

## **Crown Pastoral Land Tenure Review**

**Lease name : EWEBURN**

**Lease number : PO 074**

### **Due Diligence Report (including Status Report)**

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

**December**

**05**

**DUE DILIGENCE REPORT TO THE  
COMMISSIONER OF CROWN LANDS**  
(Submission AT 0032)

**K F REF:** Po074/1                      **LINZ REF:**                      **CASE NO:**

**LEASE NAME:** Eweburn                      **LESSEE:** R D, R J & S D Francis &  
P A Tonkin

**LOCATION:**

The property is situated on the southern flank of the Ida Range adjacent to the Naseby State Forest, 3 km north of Naseby township. A second portion of the lease is located 1 km south of Naseby between Channel Road and Home Valley Road. The lease is run in conjunction with approximately 790 ha of freehold land 1.5 km to the south of the second portion.

The property is some 80 km distant from Alexandra and Palmerston.

**DATE OF THIS REPORT:**

10 February 2000

**LEASE DETAIL:**

*Land Tenure:* Pastoral Lease under Section 66 of the Land Act 1948 and the Crown Pastoral Land Act 1998. Lease No P74.

*Legal Description:* Parts Run 219C, Sections 27, 28, 29, 34, 35, 36, 37, 38, 39, 43, 50, 51, 107, and Part Section 106 Block I and Section 17 Block II Naseby Survey District, being all the land contained in folio 386/68 Otago Registry.

*Area:* 2639.9229 hectares

*Term:* 33 years from 1 July 1987 to 30 June 2020

*Rental Value:* \$95,000

*Annual Rent:* \$1,425 (plus GST)

*Date of Next Review:* 1 July 2009

*Lease Stock Limit:*

1595 sheep when worked in conjunction with other land at the date of this lease and totalling 1001 acres 3 roods 6 perches.

*Personal Stock Limit:*

Pastoral Lease:

Not more than 1750 stock units on an annual basis.

Overall:

7400 Sheep (including not more than 5800 breeding ewes)  
 190 Cattle (including not more than 100 breeding cows)

*Block limitations:*

None

**LAND STATUS REPORT SUMMARY:**

Land Status Report prepared by approved person attached.

**SUMMARY OF FEATURES FROM TOPOGRAPHICAL AND CADASTRAL DATA:**

*what about  
radio transmitter  
shown near hwy ✓*

No communication sites, television transmitters or huts are shown on the topographical map.

An airstrip is shown on a leading ridge to the southeast of the East Branch of the Ewe Burn near the lease boundary.

National Grid power transmission lines are shown as crossing the lease south of Naseby township.

No marginal strips are shown on any of the watercourses on the lease on the Cadastral map.

The fenced boundaries have only very minor variations from their legal line. One area (next to Section 17 Block II Naseby Survey District) against the State Forest appears to have an area of approximately 20 ha (shown on Cadastral map as Part 15 Block II) fenced into the lease. From file search it is known that this area was historically held under a grazing permit from the New Zealand Forest Service. If it continues to be fenced into the lease is unknown.

Water races (mostly marked old) are shown on the topographical map as extensively traversing the hill and mountain lands of the lease north of Naseby. The most prominent one is on part Run 219C and starts in the West Branch of the Ewe Burn, traverses the lower slopes into the East Branch Ewe Burn then exits into the Naseby State Forest. This appears to pass through the State Forest and re-emerge on Part Run 219C above Naseby.

Another series of races enter the lease on Section 17 Block II Naseby Survey District from the north coming from Deep Stream. Two high races appear to terminate in No 1 Spec Gully and two lower races appear to terminate in No 2 Spec Gully.

Three legal roads affect the hill and mountain lands (*part Run 219c and Section 17 Block II*) of the lease. All are isolated and do not link up with other legal roads at either end.

- A legal road runs from the boundaries of Section 17 and the lower section of part Run 219C (*known as the Ewe Block*) southward down the Hog Burn Gully to the Naseby township but falls short of linking with any legal road within the town by a short section of State Forest land (*Section 26*). From the topographical map the road appears unformed but file data indicates it is a functional access track.
- A legal road runs from the top of the Ida Range down Tourist Spur to exit into and pass through the Naseby State Forrest to re-emerge and terminate on the lower boundary of Part Run 219C above Naseby. A farm track is marked as roughly following the legal line on the middle section of the hill face. It is assumed that the majority of the road is unformed.
- A third legal road is shown along the south-eastern boundary outside the lease. This appears unformed and does not link with any other legal road.

The lower section of the lease south of Naseby (*made up of 14 sections and part sections*) has a network of legal roads forming the boundaries of or giving access to each of the sections. From the topographical map it appears that only the eastern and western boundaries have formed roads. The balance are assumed to be paper roads only.

Two areas of "old gold workings" are shown on topographical map on the lower section of the lease south of Naseby. Oxidation ponds and a skating rink are also shown outside the lease boundary in this area.

The Proposed Central Otago District Plan has no sites marked or issues that would affect the tenure review process.

#### **SUMMARY OF LEASE DOCUMENT (*Folio 386/68*):**

The area and commencement date of the pastoral lease on Crown files are in agreement with the lease document (*CL 386/68 Otago Registry*).

The lease has a non standard base stock limitation in that covenant 13f states "the number of sheep depastured on the said land *and on the freehold and other leasehold land worked in conjunction with the said land at the date of this lease and totalling 1001 acres 3 roods 6 perches* does not exceed 1595." This appears to mean that the 1595 sheep limit is a total across both the freehold and the leasehold combined, not just upon the lease.

A non standard covenant (13 (f)) exists related to irrigation purposes.

(I) *That this lease issued subject to the following conditions:*

- (1) *The right is reserved to the Crown at any time and from time to time without being deemed to commit a trespass and without compensation to enter upon the said land and thereon to take, lay, construct, maintain, inspect, repair or reconstruct water races, drains and all other works which the Minister of Works deems necessary for the supply of water to the said land or any other land.*
- (2) *The lessee will be required to take such water as is available for irrigation from races provided for irrigation purposes, at a price to be fixed by the Crown.*
- (3) *The Crown will not be liable for any damage caused by any overflow or break-away of any race or channel.*

Apart from mortgage registrations, and routine transfers, the only significant entries are:

Crown land and part Section 106 Block 1 Naseby Survey District is now known as Section 136 Block I Naseby Survey District (2.5000 ha). See new Appellation 482305/2 (*oxidation pond area near Naseby*)

Part of Section 106 herein is now known as section 143 Block I Naseby Survey District (2.4070 ha) 3 December 1980. See new Appellation 546038/1 (*second area required for oxidation pond area near Naseby*)

589858 Surrender of part of the within lease (3.5039 ha) shown hatched in black thereon. 10 February 1983 (*oxidation ponds taken for Naseby township being all of Section 143 and part Section 136 above*) - see attachment 4.

600191 Land Improvement Agreement under the Soil Conservation and Rivers Control Amendment Act 1941 - 18 August 1983 (*Discharged 1995 - see attachment 5*).

611134 Court Order vesting the within land in Richard Douglas Francis above named and Christina Isabella Francis of Naseby married woman as tenants in common in equal shares - 8 March 1984 (*matrimonial transfer of half share to wife - (see attachment 6)*).

760656 Memorandum renewing the term of the within lease for a further period of 33 years commencing on 1 July 1987 and fixing (*for the first 11 years*) the annual rent at \$1,425 on a rental value of \$95,000 - 9 August 1991.

817901 Transfer being a grant of a right (*in gross*) to convey water over part herein shown marked as a black line on diagram annexed thereto together with incidental rights in favour of the Hawkdun Idaburn Irrigation Company Limited - 11 November 1992. (*Appears that easement relates only to lower section of lease below Naseby and freehold land - see attachment 7*).

Points of note are:

- Non standard base stock limitation to include freehold land.
- Irrigation works and exemption condition.
- No un-discharged Farm Plan or Rabbit and Land Management Plan agreements.
- No Compensation Certificates exist.
- No access, pipeline or transmitter site easements are registered.
- No mining or prospecting licences are registered.
- Easement to convey water held by Hawkdun Idaburn Irrigation Company Limited.

#### **DETAILS OF ANY NEIGHBOURING CROWN OR CONSERVATION LAND:**

No marginal strips exist on any waterway within the lease.

The Top Block (*on part Run 219C - the destocked area*) is surrounded by conservation lands administered by DoC on three sides namely the 1415 ha Hawkdun and the 1413 ha Allan Peaks conservation areas.

The property is situated in the Hawkdun Ecological District and conservation values were assessed under the PNA survey in 1991/92 but no areas for protection were identified on the lease.

Crown land originally allocated to Crown Forestry Management Limited (*Naseby State Forest*) forms the southern boundary of the lease on the hill and mountain face of the Ida Range. The land is currently under transfer to Ngai Tahu, but not yet registered. Access to the hill country from the freehold and lower lease area below Naseby is via this land.

Immediately south of Naseby township neighbouring the oxidation ponds and the lower portion of the lease, part of a small section of Crown land (*adjacent to Section 36 Block II Naseby Survey District*) is vested in the Central Otago District Council and is leased to the Naseby Ice Skating Club. The balance of the area is unknown (*was LG 141 part - held by R D Francis in 1977*) presumably now UCL.

No other Crown land has been identified.

#### **FILE SEARCH:**

The records have been searched for the property (*Crown files held by Knight Frank 1930 - 1999*) - 6 volumes and files held by LINZ Dunedin and Christchurch. Confidence is held that all important data has been searched.

The property has been in the Francis family for the last 70 years. From 1930 to pastoral lease issue in 1954 the land (*formerly a Pastoral Run Licence from which the low country was withdrawn for forestry*) was farmed by R D Francis under four miscellaneous licences and one special grazing licence in association with a number of other grazing licences. The file history for this period contains much routine business related to the administration of a large number of temporary leases and the attempts of the lessee to gain more land and get more permanent title. Active mining occurring in the Spec Gully No 1 area of Section 17 and the State Forest Lands on the southern boundary of the hill blocks complicated the situation. The unfenced boundary next to Section 17 and the attempts of Francis to get grazing rights of land not yet committed to planting occupy much of the files. At lease issue the boundary of the State Forest was revised in the area of Spec Gully No 1 (*part 15 Block II*) allowing a 66 acre area to be incorporated into the pastoral lease. This still left two areas of State Forest land fenced into the lease (*a 35 acre area of part 15 and a 32 acre area close by in the Ewe Burn - see Attachment 11*). New Zealand Forest Service issued these areas to Mr Francis in 1957 under a temporary grazing permit system. The current situation is unknown.

From the 1960's a large amount of file data related to the granting of access via the State Forest to the Ewe Block occurred. This culminated in the issue of a New Zealand Forest Service Permit (*folio 411*) in 1971 specific to R D Francis and tied into the remaining term of the lease with a separate undertaking from the Director General of Forests to grant it to any subsequent lessees (*see attachment 8*). This permit expired in 1987 and no record of its renewal can be found on file. Access to the Wether Block was via a neighbour's property (*G Hore POL*) which was purchased by NZFS and added to the State Forest. No additional permit to cover access via this route was viewed, but its continued use is assumed. During the 1960 and 1970's two legal roads within the State Forest were closed (*sections of Translator Road and Hog Burn Road*) cutting off legal access to both the Ewe and Wether Blocks.

A great deal of correspondence on the file is related to Mr Francis's unsuccessful attempts to have access to grazing of State Forest areas and have allocated to him some of the land acquired for forestry. The justification used, "that he had been promised extra Crown land as part of his farm plan retirement" appears often. This claim is refuted as clearly communicated to his solicitors by the CCL in 1969 (*see attachment 9*).

A radio repeater site and track was established near trig "J" by New Zealand Forest Service in 1982 and it appears that a sublease (*no final copy viewed - unregistered on title*) was granted for the balance of the lease term. This would have expired around 1987 and no evidence of its renewal can be found on Crown files. Crown Forestry Management correspondence states that it expired in 1990 and has not been renewed (*folio 36 Po074/1*).

A Farm Plan involving retirement and off-site grazing was carried out but land surrender never occurred. See Government approved programmes section for details.

3.5039 ha of land adjacent to the Hog Burn south of Naseby township was surrendered from the lease in 1983 for a sewerage scheme for the town. All actions appear processed with no outstanding issues.

Ownership of the property was settled under the matrimonial property act on R D Francis and his wife Christina in 1984. In 1994 ownership was transferred to the current holders Raymond John Francis, Stewart Douglas Francis and Phillip Anthony Tonkin (*Trustee for the estate of Richard Douglas Francis*).

A pipeline easement for domestic water supply was applied for by Miss K H Thomas in 1988 but later withdrawn.

Marginal strip requirements were apparently processed in 1986 for lease renewal. No documentation can be found in files held by Knight Frank or LINZ Dunedin or Christchurch. Folio 607 (*Crown files Alexandra*) shows a drafting request for survey and Section 58 requirements with a note that possibly both the main branches of the Ewe Burn may need them. No file records of field inspection or specific response could be located but the submission to the CCL on lease renewal (*Case 86/713*) (*see attachment 10*) clearly states that they are not required as no streams over 3 metres in width.

The airstrip (*and track leading to it*) shown on the topographical map in the north western boundary was approved in 1977 subject to Mr Francis obtaining written approval from the neighbour (*Allan Peaks*) to the boundary fence alteration (*approximately 100 m*) required. No written approval was viewed. No lease area alteration was processed for this minor variation. (*folios 452 and 456*). As Allan Peaks is now Crown land held as conservation reserve no implications are envisaged from this minor boundary change.

An application from the Central Otago District Council for an easement for the laying and maintaining of a water supply pipeline roughly following the old Enterprise Water Race is currently being processed. Approval in principle was given on the 13 October subject to Crown legal clearance of the easement document. The registration was requested to be registered within 6 months of approval.

An application for reclassification was made in 1983 but declined.

In 1965 the Maniototo County Council applied for and was granted permission to remove 10000 cubic yards of gravel from the lower lease (*Section 27 Block I Naseby Survey District*). This was later withdrawn as the area was found to be not the section 27 but Crown land adjacent to Section 27.

No recreational permits are issued for the lease. No mining privileges are registered.

#### **GOVERNMENT APPROVED PROGRAMMES APPROVED FOR LEASE:**

Under a Catchment Board Farm Plan a retirement programme involving fencing and off-site grazing provision was undertaken in 1965. The retirement fence was erected (*excluding more land than originally planned to give a more stable fenceline*) and off-site grazing through aerial oversowing and top dressing established (*though grants were never paid out on*). A total of 715 ha of the Ida Range Tops were planned for retirement and surrender from the lease. Mr Francis however agreed to destock the area but refused to have the land removed from the lease.



Reasons given relate to the larger area fenced out and his belief that he had been promised additional land by Lands Department field officers as part of forestry purchases of G Hore's. Investigations showed that no legal agreement was ever signed or registered on the lease. Despite many attempts to have the land *surrendered (grant payment for off-site was withheld by the Catchment Board, and discussions at lease renewal re possibility of imposing conditions)* the land has never been surrendered from the lease and the lease was renewed under the original terms and conditions in 1987. From files it appears that the land has remained destocked. The lack of any signed agreement plus the fact the off-site grant was never given appears to have made the surrender unenforceable.

In 1983 a windbreak scheme programme by the Otago Catchment Board was entered into for the establishment of 4.8 km of windbreaks and the legal agreement registered on the lease. (*Memorial 60091 - see attachment 5*). Files do not indicate if any were established. The memorial was discharged in 1995.

A Land Development Encouragement loan programme was carried out in the 1970's,

The property was not involved in the Rabbit and Land Management Programme.

#### **UNCOMPLETED ACTIONS AND POTENTIAL LIABILITIES TO THE COMMISSIONER:**

The following has been identified:

- (1) A radio repeater site and track were established near trig "J" by New Zealand Forest Service in 1982 and it appears that a sublease (*not viewed - unregistered on lease document*) was granted for the balance of the lease term. This would have expired in 1987 and no evidence of its renewal can be found on Crown files. Crown Forestry Management correspondence states that it expired in 1990 and has not been renewed. Recent files show investigations are under way to formalise and register an appropriate easement.
- (2) An application from the Central Otago District Council for an easement for the laying and maintaining of a water supply pipeline roughly following the old Enterprise Water Race is currently being processed. Approval in principle was given by the CCL on the 13 October 1999 subject to Crown legal clearance of the easement document. The registration was requested to be registered within 6 months of approval.
- (3) Three legal roads affect the hill and mountain lands (*part Run 219C and Section 17 Block II*) of the lease. All are isolated and do not link up with other legal roads at either end. During the 1960 and 1970's two legal roads within the State Forest were closed (*sections of Translator Road and Hog Burn Road*) cutting off legal access to both the Ewe and Wether Blocks. A third legal road is shown along the south-eastern boundary outside the lease. This appears unformed and does not link with any other legal road. From recent files the obligations of the Commissioner related to provision of public and lessee access are being investigated through legal opinion.

- (4) Stock and vehicle access to the hill country section of the lease (Ewe and Wether Blocks) is via tracks within the Naseby State Forest.

A New Zealand Forest Permit allowing access was issued in 1971 *specific to R D Francis and tied into the remaining term of the lease with a separate undertaking from the Director General of Forests to grant it to any subsequent lessees (see attachment 8)*. This permit expired in 1987 and no record of its renewal can be found on file.


Access to the Wether Block was via a neighbour's property (*G Hore POL*) which was purchased by NZFS and added to the State Forest. No additional permit to cover access via this route was viewed, but its continued use is assumed.

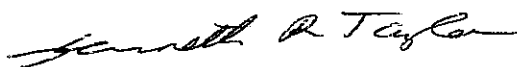
Permanent rights, (*access and site use*) through the registering of an easement, is currently being worked through.

- (5) Comment was made at lease renewal in 1986 that no streams on lease exceeded the required 3 metre width for marginal strips (*see Attachment 10*). Marginal strip requirements have not been formally processed for the lease.
- (6) A right to convey water over part of the lease in favour of the Hawkdun Idaburn Irrigation Company Limited exists (*see Attachment 7*).
- (7) The non standard lease base stock limitation appears to be across both the freehold and the leasehold combined, not just upon the lease "*the number of sheep depastured on the said land and on the freehold and other leasehold land worked in conjunction with the said land at the date of this lease and totalling 1001 acres 3 roods 6 perches does not exceed 1595.*"
- (8) The surrender of the destocked lands under the Catchment Board Farm plan was not undertaken due to no signed agreement ever being registered on the lease and the non-payment of grants for off-site grazing provision.

We are satisfied that we have fulfilled our duty of reasonable care, using the information we have available, to inform the Commissioner of all incomplete action and potential liabilities concerning the above named lease. No inspection of the lease has been undertaken.

**Signed for Knight Frank (NZ) Limited**

  
\_\_\_\_\_  
Consultant 7 1 3 1 2 0 0 0

  
\_\_\_\_\_  
Manager 1 3 1 3 1 0 0

**Approved/Declined**

\_\_\_\_\_  
Commissioner of Crown Lands / /

**ATTACHMENTS:**

- (1) Recent title search for each tile considered.
- (2) Full list of information sources considered.
- (3) Land Status Check report from qualified person.
- (4) Memorial 589858.
- (5) Memorial 600191 - Land Improvement Agreement.
- (6) Memorial 611134 - Matrimonial transfer.
- (7) Memorial 817901 - Water easement.
- (8) Folio 387 - Director General of Forests commitment to renew access.
- (9) Folio 350 - CCL to lessee re-allocation of additional land.
- (10) Folio 618 - Marginal strip statement.
- (11) Folio 230 - Grazing lease and map of State Forest area.

**ATTACHMENT 2:**

***List of Information Sources Considered***

- (1) CL 386/68 (*Otago Registry*).
- (2) Files

***Files held by Knight Frank Alexandra***

Crown files for Pastoral Lease Po074:

- Volume 1 (*opened 17 November 1930 - folios 1 - 246*) last entry 12 March 1959.
- Volume 2 (*opened 1 April 1959 - folios 247 - 397*) last entry 7 December 1970.
- Volume 3 (*opened 5 December 1970 - folios 398 - 538*) last entry 29 March 1982.
- Volume 4 (*opened 19 May 1982 - folios 539 - 628*) last entry 14 July 1987.
- Volume 5 (*opened 12 October 1997 - folios 629 - 754*) last entry 29 June 1999.
- Volume 6 (*opened 21 July 1999 - folios 1 - 7*) last entry 11 December 1999.

***Files held by LINZ Dunedin and Christchurch:***

7900/04/P74/1/DDN

(*opened 11 June 1992 - folios 1*) last entry 9 January 1992.

CPL 04/11/12448/ZCH

(*opened 1 March 1997 - folios 1 - 16*) last entry 16 August 1999.

5200/D14/E06/1 /DNO

(*opened 1 January 1993 - folios 1 - 2*) last entry 2 March 1992.

- (2) Cadastral Map  
NZMS 261 H41
- (3) Topographical Maps  
NZMS 260 H41
- (4) Otago Conservation Management Strategy Land Inventory Document
- (5) Central Otago Transitional District Plan plus maps



**SUBMISSION TO  
COMMISSIONER OF CROWN LANDS**

**Completion of Project Plan 1**  
*Submission No AT0042*

**KF REF:** Po074/1

**LINZ REF:**

**CASE NO:**

**Property Name:** Eweburn

**Lessee:** RD, RJ & SD Francis & P A Tonkin

***Request:***

That the Pre-Tenure Review Project for Eweburn be noted as completed and the Project Plan signed off at Phase 5.

***Date of Request:***

13 March 2000

***Completion of Project:***

*Phase 1, Project Planning (CPL Standard 6, Section 5):*

The Project Plan was approved by the Commissioner of Crown Lands on 8 July 1999.

*Phase 2, Due Diligence Report (CPL Standard 6, Section 6):*

The actions to complete the Due Diligence Report were undertaken and the report submitted on 13 March 2000.

*Phase 3, Land Status Check (CPL Standard 6, Section 7):*

A status check was prepared by Opus International consultants and provided to Knight Frank on 15 November 1999.

*Phase 4, Scoping Report (CPL Standard 6, section 8 & 9):*

In accordance with your instructions of 8 April 1999 a summary report has been prepared in lieu of a Scoping Report. This was submitted on 26 November 1999.

***RECOMMENDATION:***

That you confirm that the actions required in the Pre-Tenure Review Project for the Eweburn tenure review have been completed and sign-off the Project Plan at Phase 5.

**Signed for Knight Frank (NZ) Limited**

*EW Howard*  
\_\_\_\_\_  
Consultant      13 / 3 / 2000

*Jenneth R Taylor*  
\_\_\_\_\_  
Manager      13 / 3 / 00

**Approved/Declined**

\_\_\_\_\_  
Commissioner of Crown Lands      / /

**ATTACHMENTS:**

- Project Plan 1, Pre-Tenure Review

RELEASED UNDER THE OFFICIAL INFORMATION ACT  
**OPUS INTERNATIONAL CONSULTANTS LIMITED**  
**DUNEDIN OFFICE**

Project Number 6NLI11.02 016YD

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50175 dated September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.



<b>LAND STATUS REPORT for Eweburn</b>				LIPS Ref 12448
Property	1	of	1	

<b>Land District</b>	Otago
<b>Legal Description</b>	Parts Run 219C, Sections 27, 28, 29, 34, 35, 36, 37, 38, 39, 43, 50, 51, 107 and Part Section 106 Block I and Section 17 Block II Naseby SD.
<b>Area</b>	2639.9229 ha
<b>Status</b>	Crown Land held under Pastoral Lease 74
<b>Instrument of title / lease</b>	CL 386/68
<b>Encumbrances</b>	Subject to Memorandum of Transfer 817901 being a right to convey water in favour of the Hawdun Idaburn Irrigation Co Ltd.  Also Condition "T" of the lease allows the Crown to take land for, construct and maintain water races without payment of compensation.
<b>Mineral Ownership</b>	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.
<b>Marginal Strips</b>	None information found.

<b>Data Correct as at</b>	22 October 1999
[Certification Attached]	

<b>Prepared by</b>	G Patrick
<b>Crown Accredited Agent</b>	Opus International Consultants Ltd, Dunedin

**LAND STATUS REPORT for Eweburn**

LIPS Ref 12448

Property 1 of 1

**Certification – as to status**

Pursuant to Section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948 subject to Pastoral Lease registered as 386/68.



**Max Haydn Warburton**  
**Chief Surveyor**  
**Land Information New Zealand, Dunedin.**

41 11 /1999

**Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.**

Pipeline easement between HMQ and Central Otago District Council [domestic water for Ranfurly]. No evidence that documentation completed.

Draughting requisition on file [folio 607 of 26/2/86] indicated Section 58 strips on east & west branches of Ewe Burn needs to be investigated.

Radio Repeater Station situated near Trig "J". VHF mast for Forest. Documentation indicates protected by unregistered sublease. Is not registered on lease.



## LAND STATUS REPORT for Eweburn

LIPS Ref 12448

Property 1 of 1

Research Data: *Some Items may be not applicable*

SDI Print Obtained	Yes / No
NZMS 261 Ref	H41
Local Authority	Central Otago District Council
Crown Acquisition Map	Kemp
SO Plan	SO 1228 of February 1896 being a plan of Run 219C. SO 1214 of October 1894 being a plan of Sections 27-51,107,108 & 109 Blk I Naseby SD. SO 1216 not dated being a plan of Blk I Naseby SD. SO 1238 of March 1931 being a plan of various Sections Blk I Naseby SD including Section 106. SO 12038 <sup>L</sup> of March 1931 being a plan of various Sections Blk I Naseby SD including Section 106.
Relevant Gazette Notices	No relevant notices.
CT Ref / Lease Ref	1. CL 386/68 2. Memorandum of Renewal registered as 760656 3. Memorandum of Transfer registered as 817901 [Right to convey water]
Plan Index	Attached.
Legalisation Cards	SO 1228 - no card. SO 1214 - no card. SO 1216 - no card. SO 1238 - attached. SO 12038 <sup>L</sup> - no card.
CLR	Confirms Pastoral status
Allocation Maps (if applicable)	There are number of allocations on H41 for DOC, Forestcorp and Landcorp. None of these are within the boundaries of the pastoral lease.
VNZ Ref - if known	Not known.
Crown Grant Maps	Not searched.
<b>If Subject land Marginal Strip :</b> a) Type [Sec 24(9) or Sec 58]	a) No information found to indicate strips laid off.
b) Date Created	b)
c) Plan Reference	c)

## LAND STATUS REPORT for Eweburn

LIPS Ref 12448

Property 1 of 1

**Research – continued**

If Crown land – Check Irrigation Maps.	H41 Nothing relating to subject land.
Mining Maps	H41 Map shows mining privilege PP 39057 by G M Chrisp registered as 9D/519. Expired 29/5/97. No mining interests registered on CL 386/68..
<b>If Road</b> <b>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</b>  <b>b) By Proc</b>	a) SO Plan - Not applicable  b) Proc Plan  c) Gazette Ref
<b>Other Relevant Information</b> a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership          d) Other Info	a) No advice received of any concessions.  b) None known.  c) <input checked="" type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.  <input type="checkbox"/> Contained in [provide evidence].  d)