act, 1886," the person above named is authorized to construct and use the water-race and divert water as hereinafter described, that is to say, commencing at a point at foot of Lylands Creek Newis

and terminating at Duthlands Claim in Stonewall Gulch Newis

The length of such race is Half (1/2) a mile or thereabouts, and its intended course is

Right to divert two (2) Government heads of water - priority to such water to date from and including the 16th February 1877

The mean depth of such race is ___ feet ___ inches; and the mean breadth is ___ feet ___ inches. Subject to the payment of \$s. annually.

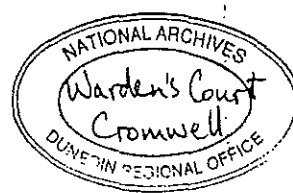
This license was issued by me, at Cromwell in the Mining District of Otago

Received for a term of 15 years
Mr. H. H. H. H.
Warden
8/2/16

W. H. H. H.
REGISTERED WARDEN
Registrar, CROMWELL, at 3/4 m.
on 19 February, 1906, as
No. 1915
W. H. H. H.
Mining Registrar.

License accepted, and exchanged
license ordered to issue as for a
Water Race
for a term of 15 years.
Mr. H. H. H. H.
Warden.
8/2/16

Registered at the office of the Mining
Registrar, CROMWELL, at 3/4 m.
on 19 February, 1906, as
No. 1916
W. H. H. H.
Mining Registrar.



J/A-10, (1811)
Applications
1906

Application for Exchange for Title under "The Mining Act, 1898."

To the WARDEN of the Otago Mining District,
at Cromwell

(1) Full name, residence, and occupation.

PURSUANT to "The Mining Act, 1898," the undersigned⁽¹⁾ William Adie
of NEVIS MINER

being the holder of the mining privilege specified in the Schedule hereto, hereby applies to surrender the same, and to obtain in substitution therefor a license for a corresponding mining privilege under that Act.

Address for service: care of A. M. Brodrick Solicitor Cromwell

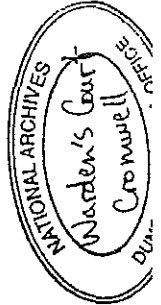
Dated at Cromwell, this 23rd day of January

1906.

SCHEDULE.

Name of Mining Privilege proposed to be surrendered, and Act under which title is held.	Locality and Area of Mining Privilege.	Existing Instrument of Title, with Date and Registered Number.	Whether instrument produced or not.	Time from which Priority is claimed.	Name of Proposed Corresponding Mining Privilege.
Water Race under "The Mining Act 1898"	At foot of Kylands Gully Nevis	License No 6357/30/1/91	produced	16/2/77	Water Race for Mining
					Proposed Term of New License.
					42 years.

7/A-10, (TB11) Applications 1906



Signature of Applicant: William Adie
A. M. Brodrick

(2) A. B., or, as the case may be, A. B., by his Solicitor or Registered Agent, C. D.

(3) Insert date and time—e.g., 6th August, 1900, at 2.30 p.m.

(4) If insert date, time, and place—e.g., Thursday, 23rd August, 1900, at 10 a.m., at Warden's Court at

Precise time of filing the foregoing application⁽³⁾ 23/1/06

Time and place appointed for the hearing of the application and all objections thereto: Thursday, 8th February, 1906, at

11 a.m., at Warden's Court, Cromwell.

Objections must be filed in the Registrar's office and notified to applicant at least ~~two~~ 24 hours days before the day so appointed.

A. M. Brodrick
Mining Registrar.

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William Adie first appears in 1887, with John and David, but, presumably, he had been mining before then, since he was the sole registered holder of several licenses for which he was granted replacements in 1890. He was also associated, in 1891, with Paul, Williamson and Allan, who became Robertson, Webber, Scott and Annie Thomas and, later, "Webber, Manson & Parly". He died in 1918, and his holdings were transferred to David, John and Jane, except that R5733 Cr was transferred to Jane alone, and B1311 Cr. was omitted.

John Adie first appears in 1889, with William and David, although he may have been mining before then. In 1906, he and David were in partnership with C. and W. Masters ("Masters & Adie"); and, in 1911, he acquired Annie Thomas's shares in Webber, Manson & Parly. He did not acquire any new interests after 1927, and would appear to have retired from mining before 1931, although all of his interests remained registered in his name.

David Adie first appears in 1889, with William and John, although he may have been mining before then. In 1906, he and John were in partnership with C. and W. Masters ("Masters & Adie"); and, in 1915, he acquired a half of J.E. Manson's shares in Webber, Manson & Parly, which, by 1927, had become David and John Adie, S. Graham A. Scott and T. Hutchinson. He acquired T. Hutchinson's share in 1932, which would seem to indicate that SAC4822 Cr. may still have been being worked at that time. However, it would appear that, of all of the interested parties, only he and Samuel Graham were still actively in partnership in 1931. By 1934, he would appear to have been operating alone; and, in 1939, he seems to have retired from mining, since he then surrendered his mining claims. His active participation in mining at Nevis apparently spanned 50 years, from 1889 to 1937.

Jane Adie first appears in 1918, as a beneficiary, with David and John, of William's estate, from which, however, she also received sole title to R5733 Cr. It would seem that she took no active part in the Adie operations, since her only registered interests were those that she received from William's estate. She died in 1950; and R5733 Cr. passed to David, who surrendered it the following year.

Residence Site R5733 Cr. is described as being bounded to the south by John Robertson's residence site. At the time of granting, June 1901, John Robertson held R5766/76 Cr. The area of Crown lands situated at lower Nevis about half a mile below Nevis township. His grant in help in locating R5733 Cr, except that your house, which presumably is on R5733 Cr, is roughly half a mile from lower Nevis, as shown on the maps.

I think that about the only things of which you can be certain, are that your house is not on a separate section, and that you do not have any title to the land you are, in effect, squatting on part of R5766/76 Cr., held under renewable 21-year lease by Mr P. W. Brown.

Extended Claim N° 19586/89 Cr. David Adie, William Adie, John Adie
 No details known. (Inferred from N° 19604/89 Cr, below.)

Tail Race N° 19604/89 Cr. David Adie, William Adie, John Adie
 350 yards long; from EC 19586/89 Cr to Nevis River.
 May not have been constructed; no renewals (which should have been yearly!)

Dam N° 19609/89 Cr. David Adie, William Adie, John Adie
 Between Stuar's Gully and Gowins Gully
 Nothing further known.

Water Race N° 2188/90 Cr. William Eadie (see note under WR 2189/90 Cr, below)
 2 miles long; from Commissioners Creek to Stonewall Creek; 4 heads;
 with priority from 8th February 1872 (i.e. William Eadie was
 the licence holder (of an earlier licence) when this was granted in 1870.)
 Surrendered absolutely on 4th June 1903

Water Race N° 2189/90 Cr. William Eadie
 ½ mile long; from near the foot of Stonewall Gully to Sutherland's
 Claim in Stonewall Gully; 2 heads; with priority from 22nd January 1872
 Surrendered in exchange for WR 2079 Cr.
 (Note: It would seem that William Eadie was in fact William Adie, since
 WR 2079 Cr was granted to William Adie in exchange for WR 2189/90 held by William
 Eadie. If they had not been the same person, such a grant would not have been granted.)

Water Race N° 2197/91 Cr. William Eadie
 2½ miles long; from a creek, ½ mile south of Deep Creek, to Stonewall Creek;
 2 heads; with priority from 24th July 1873.
 Surrendered in exchange for WR 1920 Cr.

Water Race N° 2200/91 Cr. G. Paul (2/5), William Adie (1/5), A. Williamson (1/5), A. Allan (1/5)
 3 miles long; from Commissioners Creek to the south side of Stonewall
 Gully; 8 heads; with priority from 15th May 1873; exchanged under
 N° 316 Cr. to Stuar's Gully; further extended under N° 310 Cr. to Caban
 Gully.
 Surrendered in exchange for WR 1911 Cr.
 Register holders at time of surrender were: William Adie (2/5),
 W. Robertson (2/10), J. Webber (2/10), J.W. Scott (2/10), Annie Thomas (2/10).

Water Race N° 2357/91 Cr. William Eadie
 ½ mile long; from Rhinds Creek to Sutherland's Claim, Stonewall Gully
 2 heads; with priority from 10th February 1877.
 Surrendered in exchange for WR 1917 Cr.

Bywash N° 311 Cr. William Adie
 100 yards long; from WR 2197/91 Cr to south side of Stuar's Gully
 (Check off the Register. (WR 2197/91 Cr, p. 15))

Water Race N^o 447 Cr. J.H. Robertson, W. Robertson, J. Webber, J.W. Scott

3/4 mile long; from South Branch of Sprouts Creek to head of WR448 Cr. (q.v.),
6 heads.

Struck off the Register (N.Z. Gazette 1.10.1931, p 2576)

Registered holders at time of striking off were: John Adie (1/4) since June 1911, David Adie (1/8) since March 1915, T. Hutchinson (1/8), S. Graham (1/4), A. Scott (1/4).

Water Race N^o 448 Cr. J.H. Robertson, W. Robertson, J. Webber, J.W. Scott.

4 miles long; from North Branch of Sprouts Creek to head of DR44905/92 at Commissioners Creek; 6 heads plus 6 heads ex WR447 Cr.

Surrendered absolutely on 9th May 1934

Registered holders at time of surrender were: John Adie (1/4) since June 1911, David Adie (1/4) since July 1932 and (1/4) since March 1915, S. Graham (1/4)

Dry Race N^o 44905/93 Cr. J.M. Kersie, J.H. Robertson

4 miles long; from Commissioners Creek to Stonewall Gully; with extension dated June 1898 to Dam 88171/98 Cr

Expired in 1958, but a transfer was made to John Adie in June 1911.

Last registered holders were: John Adie (1/4), J. Webber (1/4), J.E. Mauser (1/4) J.L. Scott (1/4)

(Dam 88171/98 Cr was granted to J.H. Robertson, W. Robertson, J. Webber and J.W. Scott, who were also the registered holders of DR44905/92 when the dam licence was granted. No transfers were registered on Dam 88171/98)

Water Race N^o 1798/96 Cr. J.H. Robertson (1/2), J. Webber, C. Armstrong

4 miles long; from Sprouts Creek to head of WR201/71 Cr. (later with at Commissioners Creek; 12 heads

Struck off the Register (N.Z. Gazette 1.10.1931, p 2576)

Registered holders at time of striking off were: John Adie (1/4) since June 1911, J. Webber (1/4), J.E. Mauser (1/4), J.L. Scott (1/4)

Special Site N^o 62600/96 Cr. J.H. Robertson, A. Macculay

4 acres; between Stonewall Gully and Nevis Township; for stables, tailings.

Surrendered absolutely on 7th September 1932.

Registered holders at time of surrender were: John Adie (1/4) since June 1911; David Adie (1/8) since March 1915, T. Hutchinson (1/8), S. Graham (1/4), A. Scott (1/4)

Residence Site N^o 733 Cr. William Adie (granted c. 1901)

1 acre; on the south side of Galins Gully; bounded on the south by John Robertson's Residence Site, and on other sides by Crown Land.

Transferred from William Adie to John Williamson (August 1918), thence to John Adie (September 1918), thence to David Adie (March 1931).

Surrendered absolutely on 17th July 1934

(The John Williamson was one of the estate of William Adie)

Ordinary Prospecting Licence N° 4516 Cr. David Adie, S. Graham (granted 8.4.1927)
 15 acres; near Nesbit township, lying on Stewarts Gully and Stenswell Gully; bounded on
 the east by Webber & Adie's special claim (probably SAC 2613 Cr.) elsewhere by Crown
 Lands.
 Expired on 8th April 1928

Special Alluvial Claim N° 4922 Cr. David Adie, John Adie, T. Hutchison, S. Graham, A. Scott
 (granted 11.5.1927)
 8 1/2 acres; near Nesbit township, bounded on the East by Fiches' prospecting even
 elsewhere by Crown Lands.
 Surrendered absolutely on 30th June 1952

Water Race N° 5153 Cr. David Adie, S. Graham (granted 15.4.1931)
 1/4 mile long; from Deeters Creek to extended claim (presumably EAC 5194 Cr.);
 4 heads.
 Surrendered absolutely on 12th July 1939

Extended Alluvial Claim N° 5194 Cr. David Adie, S. Graham (granted 13.5.1931)
 3 acres; on the west bank of the Nesbit River about 1/2 mile south of Commissioners
 Creek; bounded on all sides by Crown Lands
 Surrendered Absolutely on 17th May 1937

Ordinary Prospecting Licence N° 5145 Cr. David Adie (granted 25.10.1933)
 30 acres; on the south side of Stenswell Gully, about 15 chains from the main
 road, and about 1/4 mile above Nesbit township.
 Expired on 25th October 1934

Extended Alluvial Claim N° 5773 Cr. David Adie (granted 11.4.1936)
 3 acres; in Stewarts Gully
 Surrendered absolutely on 13th December 1939

Special Alluvial Claim N° 6170 Cr. D.J. Adie (granted 12.12.1934)
 6 acres; between Stenswell Gully and Stewarts Gully .4 ch. wide,
 extending 12 ch. towards Gairns Creek, fronting Nesbit - Gordon Road and
 10 ch. distant therefrom.
 Surrendered absolutely on 13th December 1939

Water Race N° 1844 Cr. A. Thomas, W. Robertson, J. Webber, J.W. Scott (granted 16.12.1)
2 miles long; from Commissioners Creek to southern side of Stonewall Gully,
2 heads; with priority from 22nd November 1878.
Expired on 16th December 1947.
Registered holders at time of expiry were: John Adie (1/4) since
June 1911, David Adie (1/8) since July 1932 and (1/8) since March 1915,
S. Graham (1/4), A. Scott (1/4)

Water Race N° 1845 Cr. A. Thomas, W. Robertson, J. Webber, J.W. Scott (granted 16.12.1)
8 miles long; from Spools Creek (12 heads) to Commissioners Gully
(6 heads) thence to Nevis Flat; 18 heads; with priority
from 5th March 1880.
Struck off the Register (N.Z. Gazette 24.9.1931, p 2557c)
Registered holders at time of striking off were: John Adie (1/4)
since June 1911, David Adie (1/8) since March 1915, T. Hutchison (1/8),
S. Graham (1/4), A. Scott (1/4)

Water Race N° 1911 Cr. William Adie (3/8), Annie Thomas (1/8), J. Webber (1/8), J.W. Scott (1/8),
W. Robertson (1/8) (granted 8.2.1906)
4 miles long; from Commissioners Creek to Stewarts Gully; 8 heads,
with priority from 15th May 1873.
Renewed to 8th February 1969
Struck off the Register (N.Z. Gazette 17.8.1967, p 1389c)
Registered holders at time of striking off were: John Adie (1/8)
since September 1918 and (1/8) since June 1911, David Adie (1/8) since
July 1932, (1/8) since September 1918 and (1/8) since March 1915, Jane Adie
(1/8) since September 1918, S. Graham (1/8), A. Scott (1/8)

Water Race N° 1917 Cr. William Adie (granted 8.2.1906)
1/2 mile long; from the foot of Rylands Crail to Sutherland's Claim,
Stonewall Gully; 2 heads; with priority from 16th February 1877.
Renewed to 8th February 1969
Struck off the Register (N.Z. Gazette 24.2.1966, p 284)
Registered holders at time of striking off were: David Adie, Jane
Adie, Jane Adie, one-third share each since September 1918

Water Race N° 1920 Cr. William Adie (granted 8.2.1906)
2 1/2 miles long; from a creek 1/2 mile south of Deep Creek to Deep
Creek; 2 heads; with priority from 24th July 1873.
Struck off the Register (N.Z. Gazette 1.10.1931, p 2320c)
Registered holders at time of striking off were: David Adie, Jane
Adie, Jane Adie, one-third share each since September 1918

Special Alluvial Claim N° 1956 Cr. C. Massey, W. Massey, David Adie, John Adie (granted 15.6.17)
80 acres; on the flat below the township; bounded on the north by the township
claim, and on other sides by Crown lands.
Surrendered absolutely on 10th April 1919.
(This is the only title that can be traced to David Adie, referred to in 1919/20/21)

Water Race N° 2079 Cr. William Adie. (granted 4.10.1906).

½ mile long; from the foot of Stonewall Gully to Stonewall Gully; 2 heads; with priority from 22nd December 1871.

Struck off the Register. (N.Z. Gazette 24.2.1966, p 284)

Registered holders at time of striking off were: David Adie, John Adie, Jam Adie, one-third share each since September 1918

Special Alluvial Claim N° 2613 Cr. Annie Thomas (¼), J.L. Scott (½), E. Scott (½), J. Webber (¼), J.E. Manson (¼) (granted 11.3.1909)

19 acres; close to Nevis township; bounded on the east by the Lower Nevis Co.'s claim and Crown lands, on the north by Masters & Adie's claim, on the north-west by Crown Lands, on the south-west by Crown Lands; on the south by McLean's residence site, but excluding Robert Ross's residence site (which presumably lay within the boundaries of SAC 2613 Cr)

Surrendered absolutely on 11th May 1927

Registered holders at time of surrender were: John Adie (¼) since June 1911, David Adie (¼) since March 1915, T. Hutchison (¼), S. Graham (¼), A. Scott (¼).

Water Race N° 2645 Cr. Annie Thomas (¼), J.L. Scott (½), E. Scott (½), J. Webber (¼), J.E. Manson (¼) (granted 15th miles long; from Spreys Creek to the head of DR 44905/93 Cr at Commissioners Creek; 12 heads; with priority from 20.4.1874.

Struck off the Register. (N.Z. Gazette 1.10.1931, p 2896)

Registered holders at time of striking off were: John Adie (¼) since June 1911, David Adie (¼) since March 1915, T. Hutchison (¼), S. Graham (¼), A. Scott (¼).

Special Dredging Claim N° 2760 Cr, comprising Secs 20 and 21 Block III and Secs 14 and 16 Block XIII. Nevis Survey District, was granted to the Lower Nevis Dredging Co. Ltd., on 16th December 1909. One of the conditions of the licence was:

"3. the Lower Nevis Dredging Co, when working that portion of the claim opposite Stuart's Gully, will leave a channel 6 ft. wide at the present level through its tailings so as to provide an outlet for the tailwater and tailings of Messrs Masters & Adie and Messrs Webber, Manson & Party. Messrs Masters & Adie and Messrs Webber, Manson & Party will at all times confine their tailwater and tailings in a channel not more than ½ ch. in width on the unworked area of the claim, and when the ground has been dredged and the channel 6 ft. wide has been left by the said Lower Nevis Dredging Co, they will confine their tailwater and tailings in such channel; and subject to a condition in favour of Messrs Webber, Manson & Party embodying the terms of a Certificate of Easement N° 2567 dated 3.12.1909."

(Note: Annie Thomas was a member of Webber, Manson & Party. She assigned all of her interests, including that in Easement N° 2567, to John Adie in June 1911.

Nothing is known about the terms of the Easement.)

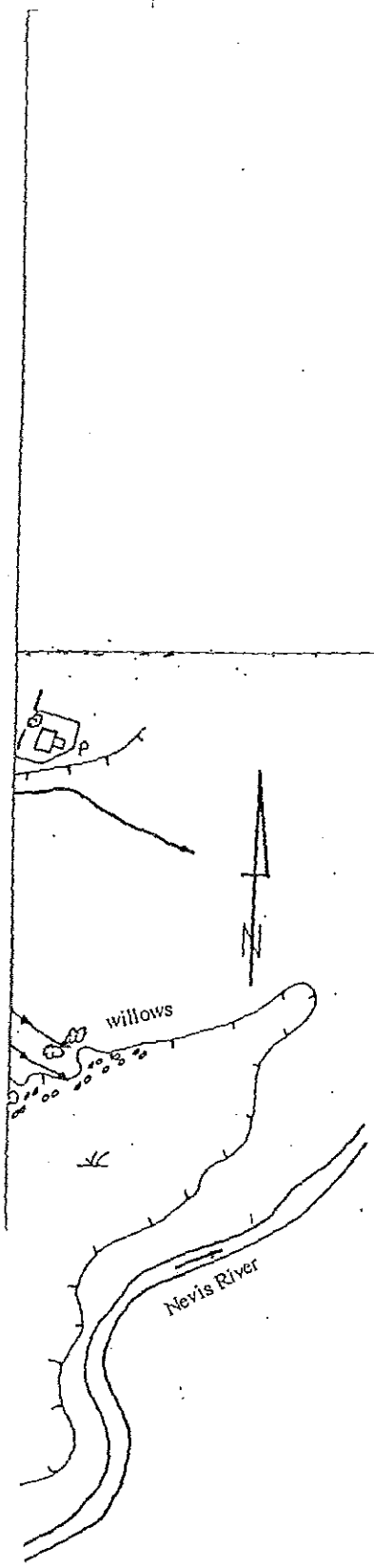
Dry Race N° 3138 Cr. John Adie, J. Webber, J.E. Manson, J.L. Scott. (granted 9.12.1911)

4 miles long; from Commissioners Creek to claim on the south side of Stewart Gully; carrying water taken under WR 447 Cr, WR 448 Cr, WR 1844 Cr, WR 1845 Cr, WR 2645 Cr

Struck off the Register. (N.Z. Gazette 24.2.1966, p 284)

Registered holders at time of striking off were: John Adie (¼), David Adie (¼) since July 1922 and (¼) since March 1915, S. Graham (¼), A. Scott (¼).

(Note: Masters & Adie's claim was struck off in 1931)



Structure and/or name of owner

- a Cline's cottage
- b Jimmy Stewart, ruin
- c modern hut
- d half a hut
- e enclosure
- f stone foundation
- g Mrs Brown
- h Ken Adie
- i Nevis Hotel
- j Adies' cowshed
- k Foundations of hall and Jane Adies' house
- l foundation of Mick McLean's house
- m Master's homestead
- n foundations of tin huts

LANDS AND SURVEY DEPARTMENT OFFICIAL RECEIPT

Payment for Purchase Price 10.00
title fees 18.00

RECEIVED from
 Nature of Remittance: Ken Adie

Receiver: Ken at 0 per: 0

ORIGINAL

Date: 17-8-82
 Reference: 10/4/3140
 Revenue Code: G 694286
 the sum of \$ 20.00
 Rebate Allowed: \$

NORMAN WILLIAM ALLAN, NOTARY PUBLIC
JAMES ERIC GOVAN
ROBERT FRANCIS LAWRENCE
ROGER NORMAN MACASSEY
JUDITH OLWYN MEDLICOTT
COLIN JOHN DOHERTY

COPY

TELEPHONE (024) 777-312

PLEASE QUOTE M23935

OR ASK FOR R N Macassey

Messrs Sievwright James Stark
& Borick
Barristers and Solicitors
DX Box 39
DUNEDIN

8 February 1983

Dear Sirs

ESTATE D ADIE AND MR R W BROWN - BEN NEVIS STATION

Mr Brown has asked us to reply to your letter of the 13th December as follows -

1. He is not prepared to surrender the land referred to in your letter from his lease.
2. He is, however, prepared to grant Mr Ken Adie (whom we understand is a son of the deceased) a sub-lease of the land subject to satisfactory terms being negotiated and subject also to the consent of the Department of Lands & Survey.
3. The reason why Mr Brown is prepared to consider granting a sub-lease to Mr Ken Adie is that to the best of Mr Brown's knowledge no member of the Adie family other than Mr Ken Adie has used the residence over the past twenty years and over this time he has spent at least six to eight weeks a year there.

At Mr Brown's request we are sending a copy of this letter to his solicitor, Mr Michael Radford.

Yours faithfully

LIDA

DN

~~DN~~ ref: 10/4/3140

1 May 1987

Dr Michael Cullen MP
Parliament Buildings
WELLINGTON

Dear Dr Cullen

I refer to your representations of 1 April 1987 concerning your constituent, Mrs Ruby Adie of 11B Richmond Street, Dunedin

To briefly background the difficulties of the situation that have arisen, I report for your information as follows:

Mrs Adie's late husband held a Residence Site Licence over the subject land up until 1951 when he surrendered the licence. The family continued to use the improvements on the land and, in fact, Mrs R Adie has paid rates to the Vincent County Council since the licence was formally surrendered in 1951.

In 1981, both Mrs R Adie and her daughter-in-law Mrs A Adie applied to buy the land. As the result of some confusion due to misrepresented facts provided by the daughter-in-law, an offer was made to, and accepted by, Mrs A Adie.

When Mrs R Adie complained against the decision, through her Solicitor, it was referred to the Department of Lands and Survey's District Solicitor. It was at this stage that it was ascertained that the land was not Crown land available for disposal but was, in fact, Crown land held under Pastoral Lease by Mr R W Brown of Ben Nevis Station. The land had become Crown land when Mr Adie surrendered his licence in 1951 and was included in the Pastoral Lease when it issued in 1959.

Consequently, the offer to Mrs A Adie was withdrawn. Mrs R Adie was advised that if Mr Brown agreed to surrender the area from his lease, a freehold title would be issued over the area. Mr Brown has stated, however, that he is not prepared to surrender the land. || *

While I am sympathetic to Mrs R Adie's situation, the solution lies with Mr Brown. In an effort to try to reach some finality with this

LAND CORPORATION
LTD.
DUNEDIN
5 MAY 1987
REC'D

10/4/3140

-2-

problem, I have requested the Assistant Property Manager, Alexandra to call on Mr Brown in an endeavour to negotiate the surrender of the area. If successful, your constituent would be liable for the survey required to define the area and for any conditions that may be imposed by the local authority.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully

Gerry - to act
g

M W Ellis
Branch Manager



Property Manager
DUNEDIN

Copy for your information.

M W Ellis
Branch Manager

Noted.

85

10/4/3140

r Gleave

770 650

896
DUNEDIN

26 August 1985

Michael Radford
Barrister & Solicitor
Box 273
DUNEDIN

Dear Mr Radford

RE : ADIE

I refer to your letter dated 21 August 1985.

All the current licences under the Mining Act were transferred to this Department after the passing of the Mining Tenures Registration Act 1962 to enable them to be registered in the Land Transfer Office.

I can find no evidence, and none has been produced to me that there is a current licence after 1951.

The Department is unable to issue a Freehold Title to your client as the land is considered to be part of Mr Brown's Pastoral Lease and he will not agree to surrender it. I would suggest that your client endeavours to negotiate a sublease and submit it to me for the approval of the Land Settlement Board. As this matter is still in the hands of the Crown's Solicitor and I have sent him a copy of my letter and your correspondence and if you wish to argue the legal issues you should contact him direct.

Yours faithfully

J R Gleave
J R Gleave 23 AUG 1985
for Commissioner of Crown Lands
Messrs Tonkinson Wood & Adams Bros
Barristers & Solicitors
Box 803
DUNEDIN

Attention: Mr D L Wood

Copy for your information

J R Gleave
J R Gleave 28 AUG 1985
for Commissioner of Crown Lands

59. Botka St.
Dunedin.

The Secretary:
Dear Sir.

We would like to buy the piece of land in the crevice Valley that we have been occupying for many years. We are aware the piece of land in question will have to be surveyed, which we are quite happy to do.

Also please find enclosed a letter from Mr. Heaney the lessee of the land. Our solicitor is Mr. McRadford of Dunedin.

Awaiting your response.
Yours faithfully,
"Adie"

Wairua.
P.O. 1
Clarence Valley
Kaikoue.

Dear - Michael,
Re your letter Ref BL 46.
I guess we have no problem with Mr. Adie's and family and their residence in the Wairua Valley. I guess the area they have fenced to be around 1 acre would be fine by me.
Yours faithfully,
James Heaney

3 December 2003

Murray Crosland
71 Kennedys Road
No 1 RD
RANGIORA

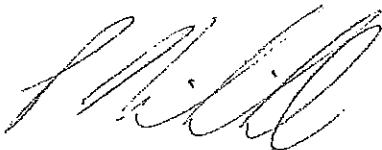
Dear Murray

Re: Ken Adie – Residential Property – Nevis Valley

In reference to your letter of 30 November 2003 and our previous correspondence, Pioneer Generation Ltd has no objection to the Adie family gaining title to the area of land of 4047m² for residential purposes, as outlined in the Central Otago District Council Valuation Number 28441 – 13600. We assume that Mr Adie will cover all costs involved in the process.

If you have any queries please do not hesitate to contact me.

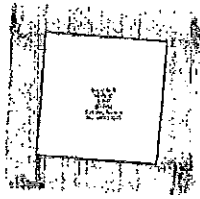
Yours sincerely



Peter Mulvihill
ASSET MANAGER

LEGAL DESCRIPTION OF PASTORAL LEASED LAND

PART SECTION 1, SECTION 15 and SECTION 18 BLOCK I
NEVIS SURVEY DISTRICT, SECTION 6, SECTION 13A,
SECTION 32 and SECTION 35 BLOCK III NEVIS SURVEY
DISTRICT, SECTION 16 BLOCK XIII NEVIS SURVEY DISTRICT
PART RUN 345A, RUN 345B and SECTION 36 BLOCK III
NEVIS SURVEY DISTRICT.



SO 5956
Mining

LOWER NEVIS VILLAGE
PART RUN 345A
NEVIS SURVEY DISTRICT

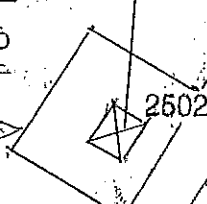
Seetⁿ 32
BIK III
0.8094 Ha
SO 5976

Seetⁿ 35
BIK III
0.4047 Ha
SO 5979

Seetⁿ 36
BIK I
0.4047 Ha.
SO 15907
OWNED BY
S.D. PEMBERTON
BANNOCKBURN.

House of K. NADIE.
BUILT APPROX 1900

LOCATION OF 1 ACRE
AREA DESIRED TO
BE FREEHOLD

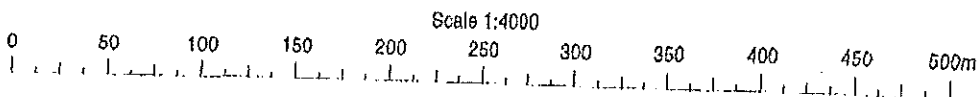


Sec 13A BIK III
NEVIS SD
2.8075
SO 5958

SO 5960
Mining

OWNED BY
S. STEWART
BANNOCKBURN.
Seetⁿ 37 BIK 3
0.4047 HA.

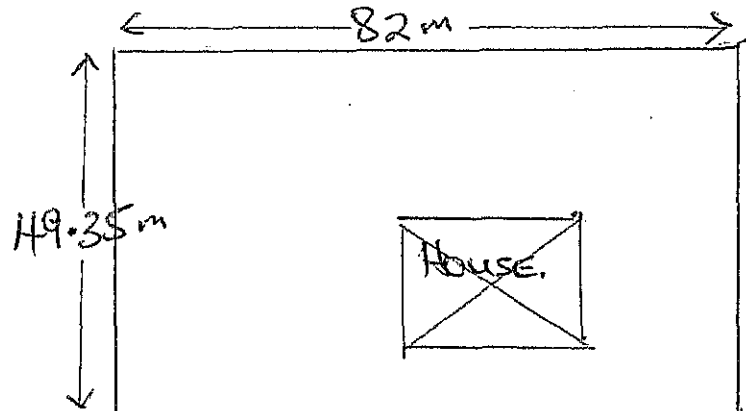
5945
Mining



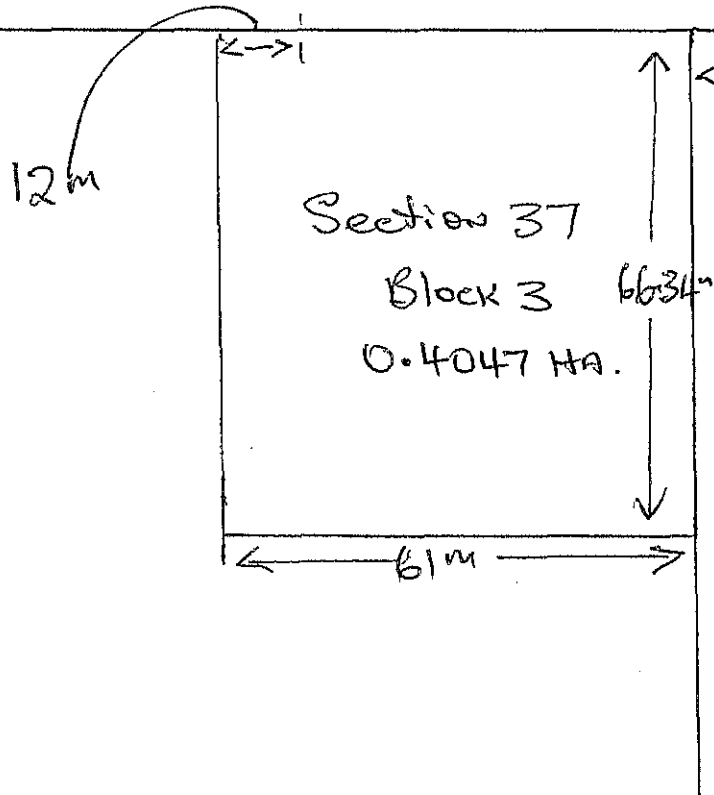
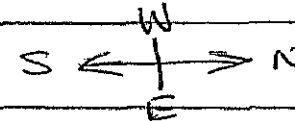
LOWER NEVIS VILLAGE

PART RUN 345A
NEVIS SURVEY DISTRICT.

EXACT LOCATION OF ADIE
PROPERTY RELATIVE TO
SECTIONS 37 & 13A.



NEVIS ROAD



SECTION 13A BIK III
NEVIS RD
2.8075 HA.

FILE COPY

Our Ref: CPA/05/11/00/00

Your Ref:

13 September 2001

The Electorate Secretary
David Benson-Pope
Member of Parliament for Dunedin South
PO Box 2294
DUNEDIN

Attention: Trudi Sunitsch

Dear Ms Sunitsch

FORMER RESIDENT SITE LICENCE 733 (ADIE)

I refer to your telephone conversation yesterday with Mike Jeffares in regards to your letter of 28 February 2001. We have completed a preliminary précis of the files relating to the above resident site licence and our research to date indicates that the history of this case is as follows.

In 1901 a Residence Site Licence ("RSL") was issued to Mr William Adie. The RSL contained a crib situated on an area of approximately 0.4047ha located on the Nevis Road, south of Cromwell. The RSL land is surrounded by land held under a Pastoral Lease.

In August 1918 the RSL transferred from William Adie to John Williamson and in September of that year, the RSL transferred from Mr Williamson to Jane Adie. In 1943 Jane Adie renewed the RSL for a further 42 years. Jane Adie passed away in 1950 and the RSL transferred to David Adie in March 1951. In July 1951 David Adie surrendered the RSL and the land became Crown land held under the Land Act 1948 up until 1959.

In 1959 the Pastoral Lease was renewed and the former RSL land was included in the lease and remains so to this day. The land is currently held under the Ben Nevis Pastoral Lease.

On 13 August 1982 the Commissioner of Crown Lands offered the former RSL land to Mr Kenneth Noel Adie and Mrs Ann Adie of 59 Botha Street for the purchase price of \$10.00 plus title fees of \$10.00 (total \$20.00). Survey was to be arranged by Mr and Mrs Adie at their cost. Mr and Mrs Adie subsequently paid the total purchase price to the Crown.

National Office
Lambton House
160 Lambton Quay
PO Box 5501
Wellington
New Zealand
Tel 64-4-460 0110
Fax 64-4-460 0590
Internet
<http://www.linz.govt.nz>

FILE COPY

It was later brought to the attention of the Commissioner of Crown Lands that the offer made to Mr and Mrs Adie was invalid. The correct offeree should have been Mrs Ruby Adie of Richmond Street, Dunedin. Court action was commenced by Mr K N Adie preventing the sale of the land to Mrs R H Adie but it appears that this did not proceed. On 19 November 1982 the Commissioner of Crown Lands wrote to Mr and Mrs K & A Adie advising that the offer to them had been invalid and was to be withdrawn. The monies paid by Mr and Mrs Adie were refunded.

Mr and Mrs Adie were also advised the correct offeree should have been Mrs R H Adie and that the department had written to her solicitors setting out the process for acquiring the land.

As advised above, the current status of the land is that it is currently part of the Ben Nevis Pastoral Lease held under the Crown Pastoral Land Act 1998 and as such is contained in the leasehold interest of the lessee.

In your letter you have raised the question of the process to establish a separate title. The following is a possible course of action: -

1. The department will require documentary proof of the person(s) within the Adie family that are entitled to the assets.
2. The beneficial owner will then need to seek the consent of the current pastoral lessee to the surrender from the Pastoral Lease of that portion of the lease which contains the former RSL land.
3. A submission will need to be made to the Commissioner of Crown Lands to agree to the surrender of the former RSL land from the Pastoral Lease.
4. In the event of this approval being given, due consideration would be given to either a licence to occupy, a longer-term lease in perpetuity or the free-holding of the land and a preferential allocation to the beneficial owner of the land pursuant to the Land Act 1948.

In any event, the applicant would be required to meet all costs associated with any survey and statutory consents related to the surrender and transfer of the land.

LINZ will however require a legal opinion to confirm that this process is sound and I will arrange to obtain one.

Should you require any further information please contact me on (04) 495-6203 or e-mail at jtaulealea@linz.govt.nz

Yours faithfully



Jacob Taulealea
Crown Property Management

28

Our Ref: CPL/04/11/12522

Your Ref:



7 July 2004

Call No
225 739

Mr K & Mrs A Adie
24 Rowse Street
Rangiora
CANTERBURY

Rebecca 3645925

Dear Mr & Mrs Adie

BEN NEVIS PASTORAL LEASE - OCCUPATION

Your letter dated 31 March 2004 refers.

I am able to advise that based on the information provided in your letter we have now further investigated the options open to you as occupiers of your family crib situated on the Ben Nevis pastoral lease.

Although the lessee appears to be prepared to surrender from the pastoral lease the area on which your crib is situated, there is no current mechanism available to allow the department to dispose of that land to you.

My suggestion at this point is that we await advancement of the Tenure Review proposal and see what options are available within that for dealing with your house site. I am happy to keep you informed of that process.

||*

You can be assured that this Department is very much aware of your issue as is the contractor dealing with the tenure review. Also the fact that you have an "agreement/support" of the Lessee re future ownership by yourself does provide a potential option that may be able to be used after tenure review.

Yours faithfully

Murray Mackenzie
Crown Property Management

Crown Properties
High Country Leases
Ben Nevis

Crown Property Management
Christchurch Office
Torrens House
195 Hereford Street
Private Bag 4721
DX WP20033
Christchurch
New Zealand
Tel 64-3-364-5944
Fax 64-3-365-9715
E-mail
mmackenzie@linz.govt.nz
Internet
<http://www.linz.govt.nz>
<http://www.govt.nz>

Our Ref: A24760
PRY-C60-12522
Your Ref:



24 September 2008.

Hon David Benson-Pope
MP for Dunedin South
220 King Edward Street
PO Box 2294
South Dunedin

Dear Hon David Benson-Pope

KEN ADIE- 24 ROWSE STREET

Your letter of 3 July 2008 and interim responses from Land Information New Zealand (LINZ) on 25 July and 29 August 2008 refer. Colin MacDonald Chief Executive of LINZ has asked me to reply directly to your letter.

I note that LINZ wrote to your office about this matter in September 2001 following an enquiry from your electorate secretary. (Copies of this correspondence is attached). Since then, LINZ officials have met Mr and Mrs Adie on several occasions.

You will note from the attached correspondence that the land that Mr Adie is seeking title to was at one time a Residence Site Licence that was surrendered by Mr David Adie in 1951. The land subsequently became part of Ben Nevis Crown pastoral lease and is comprised in Computer Interest Register OTA2/1215. Notwithstanding this, the Adie family have continued to informally occupy the crib that exists on the site. Over a period of years, LINZ and predecessor agencies have provided Mr Adie with records held for the land occupied by the crib and invited Mr Adie to produce any new information he may hold to support his view that he has an entitlement to that land even though Mr David Adie surrendered his licence over the land in 1951. To date no new information has been provided.

I can further advise that the property on which the crib is situated is in the tenure review process for Crown pastoral leases at the moment and the Minister for Land Information will shortly consider if a Preliminary Proposal under this process is to be advertised.

This part of the process allows for public submissions to be made on the proposal. If the proposal proceeds to advertising, Mr Adie will have the opportunity for further input at this time.

Yours sincerely


Murray Mackenzie
Crown Property Management

Crown Property Management
Christchurch Office
Torrens House
195 Hereford Street
Private Bag 4721
DX WP20033
Christchurch 8140
New Zealand
Tel 64-3-374 3844
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www.linz.govt.nz/www.newzealand.govt.nz