

## **Crown Pastoral Land Tenure Review**

**Lease name : GORGE FARM**

**Lease number : PO 338**

### **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.

**April 09**

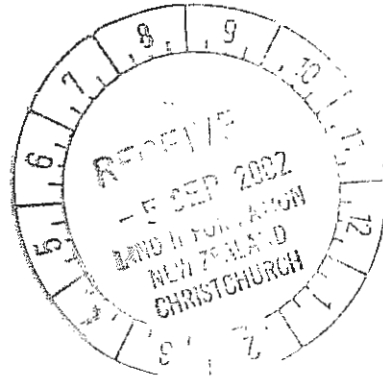
RELEASED UNDER THE OFFICIAL INFORMATION ACT



**New Zealand**  
International Property Advisers

**Our Ref: CON/50268/12582 (Po338/1)  
AT2113**

3 September 2002



*Log 11589*

Crown Property Management  
Land Information New Zealand  
Private Bag 4721  
**CHRISTCHURCH**

**ATTENTION: GRANT WEBLEY**

Dear Sir

**RE: TENURE REVIEW DUE DILIGENCE REPORT – GORGE FARM**

Please find enclosed the due diligence report for this lease in accordance with contract 50268.

Yours faithfully  
**DTZ NEW ZEALAND LIMITED**

K R Taylor  
Manager, Alexandra

cc Caroline Mason, DTZ New Zealand Limited, P O Box 142, **CHRISTCHURCH**

DTZ New Zealand Limited, 43 Tarbert Street, Alexandra, PO Box 27, Alexandra, New Zealand  
Telephone +64 3 448 6935 Fax +64 3 448 9099 Email alexandra@dtz.co.nz Website www.dtz.co.nz

DTZ New Zealand is within the DTZ Debenham Tie Leung group of companies. This group is in international alliance with AEW Capital Management and the Staubach Company in USA. Globally DTZ has over 6,500 staff in 33 countries and 125 offices.

**DUE DILIGENCE REPORT****CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:**

File Ref:	CON/50268/12582 (Po338)	Report No: AT2113	Report Date: 3 September 2002
Contractor's Office	Alexandra	LINZ Case No: TR03/125	Date sent to LINZ: 3 September 2002

**RECOMMENDATIONS:**

1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre-Tenure Review Assessment Standard.
2. That the Commissioner of Crown Lands or his delegate **note** the following incomplete actions which require action by the Manager of Crown Property Contracts.
  - 2.1 The original lease stock limit (on the lease document) is stated as 400 hoggets 1 September to 1 November or 800 ewes 1 February to 1 May or 300 ewes 1 May to 1 June. This is in error as the actual limit set by the Land settlement Board at lease issue, and that of the POL it replaced, was for the total of the above not the "or" alternative shown.

Not TR issue

**Signed for DTZ New Zealand Limited:**


P R Diver:

**Approved/Declined** (pursuant to a delegation from the Commissioner of Crown Lands) **by:**


Name: GRANT KASPER WEBLEY

Date of decision: 6/9/02

**1. Details of lease:**

<b>Lease Name:</b>	Gorge Farm
<b>Location:</b>	This small lease is comprised of the lower steep dark faces of the Pig Burn Creek behind Waipiata on the western flanks of the Rock and Pillar Range. The lease is run in conjunction with 80ha of adjoining freehold land and a 367 ha freehold block at Gimmerburn. The homestead is located on the adjoining freehold land, some 18.5km from Ranfurly the nearest local service centre. Dunedin some 170km is the nearest main centre.
<b>Lessee:</b>	David Malcolm MacDonald as to half share and William Andrew MacDonald as to half share
<b>Tenure:</b>	Pastoral lease under the Land Act 1948 and Crown Pastoral Land Act 1998. Pastoral Lease number 338
<b>Term:</b>	33 years from 1 July 1981 to 30 June 2014
<b>Annual Rent:</b>	\$360.00 (excluding GST with 0.25% rebate for prompt payment available)
<b>Rental Value:</b>	\$16,000.00
<b>Date of Next Review:</b>	30 June 2003
<b>Land Registry Folio Ref:</b>	OT9B/248
<b>Legal Description:</b>	Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District
<b>Area:</b>	271.5441 hectares

**2. File Search:****Files held by LINZ Christchurch.**

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
7900-04-P338	1	1	No date	7	27/03/1992

**Files held by contractor in Alexandra on behalf of LINZ:**

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
Po338-SDN-01	1	175	23/04/1981	252	08/06/1999
CON/50213/09/12582/ A-ZNO	2	1	13/06/2001	3	12/08/2002

With the exception of a very few missing folios the records are complete from lease issue. Confidence is held that all important data has been searched.

A Pastoral Occupation Licence (O66) for 10 years from 1 June 1971 over part Run 244B was held by the D M & W A MacDonald. This expired in 1981 and investigations began into reclassification to Pastoral lease. The Pastoral Occupation Licence had been issued over the area since the mid 1950's after rabbits and mismanagement had degraded the area.

A pastoral lease (P338) was approved for 33 years from 1 July 1981 over Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Survey District. This was over a area of 271.5441ha with a stock limitation of 400 hoggets 1 September to 1 November (*inclusive*), 800 ewes 1 February to 1 May (*inclusive*), 300 ewes 1 May to 1 June (*inclusive*). A change of appellation from Run 244B to the current description (Run 805) was required and completed in 1983.

In 1982 discussions were held in relation to establishing a communal water race from the Pig Burn across the lease for a short section but the proposal was replaced by a piped and pumped scheme lower down that did not affect the lease.

In 1984 the MacDonald brothers were granted a easement for a water race across adjacent renewable lease land (*Section 23 Block IV Taieri Survey District*) held by Clarke, Hunter and Brunton. The only point of note is the inclusion of a clause to allow the easement to be carried down onto any subsequent replacement title for the renewable lease.

A personal stock exemption was granted on 1985 for 600 hoggets 1 September to 1 November, 1000 ewes 1 February to 1 May (*plus emergency grazing following arrangement with this Department*) and 300 ewes 1 May to 1 June.

The 11year rent review carried out in 1992 was accepted as LEI of \$16,000 and rental of \$360 from 1 July 1992. The Chief Surveyor determined that no Marginal Strips were required.

The second 11 year rent review from 1 July 2003 is currently being processed.

Files show that no burning has been carried out since lease issue on the property.

No Catchment Conservation Farm Plans or Rabbit and Land Management Plan have been undertaken on the lease.

The Marginal Strip file identifies that no additional streams require Marginal Strips. A Section 58 strip already exists the full boundary of the Pigburn.

**3. Summary of lease document:*****Terms of lease:***

The commencement date of the pastoral lease on Crown files is in agreement with the Lease Document (OT 9B/248)

The lease was issued from 1 July 1981 under the Land Act 1948 for a term of 33 years. No non-standard conditions exist on the lease.

The legal description on the Computer Interest Register does not agree with the Status Check. (See Status Check Section of this report for details.)

***Original Lease Stock Limit: (On the lease document)***

400 hoggets 1 September to 1 November or 800 ewes 1 February to 1 May or 300 ewes 1 May to 1 June.

This is in error as the actual limit set by the Land settlement Board at lease issue was for the total of the above not the "or" alternative shown.

***Personal Stock Exemption: (1985)***

600 hoggets 1 September to 1 November, 1000 ewes 1 February to 1 May (*plus emergency grazing following arrangement with this Department*) 300 ewes 1 May to 1 June.

***Renewals and variations:***

None registered.

***Area adjustments:******Original lease area:***

271.5441 ha

***Less adjustments:***

0 ha

***Total area:***

271.5441 ha

This area is in agreement with the Status Check and with the Computer Interest Register cover sheet.

**Registered interests:****Mortgages:**

975937.1 Mortgage to Rabobank New Zealand Limited 3 September 1999.

**Other Interests:**

631713 Transfer creating the following easements dated 25 January 1990. *A easement to convey water in favour of the lease (Run 805) over a an adjoining Section 23 Block IV Upper Taieri Survey District (OT228/56. This easement was recreated in the conversion to Landonline of OT228/56 by memorial 5029683.2*

No Conservation Farm Plan agreement is registered.

No Compensation Certificates are registered.

No Electricity Supply Agreements exist.

No Section 417 Certificates under the Resource Management Act 1991 are registered.

**4. Summarise any Government programmes for the lease:**

No Conservation Farm Plan Programme, Rabbit and Land Management Programme, or Catchment Board single-subsidy grant work was ever undertaken on the lease. No legal agreement was ever registered on the lease document.

**5. Summary of Land Status Report:**

Copy attached as Schedule A.

**5.1 The Pastoral Lease:**

The Status Check refers to the lease as "Gorge Creek" throughout instead of the correct name "Gorge Farm".

The Land Status Report confirms the Crown Land Status under the Land Act 1948 and Crown Pastoral Land Act 1998 subject to Pastoral Lease registered as OT9B/248.

It records two encumbrances on the lease being:

- 631713 Transfer creating the following easements-25.1.1990.  
*A easement to convey water in favour of the lease (Run 805) over a an adjoining Section 23 Block IV Upper Taieri Survey District (OT228/56)*  
  
*This easement was recreated in the conversion to Landonline of OT228/56 by memorial 5029683.2*

- Subject to part IVA of Conservation Act 1987

Both of the above encumbrances are recognised in this report.

The legal description is confirmed as that being used in this Due Diligence Report. This differs from the Computer Interest Register cover sheet (See below - Issues identified requiring possible future investigation at the Due Diligence stage).

The Crown retains minerals ownership.

The area is confirmed as 271.5441ha. A full reconciliation sheet of the lease area is included in the Status Check. No changes of area have occurred since lease issue.

The Status Check does not identify any recreation permits, DoC concessions or UCL land within the lease. DoC Christchurch identifies an area of conservation land (Marginal Strip H42075) along the full length of the Pig Burn on the eastern boundary of the lease

No mining interests are registered.

*Issues identified requiring possible future investigation at the Due Diligence stage were:*

The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District not Run 805. *(This report agrees with this finding).*

***Other Land:***

No other land reported on.

**6. *Review of topographical and cadastral data:***

***Topographical Map:***

The topographical map shows no water races marked on the lease.

No formed roads are shown within the lease. Robert's Road is shown terminating outside the lease near the mouth of the Pig Burn.

No internal farm access tracks are marked.

No local supply electricity pylons or telephone lines are shown crossing the lease.

No National Grid power pylons are marked.

No transmission sites are marked within the lease boundary.

All boundary fences appear to follow their correct legal line with only minor variations. The boundary of the lease on the Pig Burn is shown as unfenced.



No huts or airstrips are marked on the lease.

***Cadastral Map:***

The Cadastral map shows a marginal strip adjoining the lease on the full length of the eastern boundary of the Pig Burn.

No legal roads are shown within the lease.

A legal road "Robert's Road" is shown terminating against the lease boundary at the mouth of the Pig Burn. The topographical map shows this as unformed for the last short section.

The Proposed and Transitional Central Otago District Scheme Plans have no sites marked or issues that would affect the tenure review process.

**7. *Details of neighbouring Crown or Conservation land:***

A Marginal strips exist on the eastern lease boundary for the length of the Pig Burn (H42075).

No other Crown Land is within or against the lease boundary.

**8. *Summary of uncompleted actions or potential liabilities:***

8.1 The original lease stock limit (*on the lease document*) is stated as 400 hoggets 1 September to 1 November or 800 ewes 1 February to 1 May or 300 ewes 1 May to 1 June.

This is in error as the actual limit set by the Land settlement Board at lease issue, and that of the POL it replaced, was for the total of the above not the "or" alternative shown.

***The following issues are brought to your attention to note only:***

The Status Check refers to the lease as "Gorge Creek" throughout instead of the correct name "Gorge Farm".

The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District not "Run 805" as shown in OT9B/248.

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**SCHEDULE A:**

Status Check.

**DTZ NEW ZEALAND**

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for GORGE CREEK</b>				<b>[LIPS ref.12582]</b>
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

<b>Land District</b>	Otago
<b>Legal Description</b>	Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District.
<b>Area</b>	271.5441 hectares.
<b>Status</b>	Crown Land subject to The Land Act 1948.
<b>Instrument of Title</b>	All CIR OT 9B/248.
<b>Encumbrances</b>	Transfer No. 631713. Subject to Part IVA of Conservation Act 1987.
<b>Mineral Ownership</b>	Minerals remain with the Crown, as the land has never been alienated since its acquisition or settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

<b>Date Correct as of</b>	26 June 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley <i>[Signature]</i>
<b>Crown Accredited Agent</b>	DTZ New Zealand

Approved:

*[Signature]*

Date 16 / 7 / 2002

Grant Kasper Webley  
Land Information New Zealand, Dunedin

**GORGE CREEK RESEARCH - Property 1 of 1**

<b>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</b>	(1) The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.
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<b>LAND STATUS REPORT for GORGE CREEK</b>				[LIPS ref.12582]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	
<b>Research Data: <i>Some Items may be not applicable</i></b>				
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	
SDI Print Obtained	Yes			
NZMS 261 Ref	H42.			
Local Authority	Central Otago District Council			
Crown Acquisition Map	Kemp Deed of Purchase.			
SO Plan	SO 1827 (1895) – Defines Runs 204, 204A, 204B, 204C, 204D, 204E and 204F Upper Taieri Survey District and Rock and Pillar Survey District. SO 1828 (1924) – Defines Run 805.			
Relevant Gazette Notices	N/A			
CT Ref / Lease Ref	All CIR OT 9B/248.			
Legalisation Cards	SO 1827 – The legalisation card records that Runs 204D and F are subject to the provisions of marginal strips pursuant to Section 24 (3) of the Conservation Act 1987. SO 1828 – No legalisation card.			
CLR	The CLR records the following:  (1) The land is situated in Blocks IV and VII Upper Taieri SD and Block I Rock and Pillar SD. (2) Area: 271.5441 ha. (3) Run 805 was previously part of Run 204B.			
Allocation Maps (if applicable)	A check of the SOE/DOC/UCL Allocation Maps revealed no allocations within the boundaries of the pastoral lease.			
VNZ Ref - if known	28330/207.			
Crown Grant Maps	The Crown Grant Map for the Rock and Pillar SD identified Part Run 204B.			
<b>If subject land Marginal Strip:</b>				
(a) Type [Sec 24(9) or Sec 58]	(a) Section 24(3) Conservation Act 1987.			
(b) Date Created	(b) 30 September 1992			
(c) Plan Reference	(c) SO 1827			

<b>LAND STATUS REPORT for GORGE CREEK</b>		<i>[LIPS ref. 12582]</i>	
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>

**Research – continued**

<b>Property</b>	<b>1</b>	<b>Of</b>	<b>1</b>
If Crown land - Check Irrigation Maps.		N/A	
Mining Maps		There are no mining interests recorded within the boundaries of the Pastoral Lease in the National Mining Index.	
<b>If Road</b>			
a) <b>Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989</b>		(a) Crown Grant and Section 110 A Public Works Act 1928	
b) <b>By Proc</b>		(b) N/A.	
c) <b>Plan No</b>		(c) N/A.	
<b>Other Relevant Information</b>			
a) <b>Concessions - Advice from DOC or Knight Frank.</b>		(a) The attached plan illustrates marginal strips on the boundary of the lease. These are recorded as con unit H42075.	
b) <b>Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.</b>		(b) Subject to Part 9 of The Ngai Tahu Claims Settlement Act 1998.	
c) <b>Mineral Ownership</b>		(b) Mines and minerals are owned by the Crown because the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).  Contained in (provide evidence): CT No 336/91, being the earliest least issued after the establishment of Runs in the Otago Land District.	
(d) <b>Other Information</b>		(d) The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.	

**GORGE CREEK PASTORAL LEASE**  
**RECONCILIATION OF AREA IN LEASE**

	Acres	Roods	Perches	Hectares
Part Run 204B CT No. 336/91 1. 9.1925	695	.	.	
Less, part Riverbank Reserve Refer SO Plan 1828 (1924)	24	.	.	
	671	.	.	271.5441
CT No. 336/91 cancelled and new CT No. 386/101 issued. (21.5.1959)				
CT No. 386/101 cancelled and new CT No. 1D/118 issued. (23.11.1964).				
CT No. 1D/118 cancelled and new CT NO. 4D/260 issued (23. 7.1971).				
Re-Appellation No. 591768/4 whereby Part Run 204B is now known as Run 805 Upper Taieri and Rock and Pillar Survey District. (16.3.1983).				
CT No. 4D/260 cancelled and new CT No. 9B/248 issued (26. 5.1982).	671	.	.	271.5441

**AREA AS RECORDED IN PRESENT LEASE**

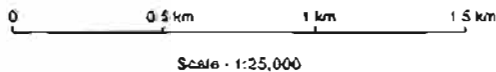
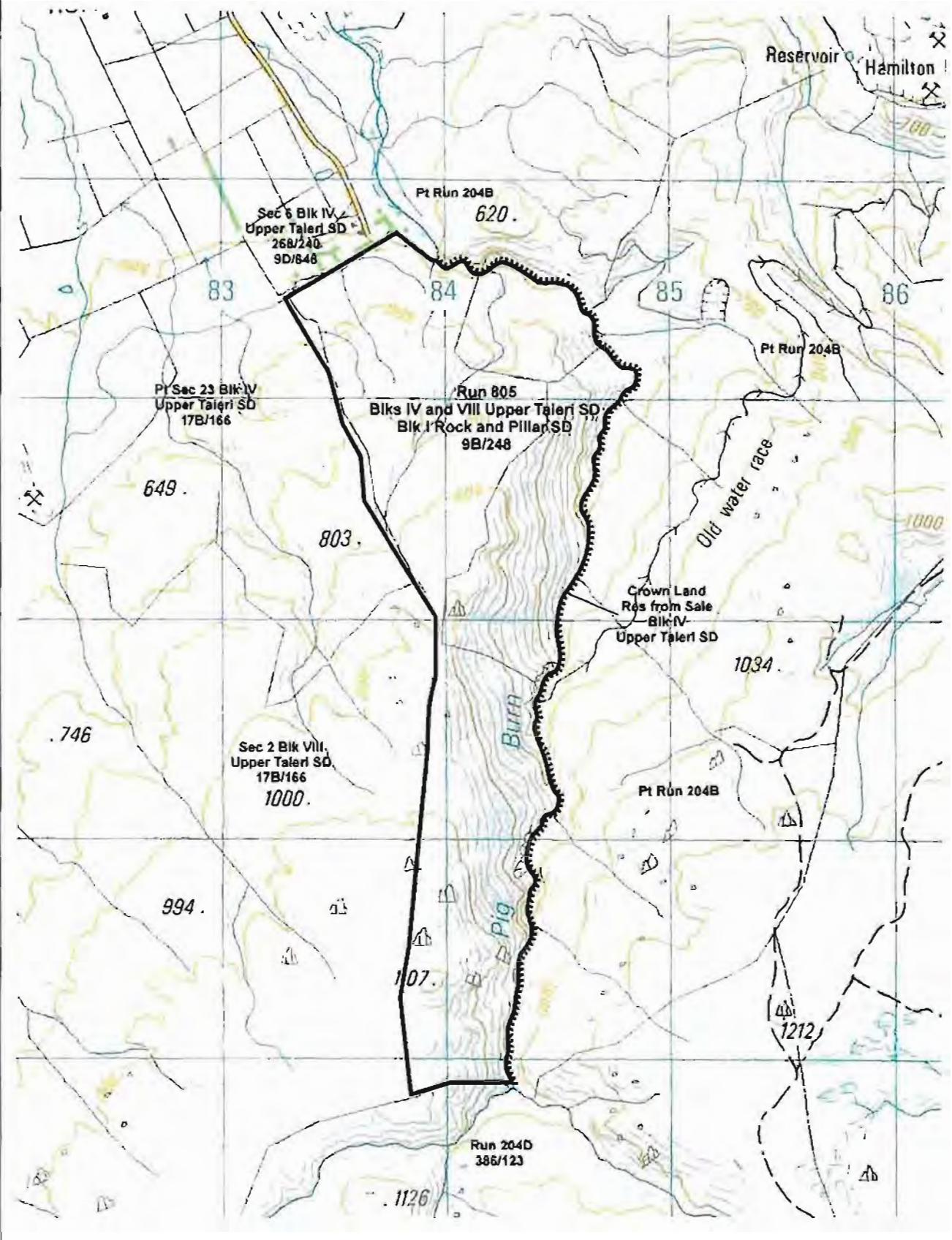
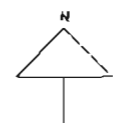
Run 805 situated in Blocks  
IV and VIII Upper Taieri  
Survey District and Block I  
Rock and Pillar Survey District CT No. OT 9B/248. 26.5.1982

Area in CT 09B/248	:	271.5441 hectares
Area as per Reconciliation	:	271.5441 hectares

**LEGAL DESCRIPTION**

The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.

### GORGE FARM PASTORAL LEASE PATEAROA RANFURLY - CENTRAL OTAGO

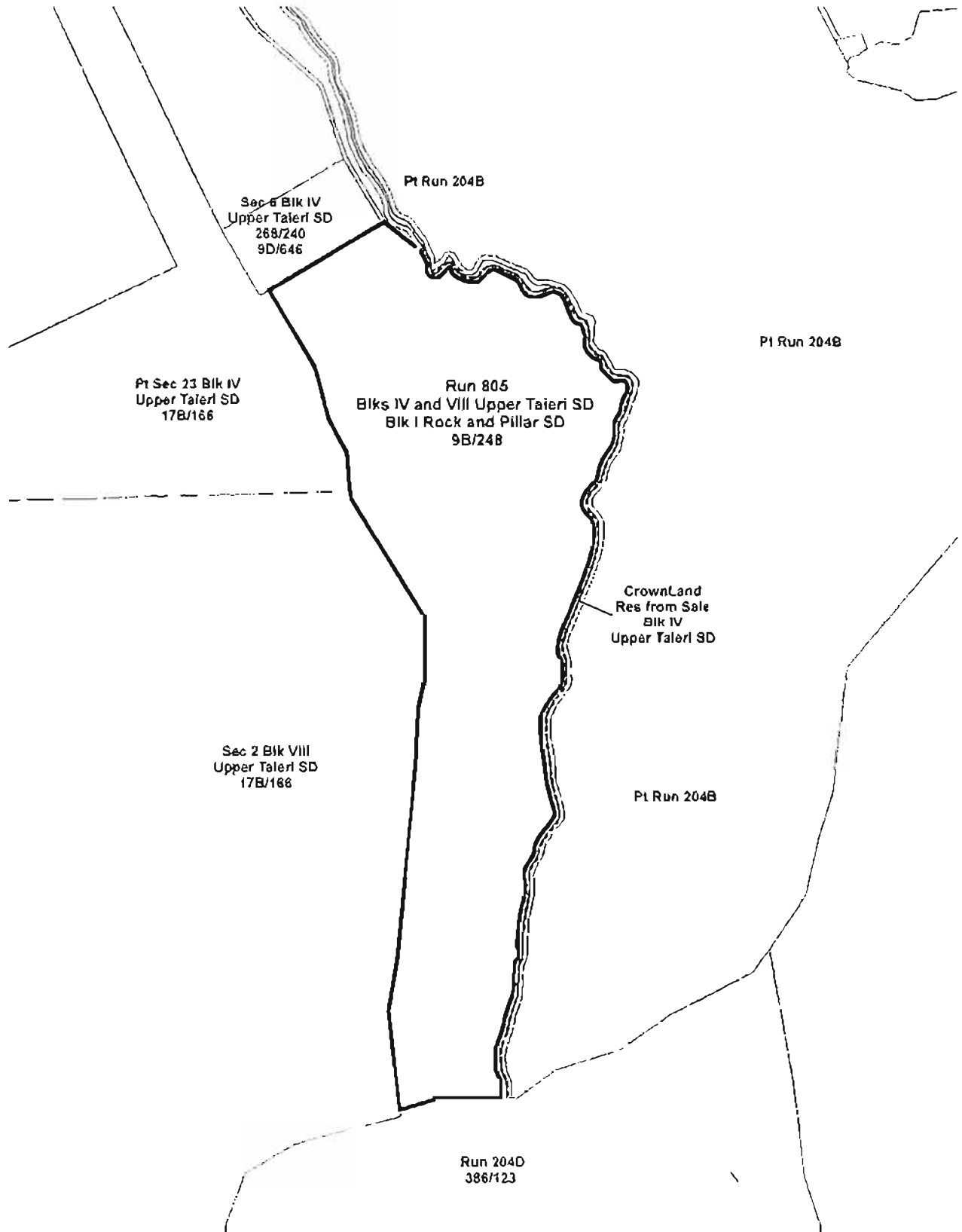
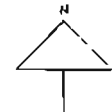


**PASTORAL LEASE BOUNDARY**  
(Subject to Part IV, Sections 24(3) and 24(8)  
of Conservation Act 1987 )  
----- CROWN LAND (Marginal Strip)

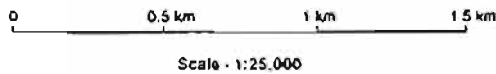
**DTZ** John McMeeking  
DTZ Mapping, Dunedin  
03 474 0571  
01.07.2002



### GORGE FARM PASTORAL LEASE PATEAROA RANFURLY - CENTRAL OTAGO



Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved.



**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]

----- CROWN LAND (Marginal Strip)

**DTZ** John McMeeking  
DTZ Mapping, Dunedin  
03 474 0571  
01.07.2002

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**ATTACHMENT 1:**

Recent Copy of Lease Document OT9B/248.



# COMPUTER INTEREST REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

*R. W. Muir*  
Registrar-General  
of Land

**Identifier** OT9B/248  
**Land Registration District** Otago  
**Date Registered** 26 May 1982 10:50 am

**Prior References**  
OT4D/260

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<b>Type</b>	Lease under s83 Land Act 1948		
<b>Area</b>	271.5441 hectares more or less	<b>Term</b>	33 years commencing on the 1st day of July 1981

**Legal Description** Run 805

**Proprietors**

David Malcolm MacDonald as to a 1/2 share  
William Andrew MacDonald as to a 1/2 share

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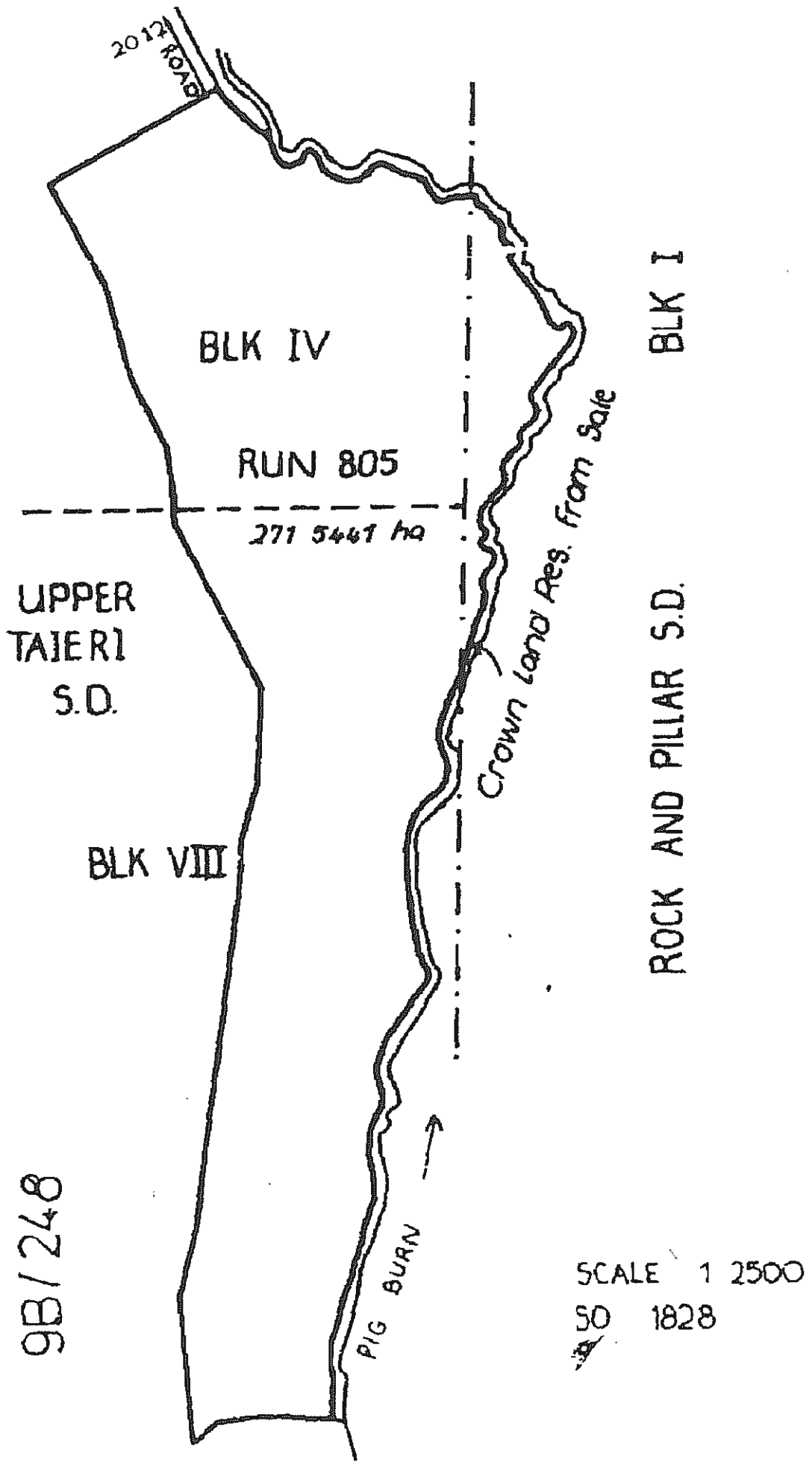
**Interests**

631713 Transfer creating the following easements - 15.3.1985 at 11:43 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Section 23 Block IV Upper Taieri Survey District - CT OT228/56	A Transfer 631713	Run 805 - herein	N/A

763394.2 Mortgage to Rabobank New Zealand Limited - 14.9.1990 at 10.34 am

981656.2 Variation of Mortgage 763394.2 - 20.1.2000 at 9.00 am



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**COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Historical Search Copy**

R.W. Muir  
Registrar-General  
of Land

**Identifier** OT9B/248  
**Land Registration District** Otago  
**Date Registered** 26 May 1982 10:50 am

**Prior References**  
OT4D/260

Type	Lease under s83 Land Act 1948	Term	
Area	271.5441 hectares more or less		33 years commencing on the 1st day of July 1981

**Legal Description** Run 805

**Original Proprietors**

David Malcolm MacDonald as to a 1/2 share  
William Andrew MacDonald as to a 1/2 share

**Interests**

631713 Transfer creating the following easements

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Section 23 Block IV Upper Taieri Survey District - CT OT228/56	A Transfer 631713	Run 805 - herein	

763394.2 Mortgage to Rabobank New Zealand Limited - 14.9.1990 at 10.34 am

981656.2 Variation of Mortgage 763394.2 - 20.1.2000 at 9.00 am

5029683.2 Departmental dealing to convert CT OT228/56 into Landonline and recreate Easement 631713 herein - 25.1.2001 at 9:30 am

NEW ZEALAND

produced 26th day of May

Former Ref. Vol. LD fol. 260

L. & S. Ref. No. P338

1982, at 10.50 o'clock, and entered  
16th March, 1983

Not Registered under Land Transfer  
Act—Registered under Section 83,  
Land Act, 1948  
Pastoral Lease under the Land Act 1948

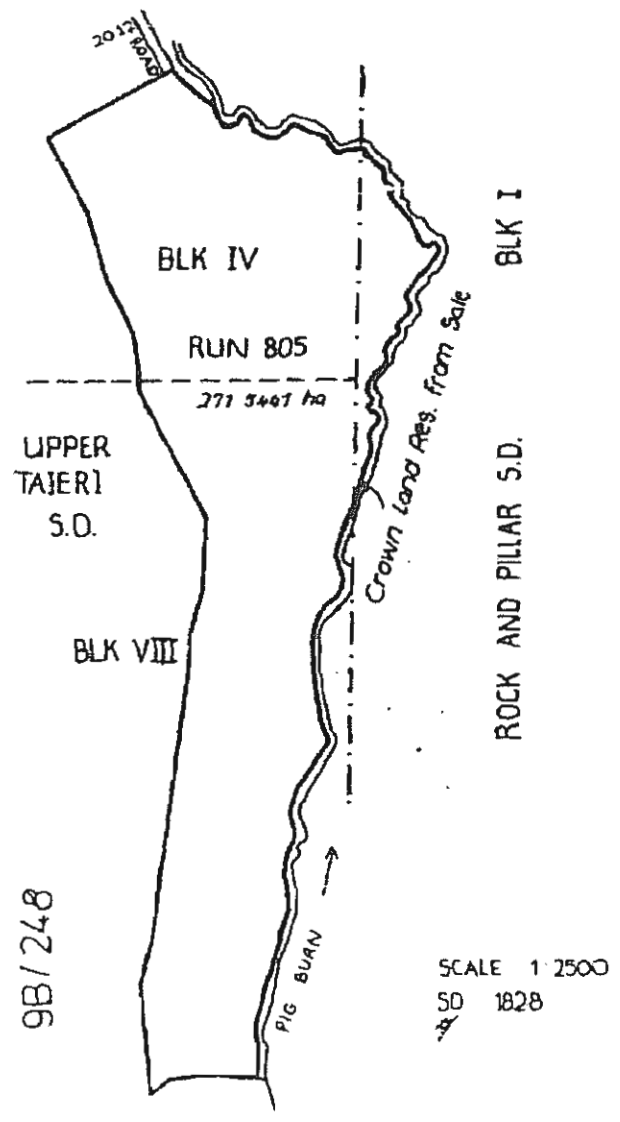


9B/248

This Deed, made the 1st day of July 1981 between HER MAJESTY THE QUEEN  
(hereinafter referred to as "the Lessor") of the one part, and DAVID MALCOLM MACDONALD and  
WILLIAM ANDREW MACDONALD both of Waipiata Farmers as tenants in common in equal shares

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent  
hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on  
the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the  
Lessee, all that parcel of land containing by esumation 271.5441 hectares  
more or less, situated in the Land District of Otago, and being Run 805 situated in  
Blocks IV & VIII, Upper Taieri Survey District and Block I Rock and Pillar Survey District

the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,



9B/248



1989 E.L.

Appurtenant hereto is a right to convey water over part Section 23 Block IV Upper Taieri Survey District (C.T. 228/56) marked A on plan annexed to Transfer 631713, created by said transfer

REGISTER

98/248

*[Signature]*  
A.L.R.

684717 Prospecting Licence under the Mining Act 1971 affecting part of the within land in favour of ~~SURRENDERED~~ *[Signature]* Pleasdale Jackson, Brian Richard Templeton, ~~1987~~ *[Signature]* Hueston Waterson and Robert David Flett for a term of 3 years commencing on 31st ~~July 1987~~ *[Signature]* 12.8.1987 at 9.17am  
See Volume 9D Folio 214

A.L.R.

763394/2 Mortgage to Wrightson Farmers Finance Limited - 14.9.1990 at 10.34am

*[Signature]*  
A.L.R

975937.1 Change of Name of the mortgagee in Mortgage 763394.2 to Rabobank New Zealand Limited 3.9.1999 at 3.32

*[Signature]*  
for RGL

981650.2 Variation of Mortgage 763394.2 20.1.2000 at 9.00

*[Signature]*  
for RGL





RELEASED UNDER THE OFFICIAL INFORMATION ACT

**Facsimile**



To: Caroline Mason/Murray Bradley

Company: DTZ, Christchurch

Fax No: \_\_\_\_\_

From: Grant Webley  
Crown Property Management

Date: 17 July 2002

Page 1 of: 4

Our Ref: \_\_\_\_\_

Your Ref: \_\_\_\_\_

Christchurch Regional Office  
Torrens House  
195 Hereford Street  
Private Bag 4721  
DX WP20033  
Christchurch  
New Zealand  
Tel 64-3-379 9793  
Fax 64-3-366 6422  
DDI 64-3-364 5951  
E-mail  
GWebley@linz.govt.nz  
Internet  
<http://www.linz.govt.nz>

**Confidential**

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**Subject: CONTRACT 50268**

Hi

I have approved the land status reports for Beaumont and Gorge Creek.

Copies of my approvals are attached for your further action.

Regards

Grant Webley

**DTZ NEW ZEALAND**

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for GORGE CREEK</b>				[LIPS ref.12582]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	<i>Farm</i>

<b>Land District</b>	Otago
<b>Legal Description</b>	Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District.
<b>Area</b>	271.5441 hectares.
<b>Status</b>	Crown Land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 9B/248.
<b>Encumbrances</b>	Transfer No. 631713. Subject to Part IVA of Conservation Act 1987.
<b>Mineral Ownership</b>	Minerals remain with the Crown, as the land has never been alienated since its acquisition or settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	26 June 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley <i>Murray Bradley</i>
<b>Crown Accredited Agent</b>	DTZ New Zealand

Approved.

*Grant Kasper Webley*  
 .....  
 Grant Kasper Webley  
 Land Information New Zealand, Dunedin

Date *16* / *7* / 2002

**GORGE CREEK RESEARCH - Property 1 of 1**

<b>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</b>	(1) The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.
--	---

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**New Zealand**  
International Property Advisers

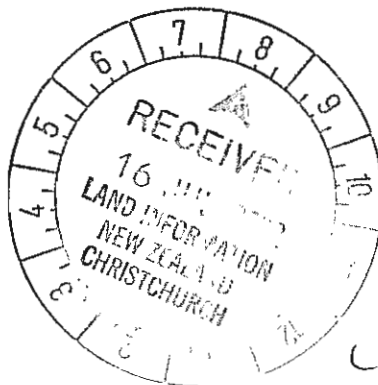
Our Ref : 1043 Your Ref: LIPS 12582 File Ref: P 338

15 July 2002.

Mr Grant Webley  
Crown Property Management  
Land Information New Zealand  
Private Bag 4721  
**CHRISTCHURCH.**

Attention : Mr Grant Webley

Dear Sir



*Cos10969*

**RE : GORGE CREEK PASTORAL LEASE ( P 338 ) - STATUS REPORT**

Please find attached the status report for Crown Pastoral Lease, Gorge Creek ( P 338 ) for your approval please.

Our Certificate of Authorisation is attached.

On receipt of the approved report we will distribute the report in the normal manner.

Please contact me if you have any queries relating to this report

Yours faithfully

*Murray Bradley*  
**Murray Bradley**

**Manager**  
**Public Sector Services**  
**Crown Accredited Supplier / Nominated Person**

DTZ New Zealand Limited MREINZ, Level 4, 76 Cashel Street, Christchurch, PO Box 142, Christchurch, New Zealand  
Telephone +64 3 379 9787 Fax +64 3 379 8440 Email christchurch@dtz.co.nz Website www.dtz.co.nz

DTZ New Zealand is within the DTZ Debenham Tie Leung group of companies. This group is in international alliance with AEW Capital Management and the Staubach Company in USA. Globally DTZ has over 6,500 staff in 33 countries and 125 offices.

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File reference : LINZ (LIPS 12582) P338

## CERTIFICATE OF AUTHORISATION

**PROPERTY ADDRESS:**  
**GORGE CREEK – P338 – STATUS REPORT.**

### ASSURANCE

DTZ New Zealand gives an assurance that the document attached to this certificate is in order for signature.

The decision when made will comply with the following statutory requirements :

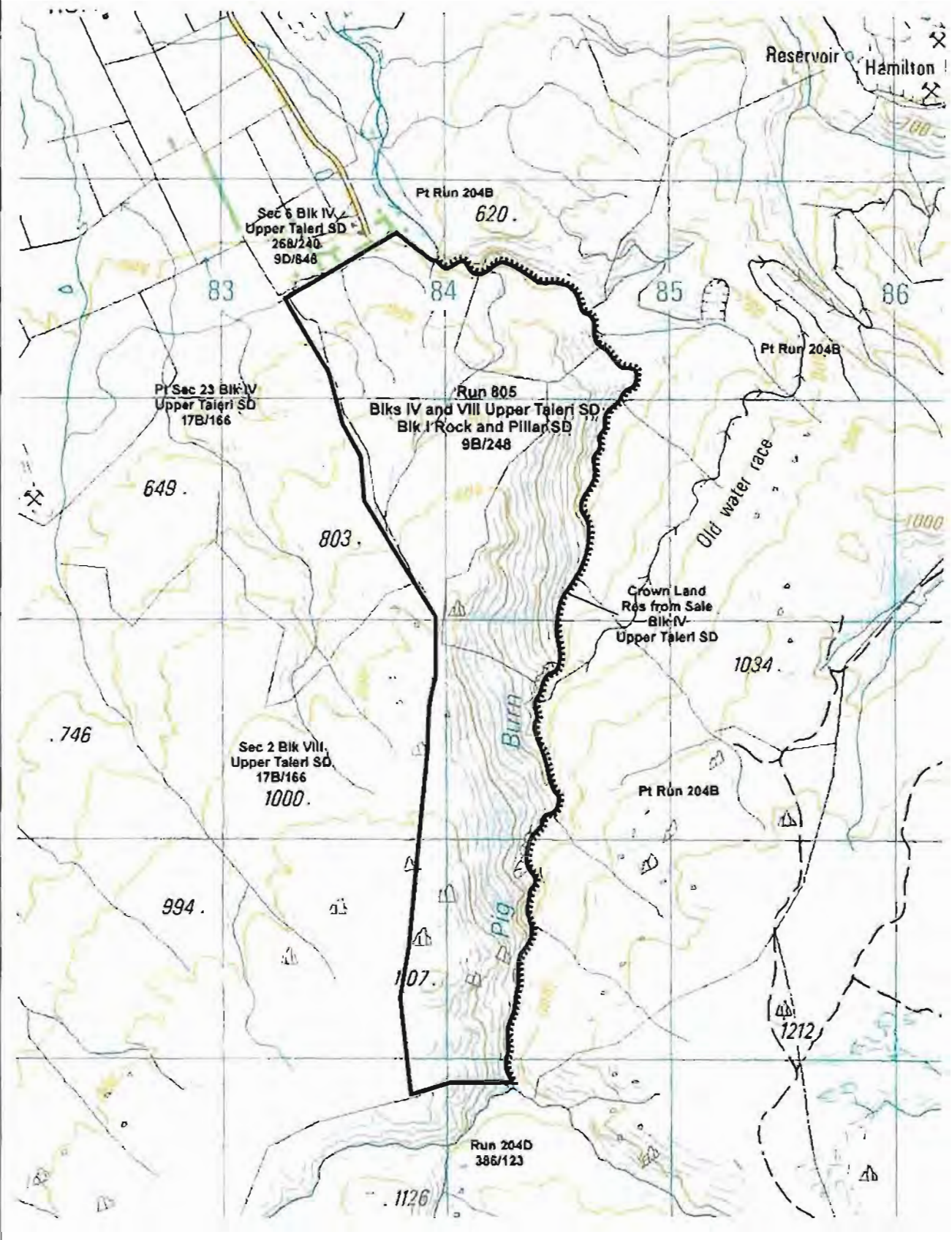
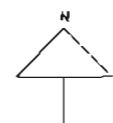
- The New Standards & Guidelines Manuals Chief Crown Property Officer; Legalisation /Roading;OSG Standard 1995/05.
- Land Act 1948
- Crown Pastoral Land Act 1998

In giving this assurance **DTZ New Zealand** undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

  
Murray Bradley  
Crown Accredited Supplier / Nominated Person

Date : 15/7/2002

### GORGE FARM PASTORAL LEASE PATEAROA RANFURLY - CENTRAL OTAGO



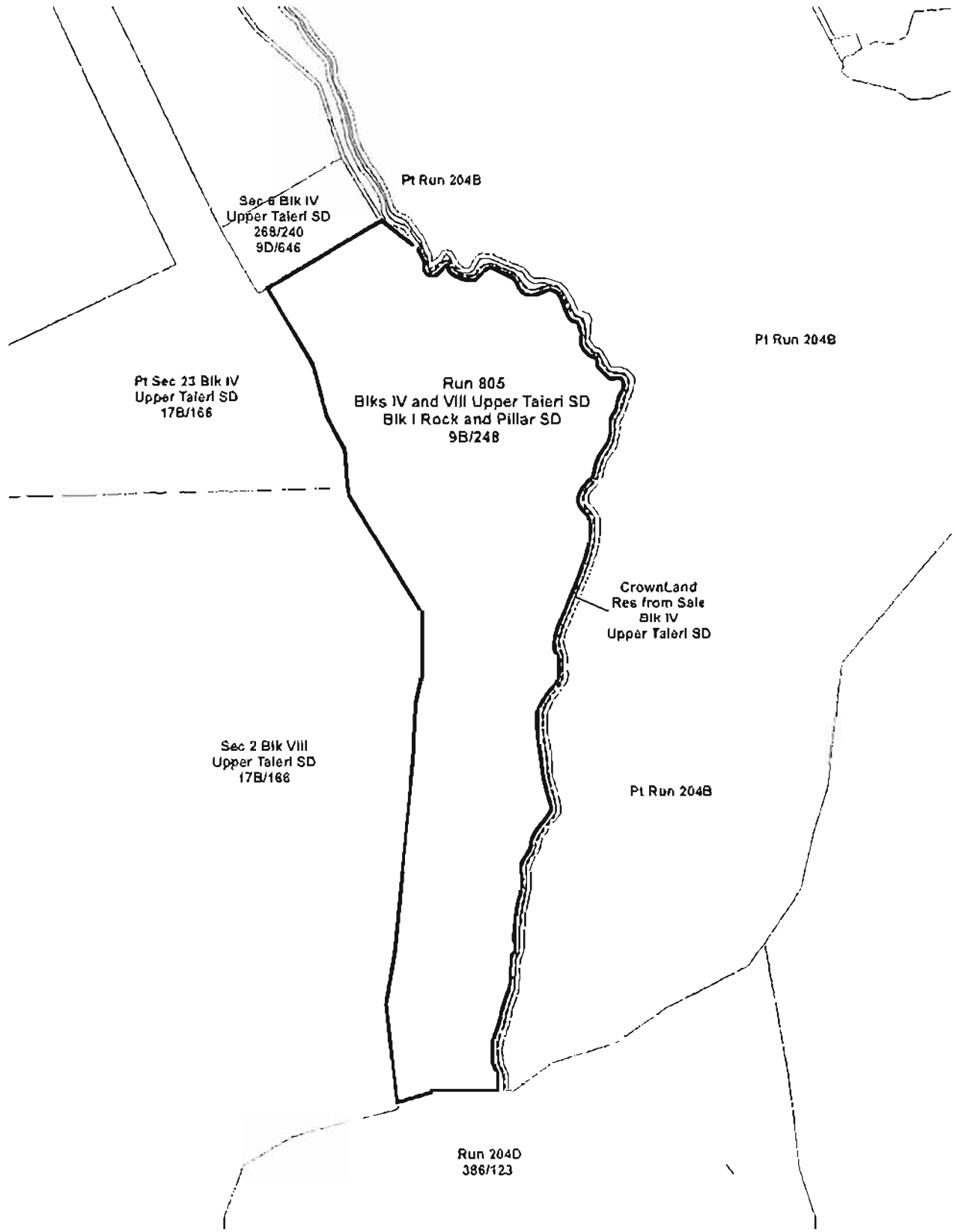
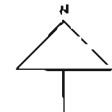
0 0.5 km 1 km 1.5 km

Scale - 1:25,000

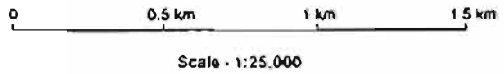
**PASTORAL LEASE BOUNDARY**  
(Subject to Part IV, Sections 24(3) and 24(8)  
of Conservation Act 1987 )  
----- CROWN LAND (Marginal Strip)

**DTZ** John McMeeking  
DTZ Mapping, Dunedin  
03 474 0571  
01.07.2002

GORGE FARM PASTORAL LEASE  
PATEAROA  
RANFURLY - CENTRAL OTAGO



Cadastral Information from LINZ Core Record System (CRS). Crown Copyright Reserved.



**PASTORAL LEASE BOUNDARY**  
[Subject to Part IV, Sections 24(3) and 24(9)  
of Conservation Act 1987.]  
----- CROWN LAND (Marginal Strip)

**DTZ** John McMeeking  
DTZ Mapping, Dunedin  
03 474 0571  
01.07.2002

**DTZ NEW ZEALAND**

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for GORGE CREEK</b>		<i>[LIPS ref.12582]</i>	
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>

<b>Land District</b>	<b>Otago</b>
<b>Legal Description</b>	Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District.
<b>Area</b>	271.5441 hectares.
<b>Status</b>	Crown Land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 9B/248.
<b>Encumbrances</b>	Transfer No. 631713. Subject to Part IVA of Conservation Act 1987.
<b>Mineral Ownership</b>	Minerals remain with the Crown, as the land has never been alienated since its acquisition or settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).
<b>Statute</b>	<b>Land Act 1948 and Crown Pastoral Land Act 1998.</b>

<b>Data Correct as at</b>	26 June 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley <i>Murray Bradley</i>
<b>Crown Accredited Agent</b>	DTZ New Zealand

Approved.

*Grant Kasper Webley*  
 .....  
 Grant Kasper Webley  
 Land Information New Zealand, Dunedin

Date *16* / *7* / 2002

**GORGE CREEK RESEARCH - Property 1 of 1**

<b>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</b>	(1) The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.
--	---

<b>LAND STATUS REPORT for GORGE CREEK</b>				[LIPS ref.12582]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	
<b>Research Data: <u>Some Items may be not applicable</u></b>				
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	
SDI Print Obtained	Yes			
NZMS 261 Ref	H42.			
Local Authority	Central Otago District Council			
Crown Acquisition Map	Kemp Deed of Purchase.			
SO Plan	SO 1827 (1895) – Defines Runs 204, 204A, 204B,204C, 204D, 204E and 204F Upper Taieri Survey District and Rock and Pillar Survey District. SO 1828 (1924) – Defines Run 805.			
Relevant Gazette Notices	N/A			
CT Ref / Lease Ref	All CIR OT 9B/248.			
Legalisation Cards	SO 1827 – The legalisation card records that Runs 204D and F are subject to the provisions of marginal strips pursuant to Section 24 (3)of the Conservation Act 1987. SO 1828 – No legalisation card.			
CLR	The CLR records the following:  (1) The land is situated in Blocks IV and VII Upper Taieri SD and Block I Rock and Pillar SD. (2) Area: 271.5441 ha. (3) Run 805 was previously part of Run 204B.			
Allocation Maps (if applicable)	A check of the SOE/DOC/UCL Allocation Maps revealed no allocations within the boundaries of the pastoral lease.			
VNZ Ref - if known	28330/207.			
Crown Grant Maps	The Crown Grant Map for the Rock and Pillar SD identified Part Run 204B.			
<b>If subject land Marginal Strip:</b>				
(a) Type [Sec 24(9) or Sec 58]	(a) Section 24(3) Conservation Act 1987.			
(b) Date Created	(b) 30 September 1992			
(c) Plan Reference	(c) SO 1827			



<b>LAND STATUS REPORT for GORGE CREEK</b>				[LIPS ref.12582]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

**Research – continued**

<b>Property</b>	<b>1</b>	<b>Of</b>	<b>1</b>	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				There are no mining interests recorded within the boundaries of the Pastoral Lease in the National Mining Index.
<b>If Road</b>				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				(a) Crown Grant and Section 110 A Public Works Act 1928
b) By Proc				(b) N/A.
c) Plan No				(c) N/A.
Other Relevant Information				
a) Concessions - Advice from DOC or Knight Frank.				(a) The attached plan illustrates marginal strips on the boundary of the lease. These are recorded as con unit H42075.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				(b) Subject to Part 9 of The Ngai Tahu Claims Settlement Act 1998.
c) Mineral Ownership				(b) Mines and minerals are owned by the Crown because the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).  Contained in (provide evidence): CT No 336/91, being the earliest least issued after the establishment of Runs in the Otago Land District.
(d) Other Information				(d) The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.

**GORGE CREEK PASTORAL LEASE**

**RECONCILIATION OF AREA IN LEASE**

	Acres	Roods	Perches	Hectares
Part Run 204B CT No. 336/91 1. 9.1925	695	.	.	
Less, part Riverbank Reserve Refer SO Plan 1828 (1924)	<u>24</u>	.	.	
	671	.	.	271.5441
CT No. 336/91 cancelled and new CT No. 386/101 issued. (21.5.1959)				
CT No. 386/101 cancelled and new CT No. 1D/118 issued. (23.11.1964).				
CT No. 1D/118 cancelled and new CT NO. 4D/260 issued (23. 7.1971).				
Re-Appellation No. 591768/4 whereby Part Run 204B is now known as Run 805 Upper Taieri and Rock and Pillar Survey District. (16.3.1983).				
CT No. 4D/260 cancelled and new CT No. 9B/248 issued (26. 5.1982).	671	.	.	271.5441

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**AREA AS RECORDED IN PRESENT LEASE**

Run 805 situated in Blocks  
IV and VIII Upper Taieri  
Survey District and Block I  
Rock and Pillar Survey District CT No. OT 9B/248. 26.5.1982

Area in CT 09B/248	:	271.5441 hectares
Area as per Reconciliation	:	271.5441 hectares

**LEGAL DESCRIPTION**

The correct legal description is Run 805 situated in Blocks IV and VIII Upper Taieri Survey District and Block I Rock and Pillar Survey District and not Run 805.

1827

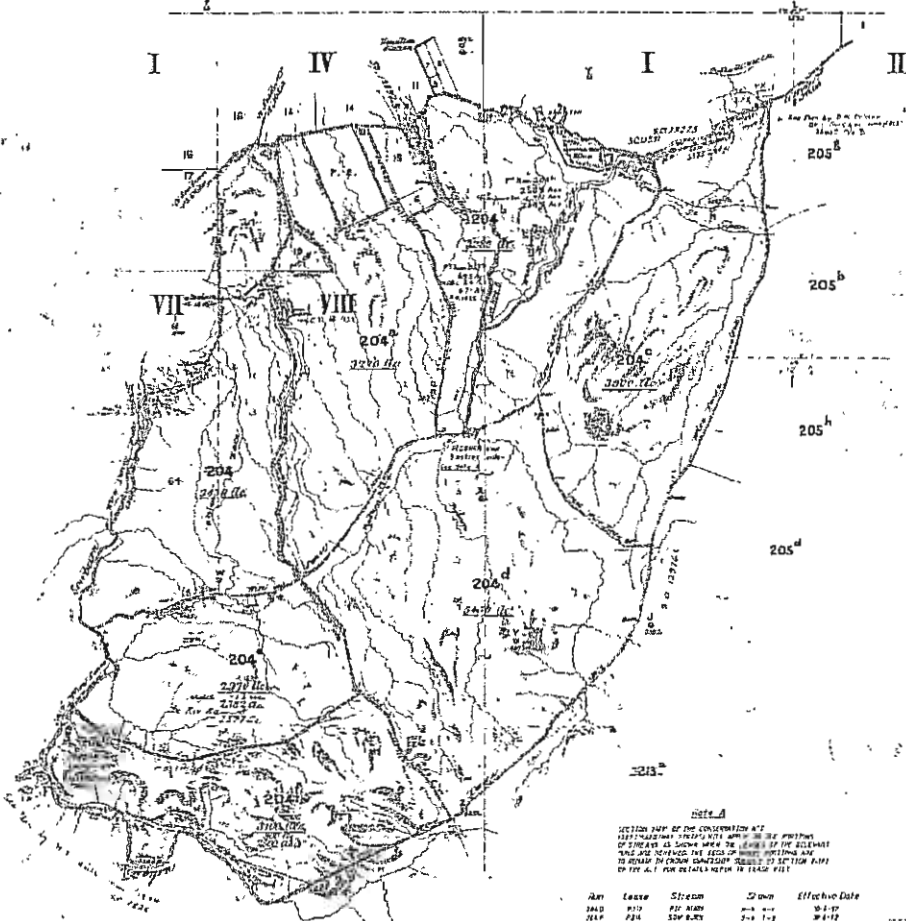
MANIOTOTO

DIST.

1827

UPPER TAIERI DIST.

ROCK & PILLAR DIST.



note A  
SECTION MAP OF THE CONSERVATION ACT  
1917 (MOUNTAIN TERRACE ACT) AND IN THE PROVISIONS  
OF THEREIN AS SAVED BY THE (1917) ACT OF THE DISTRICT  
AND THE SCHEDULES TO THAT ACT, THE DISTRICT AND  
TO REMAIN IN FORCE UNLESS OTHERWISE ORDERED BY SECTION 11(1)  
OF THE ACT IN CONNECTION WITH THE 1917 ACT

Run	Lease	Stream	Down	Effective Date
204	1010	1010	1010	10-1-17
204 <sup>a</sup>	1010	1010	1010	10-1-17
204 <sup>b</sup>	1010	1010	1010	10-1-17
204 <sup>c</sup>	1010	1010	1010	10-1-17
204 <sup>d</sup>	1010	1010	1010	10-1-17
204 <sup>e</sup>	1010	1010	1010	10-1-17

*[Signature]*  
Chief Surveyor Date

note B  
SURVEYOR'S REPORTS FROM HERE ON  
ARE NOW DEEMED TO BE VALID  
IN THE SECTION MAPS OF THE CONSERVATION  
ACT 1917 EFFECTIVE DATE 10-1-17

Approved as to addition of PIVS & Note B  
*[Signature]*  
Chief Surveyor Date

Plan of  
Runs 204, 204<sup>a</sup>, 204<sup>b</sup>, 204<sup>c</sup>, 204<sup>d</sup>, 204<sup>e</sup>, 204<sup>f</sup>.  
UPPER TAIERI & ROCK & PILLAR DIST<sup>s</sup>.

D.M. CALDER ASST. SURVEYOR.

JAN<sup>y</sup> 1825.

Scale of Chains



F.B. N° 10 Page

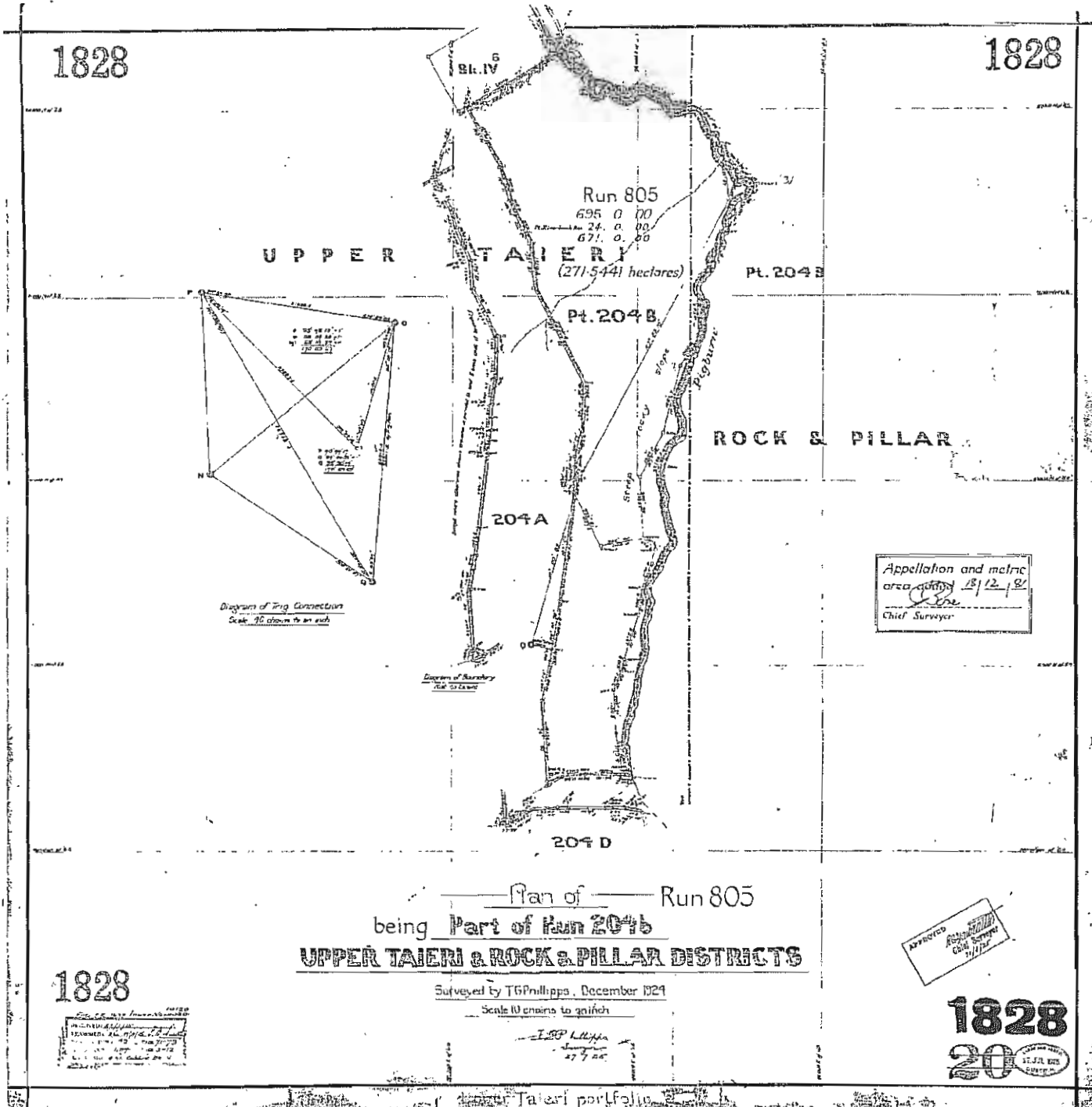
1827

1827

NOTE: Subdivision of Runs 204 & 204<sup>a</sup>  
LEGALISATION CARD

19

RELEASED UNDER THE OFFICIAL INFORMATION ACT



1828

1828

UPPER TAIRI

Pt. 204B

ROCK & PILLAR

204A

204D

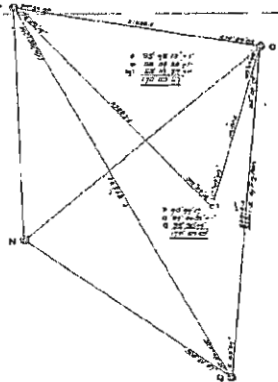


Diagram of Trig Connection  
Scale 10 chains to an inch

Diagram of Boundary  
Scale 10 chains to an inch

Appellation and metric  
area given 18/12/82  
Chief Surveyor

Plan of Run 805  
being Part of Run 204b  
UPPER TAIRI & ROCK & PILLAR DISTRICTS

Surveyed by T.G. Phillips, December 1821  
Scale 10 chains to an inch

T.G. Phillips  
27/25

APPROVED  
Chief Surveyor

1828

1828  
204b

Tairi portfolio



**COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** OT9B/248  
**Land Registration District** Otago  
**Date Registered** 26 May 1982 10:50 am

**Prior References**  
OT4D/260

---

<b>Type</b>	Lease under s83 Land Act 1948		
<b>Area</b>	271.5441 hectares more or less	<b>Term</b>	33 years commencing on the 1st day of July 1981

**Legal Description** Run 805

**Proprietors**

David Malcolm MacDonald as to a 1/2 share  
William Andrew MacDonald as to a 1/2 share

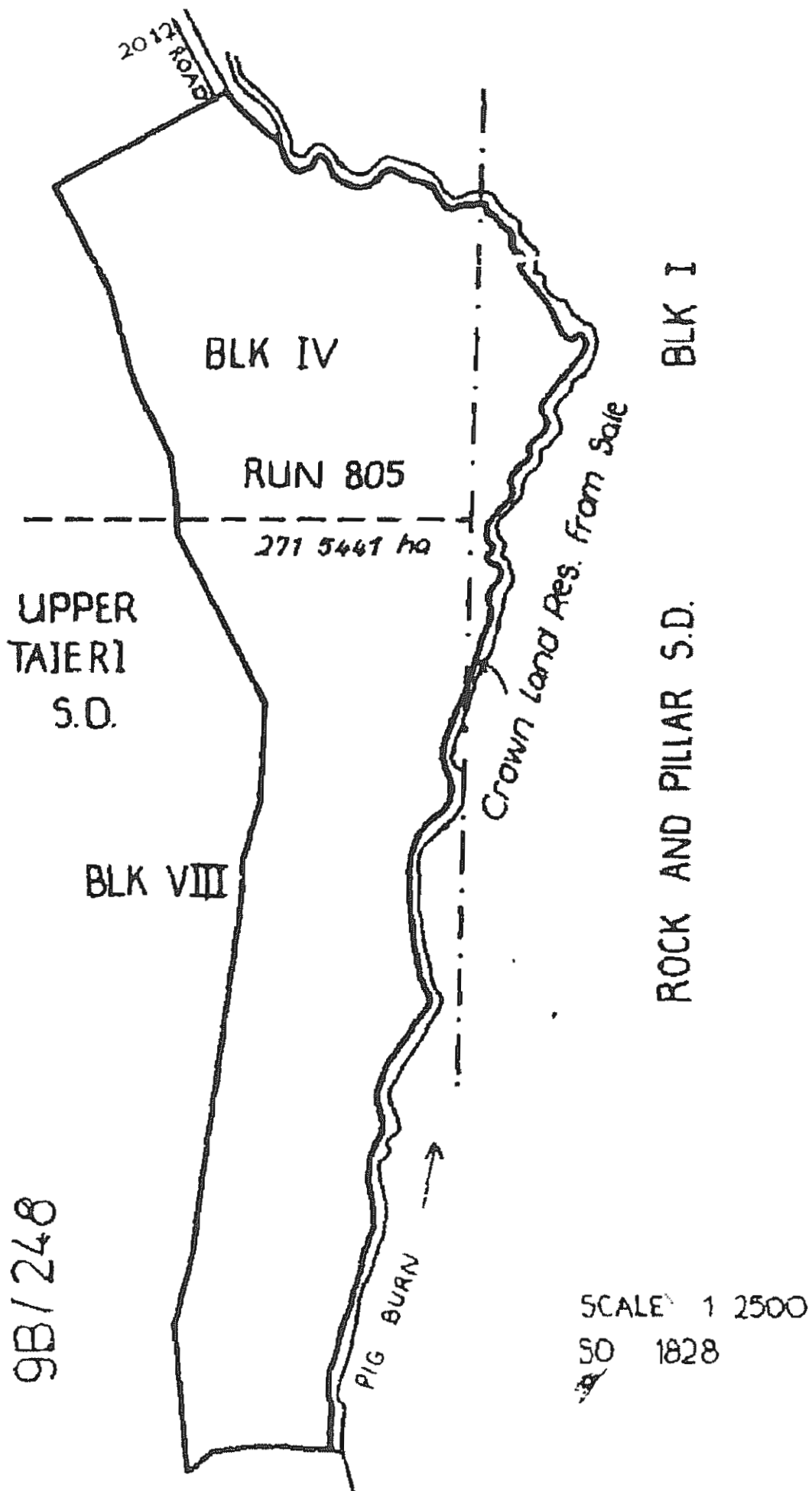
**Interests**

631713 Transfer creating the following easements - 15.3.1985 at 11:43 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Section 23 Block IV Upper Taieri Survey District - CT OT228/56	A Transfer 631713	Run 805 - herein	N/A

763394.2 Mortgage to Rabobank New Zealand Limited - 14.9.1990 at 10.34 am

981656.2 Variation of Mortgage 763394.2 - 20.1.2000 at 9.00 am





**COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Historical Search Copy**

R. W. Muir  
Registrar-General  
of Land

**Identifier** OT9B/248  
**Land Registration District** Otago  
**Date Registered** 26 May 1982 10:50 am

**Prior References**  
OT4D/260

---

<b>Type</b>	Lease under s83 Land Act 1948	<b>Term</b>	33 years commencing on the 1st day of July 1981
<b>Area</b>	271.5441 hectares more or less		

**Legal Description** Run 805

**Original Proprietors**

David Malcolm MacDonald as to a 1/2 share  
William Andrew MacDonald as to a 1/2 share

**Interests**

631713 Transfer creating the following easements

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Section 23 Block IV Upper Taieri Survey District - CT OT228/56	A Transfer 631713	Run 805 - herein	

763394.2 Mortgage to Rabobank New Zealand Limited - 14.9.1990 at 10.34 am

981656.2 Variation of Mortgage 763394.2 - 20.1.2000 at 9.00 am

5029683.2 Departmental dealing to convert CT OT228/56 into Landonline and recreate Easement 631713 herein - 25.1.2001 at 9:30 am



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NEW ZEALAND

Former Ref. Vol. LD fol. 260

produced 26th day of May

L. & S. Ref. No. P338

1982, at 10.50 o'clock, and entered  
16th March, 1983

Not Registered under Land Transfer  
Act—Registered under Section 83,  
Land Act, 1948  
Pastoral Lease under the Land Act 1948

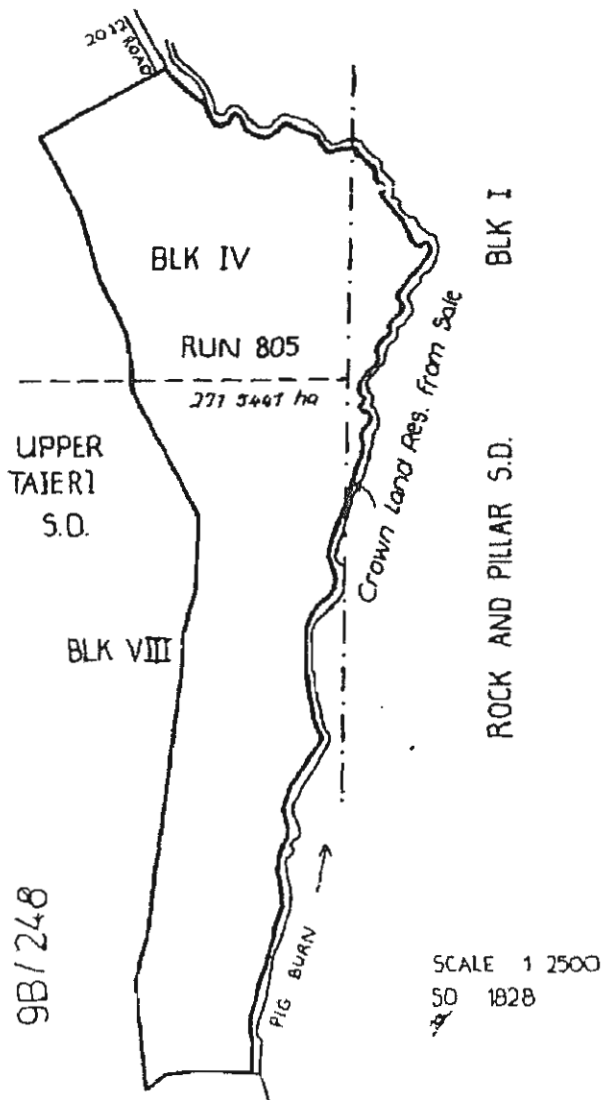


9B/248

This Deed, made the 1st day of July, 1981, between HER MAJESTY THE QUEEN  
(hereinafter referred to as "the Lessor") of the one part, and DAVID MALCOLM MACDONALD and  
WILLIAM ANDREW MACDONALD both of Waipiata Farmers as tenants in common in equal shares

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent  
hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on  
the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the  
Lessee, all that parcel of land containing by estimation 271.5441 hectares  
or less, situated in the Land District of Otago, and being Run 805 situated in  
Blocks IV & VIII, Upper Taieri Survey District and Block I Rock and Pillar Survey District

the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,



9B/248

SCALE 1:2500  
SD 1028

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assessments, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised to the Lessee for the term of 33 years, commencing on the 1st day of July 1981, together with the period between the date of this lease and the aforesaid 1st day of July 1981, YIELDING and paying therefor for the first 11 years of the said term unto the Department of Lands and Survey at Dunedin the annual rent of \$ 607.50 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during said period of 11 years, and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 66 of the Land Act 1948.

AND the Lessee doth hereby covenant with the Lessor as follows:

1. That without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than \* stock which number shall not include more than breeding cows or other than such which number shall not include more than breeding cows. PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress, and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums, or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees, and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under Section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

\*400 hoggets between 1 September to 1 November, or 800 ewes between 1 February to 1 May, or 300 ewes between 1 May to 1 June in each and every year of the said term.

~~SCHEDULE OF IMPROVEMENTS RELATING TO THE CROWN~~

576213  
MAY 26 10 50 AM '82  
STBY

IN WITNESS whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, has hereunto set his hand, and these presents have also been signed by the said Lessee.

Signed by the said Commissioner on behalf of the Lessor, in the presence of—  
Witness *John Patrick*  
Occupation: *Chief Department of Lands & Survey*  
Address: *Dunedin*

*J.R. Glenn*  
Assistant Commissioner of Crown Lands

Signed by the above named Lessee, in the presence of—  
Witness: *[Signature]*  
Occupation: *POSTMASTER*  
Address: *ROBINSON*

*D. M. Macdonald*  
Lessee  
*W.B. Macdonald*

RELEASED UNDER THE OFFICIAL INFORMATION ACT

INDEX

98/248

REGISTER

Appurtenant hereto is a right to convey water over part Section 23 Block IV Upper Taieri Survey District (C.T. 228/56) marked A on plan annexed to Transfer 631713, created by said transfer

*[Handwritten Signature]*  
A.L.R.

684717 Prospecting Licence under the Mining Act 1971 affecting part of the within land in favour of ~~Donald Bleasdale Jackson, Brian Richard Templeton, Hueston Waldron and Robert David Flett for a term of 3 years commencing on 31st July 1987 at 9.17am~~ **SURRENDERED** *[Handwritten Signature]* 12.8.1987 at 9.17am  
See Volume 9D Folio 214

A.L.R.

763394/2 Mortgage to Wrightson Farmers Finance Limited - 14.9.1990 at 10.34am

*[Handwritten Signature]*  
A.L.R

975937.1 Change of Name of the mortgagee in Mortgage 763394.2 to Rabobank New Zealand Limited 3.9.1999 at 3.32

*[Handwritten Signature]*  
for RGL

981656.2 Variation of Mortgage 763394.2 20.1.2000 at 9.00

*[Handwritten Signature]*  
for RGL



RELEASED UNDER THE OFFICIAL INFORMATION ACT

S. R. 5  
Register No. 1D/138  
Former Ref. Vol. -----  
L. & S. Ref. No. 0-66

NEW ZEALAND

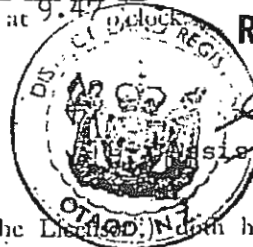
**CANCELLED**

Entered in the Register-book, the  
23rd day of JULY

1971 at 9.47

**REGISTER**

REGISTERED IN THE LAND REGISTRY  
OFFICE BUT NOT UNDER THE LAND  
TRANSFER ACT.  
Pastoral Occupation Licence under the Land Act 1948



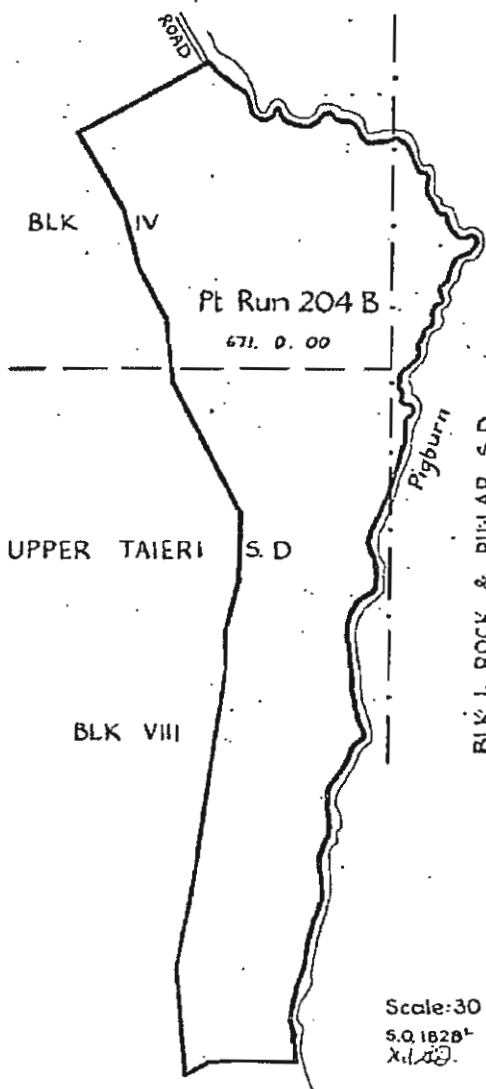
*[Signature]*  
Assistant Land Registrar  
Otago.

40/1260

The Land Settlement Board (hereinafter referred to as "the Licensee") hereby license and authorise  
WILLIAM MACDONALD of Waipiata farmer

(hereinafter referred to as "the Licensee") to occupy all  
that parcel of land containing by estimation 671 acres  
more or less, situated in the Land District of Otago, and being Part Run 204B  
Upper Taieri Survey and Rock and Pillar Survey Districts

as the same is more particularly delineated with bold black lines on the plan hercon; together with the rights,



EQUIVALENT METRIC  
AREA IS 271.5441 ha

Scale: 30 chains to an inch.  
S.O. 1828  
X. 12

easements, and appurtenances thereto belonging for a term of ten years commencing on the 1st day of July 1971 together with the period between the date of this licence and the aforesaid 1st day of July 1971 YIELDING and paying therefor unto the Department of Lands and Survey at Dunedin the annual rent of £ 360.00 equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year of the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of £ 200.00 in a deposit of £ 100.00 (which has already been paid) and thereafter by half-yearly instalments of £ 100.00 on the 1st day of January and the 1st day of July in each and every year

40/260

REGISTER

AND subject also to the following terms and conditions:

for 1. see below  
1. THAT without derogating from or restricting the covenants contained and implied in this licence and on the part of the Licensee to be performed or complied with the Licensee will not at any time during the said term depasture on the land hereby demised more than sheep which number shall not include more than breeding ewes nor more than cattle which number shall not include more than breeding cows PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licensor carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Licensor to revoke or vary such consent at any time.

2. THAT the Licensee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Licensor and the Licensee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this licence for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Licensee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Occupation Licence of pastoral land under sections 307 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such licences shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein:

1. That without derogating from or restricting the covenants contained and implied in this Licence and on the part of the Licensee to be performed or complied with the Licensee will not at any time during the said term depasture on the land hereby demised more than 200 sheep from October to December inclusive on the front block and 400 sheep for the period January to April inclusive on the back block PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licensor carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Licensor to revoke or vary such consent at any time.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Nil

\* 54, 66 and 109 Assistant

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Licensor, has hereunto set his hand, this 23<sup>rd</sup> day of July 1971, in the presence of—

Witness: A. Wilson  
Occupation: Chief Lands and Survey Dept.  
Address: Dunedin

*[Signature]*  
Assistant Commissioner of Crown Lands

I, the within named Licensee, hereby accept this Licence on the terms and conditions specified herein and in witness thereof have hereunto set my hand in the presence of—

Witness: P. J. Macdonald J.P.  
Occupation: Solicitor  
Address: Rangiora

*[Signature]*  
Licensee

40/260

C.T. 4D/260

37

493156/1 Transmission to David Malcolm Macdonald and William Andrew Macdonald both of Waipiata Farmers as Executors entered: 13.3.1978 at 10.29 am

*[Signature]*  
A.L.R.

517308 Transfer to David Malcolm Macdonald and William Andrew Macdonald both abovenamed as tenants in common in equal shares - 8.6.1979 at 2.10 pm

*[Signature]*  
A.L.R.

74610

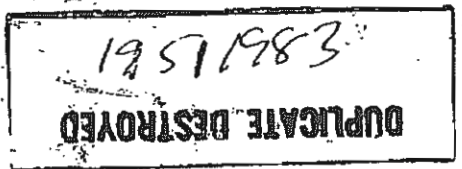
The within land is now known as Run 807 Upper Taieri and Rock and Pillar S.D. (271.5441 ha) - 16.3.1985 at 2.48 pm

See Re-appellation 591768/4

*[Signature]*  
A.L.R.

576215 ) Pastoral Lease 9B/248 issued. (26.5.1983)

*[Signature]*  
A.L.R.



20/260

LAND & DEEDS  
Nature: DPL  
Firm: CCL  
23 JUL 1971  
Time: 9.47  
Fees: \$ 2 DM  
Abstract No. 1



RELEASED UNDER THE OFFICIAL INFORMATION ACT

& S.—B. 5

NEW ZEALAND

**CANCELLED**  
Entered in the Register of Licences, 1964

Former Ref. Vol. 386 fol. 101

23rd day of November

L. & S. Ref. No. 0.42.

1964 12:38 o'clock.

REGISTER COPY

ID / 118

REGISTERED IN THE LAND REGISTRY  
OFFICE BUT NOT UNDER THE LAND  
TRANSFER ACT.



**Pastoral Occupation Licence under the Land Act 1948**

*J. E. Hayes*  
Assistant Land Registrar

The Land Settlement Board (hereinafter referred to as "the Board") doth hereby license and authorise  
WILLIAM MACDONALD of Waipiata, Farmer .....

..... (hereinafter referred to as "the Licensee") to occupy all  
that parcel of land containing by estimation 671 acres .....  
more or less, situated in the Land District of Otago, and being Part Run 204B,  
Upper Taieri and Rock and Pillar Survey Districts .....

as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

DISTRICT LAND  
REGISTRAR  
**CANCELLED**  
OTAGO  
NEW ZEALAND

No. ID / 118

RELEASED UNDER THE OFFICIAL INFORMATION ACT

easements, and appurtenances thereto belonging for a term of seven (7) years commencing on the 1st day of July 1964, together with the period between the date of this licence and the aforesaid 1st day of July 1949; YIELDING and paying therefor unto the Department of Lands and Survey at Dunedin the annual rent of £30.0.0, payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year of the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of £ by a deposit of £ (which has already been paid) and thereafter by half-yearly instalments of £ on the 1st day of January and the 1st day of July in each and every year.

AND subject also to the following terms and conditions:

See below

1. THAT without derogating from or restricting the covenants contained and implied in this licence and on the part of the Licensee to be performed or complied with the Licensee will not at any time during the said term depasture on the land hereby demised more than sheep which number shall not include more than breeding ewes nor more than cattle which number shall not include more than breeding cows PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licensor carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Licensor to revoke or vary such consent at any time.

2. THAT the Licensee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Licensor and the Licensee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this licence for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Licensee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Occupation Licence of pastoral land under section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such licences shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

1. That without derogating from or restricting the covenants contained and implied in this Licence and on the part of the Licensee to be performed or complied with the Licensee will not at any time during the said term depasture on the land hereby demised more than 250 sheep from October to March inclusive on the back block and 250 sheep for the period April to June inclusive on the front block nor more than 15 breeding cows for the period October to April inclusive PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licensor carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN right of the Licensor to revoke or vary such consent at any time.

IN WITNESS whereof the Assistant Commissioner of Crown Lands for the said Land District, on behalf of the Licensor, has hereunto set his hand, this day of 19 , in the presence of—

Witness: *Williamson*  
Occupation: *Clark*  
Address: *Land & Survey Dept., Dunedin*

*[Signature]*  
Assistant Commissioner of Crown Lands.

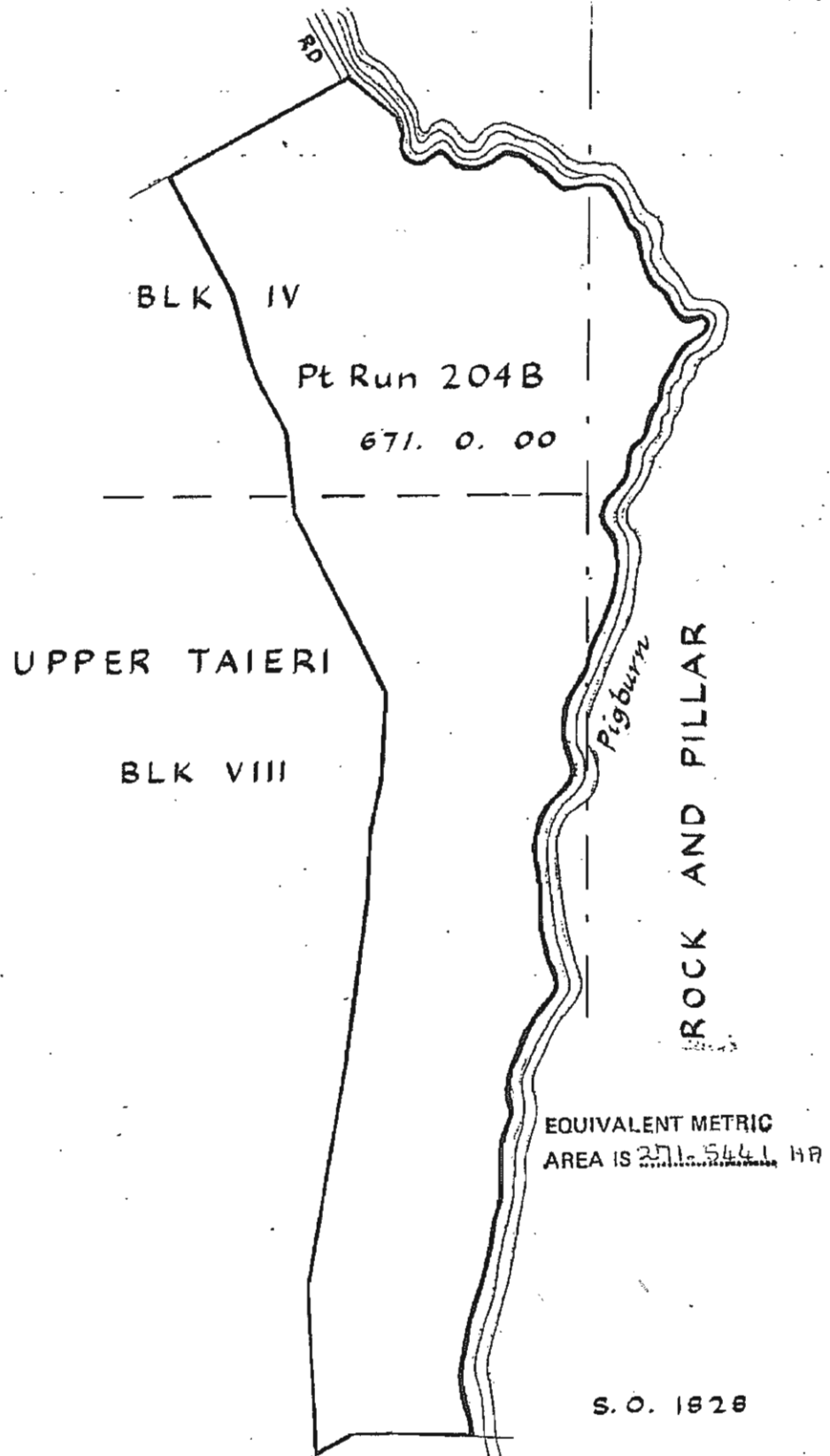
I, the within named Licensee, hereby accept this Licence on the terms and conditions specified herein and in witness thereof have hereunto set my hand in the presence of—

Witness: *H. H. Benson*  
Occupation: *Postmistress*  
Address: *Waipara*

*[Signature]*  
Licensee.



RELEASED UNDER THE OFFICIAL INFORMATION ACT



Scale 20 chains to an inch

MS

RELEASED UNDER THE OFFICIAL INFORMATION ACT

C.T. 1D/118

Pastoral Occupation Lease 4D/260  
issued for the within land.

*[Signature]*  
A.L.R.  
23.7.1971

Expired.

DEPARTMENT OF LAND  
REGISTRATION  
CANCELLED  
OTAGO  
NEW ZEALAND

*Duplicate  
Destroyed [Signature]*

1D/118  
LAND & DEEDS  
Nature: *Occ. License*  
Form: *C.C.L.*  
23 NOV 1964  
Price: *1.38*  
Fee: *1/5*  
*304*



Reference C.T. 336/91

NEW ZEALAND

O.T.A.Q.O.  
LAND DISTRICT

LAND & DEEDS	
Number	CC
of	CC Lands
Date	21 MAY 1959
Time	9.45
Page	15
Abstract No.	337

Registered in the Land Transfer Act, but not under the Land Transfer Act.

(L & D)

the Register-book, Vol. 386 at 101

the 21st day of May

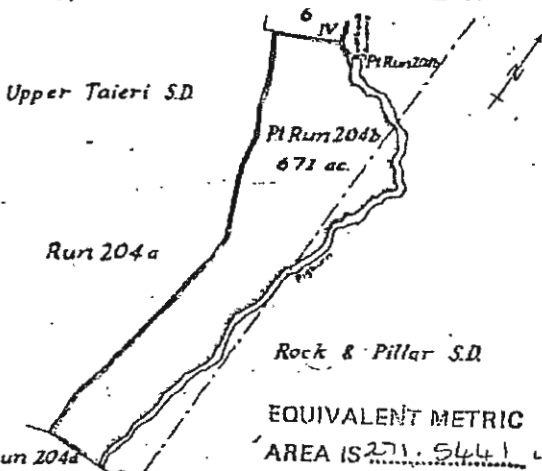
1959, at 9.45 o'clock.

W. J. ...  
Asst. Land Registrar

Pastoral Occupation Licence of Pastoral Land under the Land Act, 1948

No. 0.23

Whereas FRANK ROBERTS of Pukekohe and WILLIAM MACDONALD of Waipapa, Farmers, as tenants in common in equal shares applied under the provisions of the Land Act, 1948, for a Pastoral Occupation Licence over all that piece or parcel of pastoral land containing by admeasurement 671 acres more or less, situated in the Land District of Otago and being part Run 204B, Upper Taieri and Rock and Pillar Survey Districts



(hereinafter referred to as the said land), as the same is delineated on the plan endorsed hereon and edged red in outline; together with the rights, easements, and appurtenances thereto belonging; AND WHEREAS the Land Settlement Board has granted the said FRANK ROBERTS and WILLIAM MACDONALD (hereinafter referred to as the Licensees) a Pastoral Occupation Licence over the said land for a term of five (5) years to be reckoned from the 1st day of July 1959, one thousand nine hundred and fifty-nine, together with the period between the date of this licence and the aforesaid 1st day of July, 1959; Yielding and paying therefor during the said term into the Department of Lands and Survey at the Principal Land Office for the said Land District of Otago the clear annual rent of Twenty-five pounds (£ 25 : - : -) payable without demand by equal half-yearly payments in advance on the 1st day of January and 1st day of July in each and every year during the said term. And also paying in respect of the improvements specified in the schedule hereto the sum of (£ ) (the receipt of which sum is hereby acknowledged) and thereafter by half-yearly instalments of (£ ) pounds shillings and pence (£ ) on the 1st day of January and 1st day of July in each and every year during the said term.

Now, THEREFORE, the Land Settlement Board doth hereby license and authorize the Licensees to occupy the said land for the term and subject to the payment of the annual rent aforesaid and subject also to the following terms and conditions:—

1. THAT the Licensees will fully and punctually pay the rent hereinafter reserved at the times and in the manner hereinafter named in that behalf; and also will pay and discharge all rates, taxes, assessments, and outgoings whatsoever that now are or hereafter may be assessed, levied, or payable in respect of the said land or any part or parts thereof during the said term.
2. THAT the Licensee will within one year after the date of this licence take up his residence on the said land, and thereafter throughout the term of the licence will reside continuously on the said land.
3. THAT the licensee will hold and use the said land for his own use and benefit and will not transfer, assign, sublet, mortgage, charge, or part with possession of the said land or any part thereof without the previous approval of the Land Settlement Board: Provided that such approval will not be necessary in the case of a mortgage to the Crown or to a Department of State.
4. THAT the Licensee will at all times farm the said land diligently and in a husbandlike manner according to the rules of good husbandry and will not in any way commit waste.
5. THAT the licensee will throughout the term of this licence to the satisfaction of the Commissioner of Crown Lands for the Land District of Otago (hereinafter referred to as the Commissioner) cut and trim all five fences and hedges, clear and keep clear the said land of all noxious weeds, and will comply strictly with the provisions of the Noxious Weeds Act, 1950.
6. THAT the Licensee will keep the said land free from wild animals, rabbits, and other vermin, and generally comply with the provisions of the Rabbit Nuisance Act, 1934-1955.
7. THAT the Licensee will clean and clear from weeds and keep open all drains, ditches, and watercourses upon the said land, including any drains or ditches which may be constructed by the Commissioner after the commencement of the term of the licence; and will not at any time without the prior consent of the Commissioner alter the channel of any such creek or watercourse or stop or divert the water flowing therein.
8. THAT the Licensee will at all times during the said term repair and maintain and keep in good substantial repair, order, and condition all improvements belonging to the Crown (including those specified in the Schedule hereto which are being purchased by the Licensee) on or erected on the said land, and will not, without the prior written consent of the Commissioner, pull down or remove any part of them.
9. THAT the Licensee will insure all buildings belonging to the Crown (including those specified in the Schedule hereto which are being purchased by the Licensee) now or hereafter erected on the said land to their full insurable value in the name of the Commissioner in some insurance office approved by the Commissioner and will pay all premiums falling due under every such insurance policy and deposit with the Commissioner every such policy and, not later than the forenoon of the day on which any such premium becomes payable, the receipt for that premium.
10. THAT the Licensee will not throughout the term of the licence without the prior consent of the Commissioner, which consent may be given on such terms and conditions (including the payment of royalty) as the Commissioner thinks fit, fell, sell, or remove any timber, tree, or bush growing, standing, or lying on the said land, and that he will throughout the term of the licence prevent the destruction of any such timber, tree, or bush unless the Commissioner otherwise approves: Provided that the consent of the Commissioner as aforesaid shall not be necessary where any such timber or tree is required for any agricultural, pastoral, household, roadmaking, or building purpose on the said land nor where the timber or tree has been planted by the Licensee.
11. THAT the Licensee shall not, except for the purpose of complying with any of the provisions of the Noxious Weeds Act, 1950, burn any tussock, scrub, fern, or grass on the said land to be burned, unless in either case he shall have obtained the prior consent in writing of the Commissioner, which consent may be given subject to such terms and conditions as the Commissioner may deem necessary.
12. THAT officers and employees of the Department of Internal Affairs shall at all times have a right of ingress, egress and regress over the land comprised in this licence for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Department is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers and employees in the performance of the said duties shall at all times avoid undue disturbance of the Licensee's stock.
13. THAT the Licensee shall exercise due care in stocking the said land and shall not overstock.

AND it is hereby agreed and declared by and between the Land Settlement Board and the Licensee:—

- (a) THAT the Licensee shall have the exclusive right of pasturage over the said land, but shall have no right to the soil.
- (b) THAT the Licensee shall have no right, title, or claim whatsoever to any minerals (within the meaning of the Land Act, 1948) on or under the surface of the soil of the said land, and all such minerals are reserved to His Majesty together with a free right of way over the said land in favour of the Commissioner or of any person authorized by him and of all persons lawfully engaged in the working, extraction, or removal of any mineral on or under the surface of the said land or any adjacent land of the Crown, subject to the payment to the Licensee of compensation for all damage done to improvements on the said land belonging to the Licensee in the working, extraction, or removal of any such minerals: Provided that there shall be no right of way over, or right to work, extract, or remove any mineral from, any part of the said land which is for the time being under crop or used or situated within a road, garden, orchard, vineyard, nursery, or plantation, or within 100 feet of any building: Provided also that the Licensee may, with the prior consent in writing of the Commissioner, which consent may be given subject to such conditions as the Commissioner thinks fit, use any such minerals for any agricultural, pastoral, household, roadmaking, or building purpose on the said land, but not otherwise.
- (c) THAT the Licensee may, with the prior consent in writing of the Commissioner given subject to such conditions as the Commissioner may deem necessary,—
  - (i) Cultivate any portion of the said land for the purpose of growing winter feed for the stock depastured thereon;
  - (ii) Crop such area of the said land as is sufficient for the use of himself and family and his employees;
  - (iii) Plough and sow in grass any portion of the said land;
  - (iv) Clear any portion of the said land by felling and burning bark or scrub and sow the land so cleared in grass;
  - (v) Surface sow in grass any portion of the said land:
 Provided that the Licensee shall, on the termination of the licence, leave the whole of the area that has been ploughed or cultivated properly laid down in good permanent clover and grass to the satisfaction of the Commissioner.

336/91

386/101

- (2) THAT the Licensee shall carry due care in stocking, and shall not overstock, and for the purpose of this clause it is hereby mutually agreed between the Licensee and the Commissioner that the number of sheep to be depastured on the said land during the winter months shall not exceed the number of sheep shown in the Schedule hereof, and of one and a half for breeding ewes.
- \*\* See below
- (3) THAT the Licensee shall have no right of acquiring the freehold of the said land.
- (4) THAT if the Licensee shall leave New Zealand or abandon the said land or if he cannot be found or if he shall neglect or fail or refuse to comply with the terms and conditions herein expressed or implied to the satisfaction of the Land Settlement Board or the Commissioner, as the case may be, or make default for not less than two months in the payment of rent or other moneys due to the Department of Lands and Survey, then the Land Settlement Board may, subject to the provisions of section 140 of the Land Act, 1914, declare this license to be forfeited, and without discharging or releasing the Licensee from liability for rent due or arrears due or for any prior breach of any term or condition of the License.
- (5) THAT this license is intended to take effect as a pastoral occupation license under the Land Act, 1914, and the provisions of the said Act and of the regulations made thereunder applicable to such license shall be binding in all respects upon the Licensee in the same manner as if such provisions had been fully set out herein.

SCHEDULE

IMPROVEMENTS BELONGING TO THE CROWN AT THE DATE OF THIS LICENSE

Schedule referred to in Clause (1) hereof

- 275 sheep on the Back Block during the six months October to March inclusive
- 275 sheep on the Front Block during the three months April to June inclusive

In witness whereof the Deputy Commissioner of Crown Lands for the Land District of Otago, on behalf of the Land Settlement Board hath hereunto set his hand this first day of March, 1959, in the presence of—

Witness: William Woodcock  
 Occupation: Clark Lands Survey Dept  
 Address: Dunedin

William Woodcock  
Commissioner of Crown Lands

We, the within-named Licensee, hereby accept this license on the terms and conditions specified herein and in witness thereof have hereunto set my hand in the presence of—

Witness: W. H. Hume  
 Occupation: Business  
 Address: 46 St. Andrew St.

Frank Roberts  
Licensee

Witness: W. H. Hume  
 Occupation: Business  
 Address: 46 St. Andrew St.

William Woodcock  
Licensee

- \*\* (2) THAT the Licensee shall be deemed not to have failed to use due care in stocking, or to have overstocked so long as sheep are depastured on the Back Block and the Front Block of the said land in each year of the term of this license only during the periods shown in the Schedule hereto and that the number of sheep so depastured does not exceed the number shown in the said Schedule (the number of sheep shown being in each case an increase of ten per cent on the carrying capacity on which is based the rent hereinbefore reserved) but the Commissioner may by notice in writing permit the Licensee to depasture thereon any greater number should he deem it advisable or expedient so to do. Any permission so granted shall be subject to revocation or amendment by the Commissioner at any time and particularly in the event of a transfer. Any variation consented to by the Commissioner shall not affect the rent payable hereunder.

William Woodcock  
Deputy Commissioner of Crown Lands.

Frank Roberts  
Licensee.

William Woodcock  
Licensee.

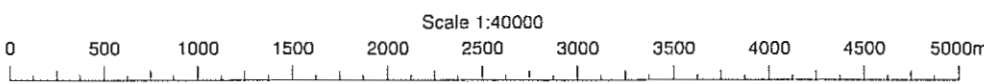
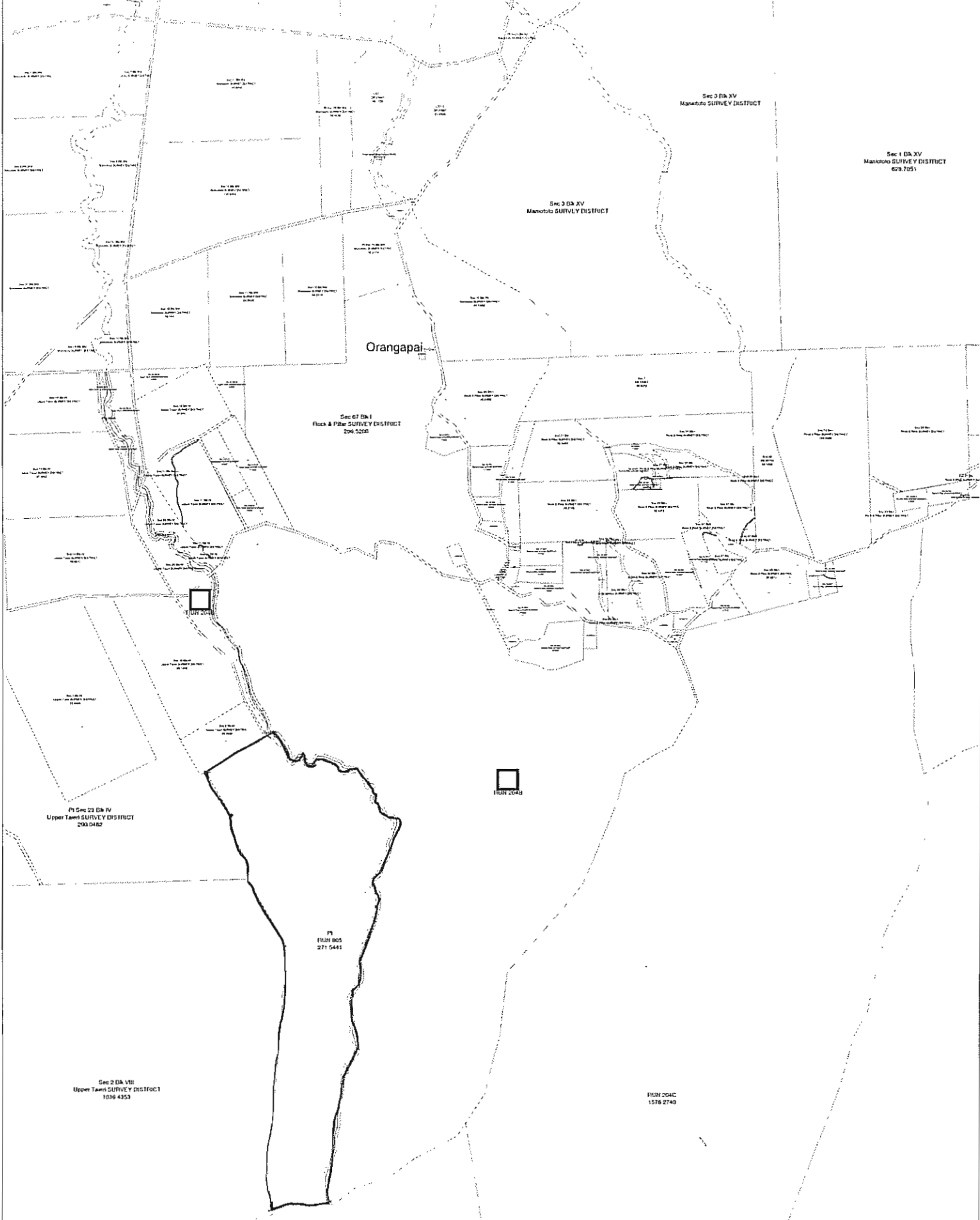
10/118 Pastoral Occupation License  
 issued by within Land Dept  
 W. H. Hume  
 22/1/59







RELEASED UNDER THE OFFICIAL INFORMATION ACT



INL 864.

631713 TE

CERTIFICATE OF NON-REVOCATION  
OF POWER OF ATTORNEY

We, Terence John BELLAMY and Neville John CHALMERS  
both of DUNEDIN, New Zealand, Bank Officers, hereby  
severally certify: -

1. THAT by deed dated the 21st day of February 1979 copies of which are deposited in the Land Transfer Offices at: -

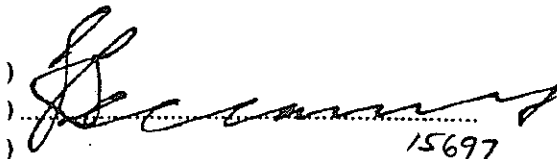
Auckland	as No. 578459	Hokitika	as No. 55526.2
Blenheim	as No. 094351.1	Invercargill	as No. 045120.2
Christchurch	as No. 221000.2	Napier	as No. 363440.1
Dunedin	as No. 513877	Nelson	as No. 194746.1
Gisborne	as No. 130478.2	New Plymouth	as No. 257063.2
Hamilton	as No. H227202	Wellington	as No. 320967.1

Bank of New Zealand appointed as its Attorneys on the terms and subject to the conditions set out in the said deed any two of the following persons, namely: the General Manager and every Deputy General Manager, Assistant General Manager, Chief Manager, District Manager, District Manager Advances and District Assistant Manager Planning and Control/Marketing for the time being of the said Bank and every other person who shall for the time being be acting as the General Manager or as a Deputy General Manager, Assistant General Manager, Chief Manager, District Manager, District Manager Advances or District Assistant Manager Planning and Control/Marketing of the said Bank.

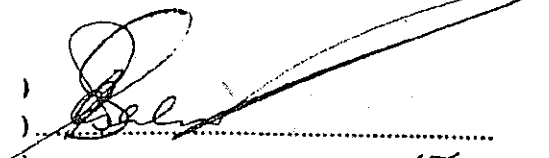
2. THAT we are respectively DISTRICT MANAGER and  
DISTRICT ASSISTANT MANAGER PLANNING & CONTROL/MARKETING of the said Bank and as such are Attorneys  
for the said Bank pursuant to the said deed.

3. THAT at the date hereof we have not received any notice or information of the revocation of that appointment by the winding up of the said Bank or otherwise.

SIGNED at DUNEDIN  
this day of  
19 20 NOV 1984

)   
15697

SIGNED at DUNEDIN  
this day of  
19 NOV 1984

)   
15697



410.00

WHEREAS

CYNTHIA CLARKE of Patearoa Married Woman, HARRIS INGLIS HUNTER of Dunedin Chartered Accountant and JAMES EDWARD BRUNTON of Dunedin Solicitor (hereinafter called "the transferor") are registered as proprietors of an estate of leasehold for years in all those pieces of land situate in the Upper Taieri Survey District containing 1327.0603 Ha more or less being Section 23 Block IV and Section 2 Block VIII of the said Districts and being all the land comprised and described in Renewable Lease No.396 recorded in Certificate of Title Register Book Volume 228 Folio 56 (Otago Land Registry) (hereinafter called "the servient tenement")

AND WHEREAS

DAVID MALCOLM MACDONALD and WILLIAM ANDREW MACDONALD both of Waipiata Farmers (hereinafter called "the transferee") are registered as proprietors of an estate of leasehold for years in all that piece of land situate in the Upper Taieri and Rock and Pillar Survey District containing 271.5441 Ha more or less being Run 805 in Blocks IV and VII Upper Taieri Survey District and Block I Rock and Pillar Survey District and being all the land comprised and described in Pastoral Lease No. P338 recorded in Certificate of Title Register Book Volume 9B Folio 248 (Otago Land Registry) (hereinafter called "the dominant tenement")

AND WHEREAS

the transferor has agreed to grant to the Transferee as an easement appurtenant to the dominant tenement the right to convey water by means of pipeline and water race across the servient tenement the course of the said easement being more particularly shown on the plan annexed hereto

NOW THEREFORE in pursuance of these presents and in consideration of the sum of 10 cents paid by the transferee to the transferor (the receipt of which is hereby acknowledged):

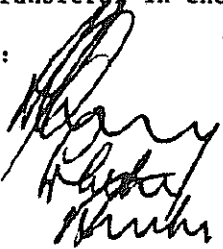
THE TRANSFEROR doth hereby transfer and grant to the transferee the full free and uninterrupted right liberty and privilege following to be an easement forever appurtenant to the dominant tenement subject as hereinafter appears:

- (1) To convey water by way of pipeline and race or either method from the point of intake in an unnamed Creek on the servient tenement along the course marked with the letter "A" on the plan annexed hereto to the point where the race or pipeline enters the dominant tenement and

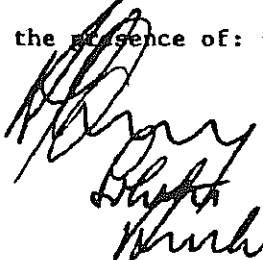
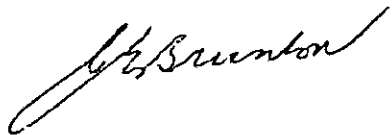
RS



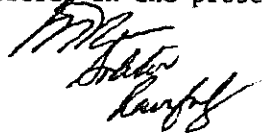
SIGNED by the said HARRIS INGLIS )  
 )  
HUNTER as Transferor in the )  
 )  
presence of: )



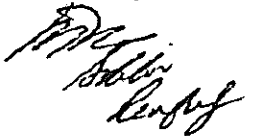
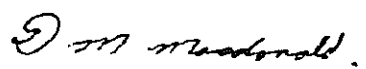
SIGNED by JAMES EDWARD BRUNTON as )  
 )  
Transferor in the presence of: )



SIGNED by WILLIAM ANDREW MACDONALD )  
 )  
as Transferee in the presence of: )

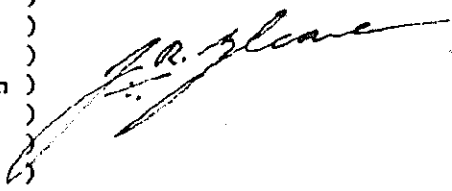


SIGNED by DAVID MALCOLM MACDONALD )  
 )  
as Transferee in the presence of: )



The granting of this agreement has been consented to by the Land Settlement Board pursuant to Section 89 of the Land Act 1948

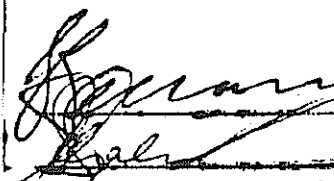

SIGNED for and on behalf of THE )  
 )  
LAND SETTLEMENT BOARD by the )  
 )  
Assistant Commissioner of Crown )  
 )  
Lands for the Land District of )  
 )  
Otago in the presence of: )

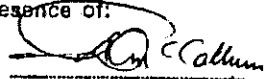


A. A. Charvati  
Clerk  
Dept Lands & Survey, Dunedin.

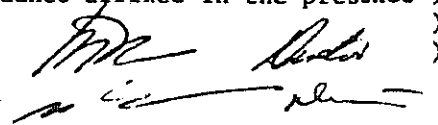
The BANK OF NEW ZEALAND as mortgagee hereby consents to the granting of this easement

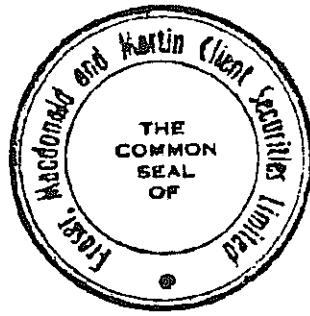
SIGNED for and on behalf of  
BANK OF NEW ZEALAND  
by its Attorneys  
TERENCE JOHN BELLAMY  
NEVILLE JOHN CHALMERS

BANK OF NEW ZEALAND  
By its Attorneys:  
  
  
15677

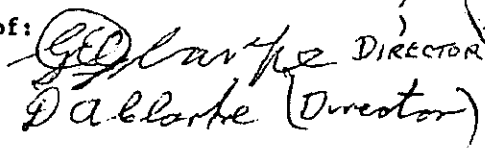
in the presence of:  
Witness:   
Occupation: Bank Officer  
Address: 73 Lonsdale Street  
Dunedin.

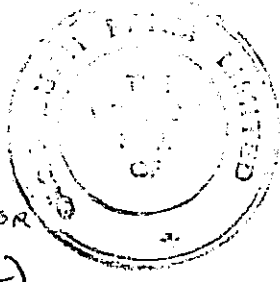
FRASER, MACDONALD AND MARTIN CLIENT SECURITIES LIMITED as mortgagee hereby consents to the granting of this easement.

THE COMMON SEAL of FRASER, MACDONALD )  
AND MARTIN CLIENT SECURITIES LIMITED )  
was hereunto affixed in the presence )  
of:  )

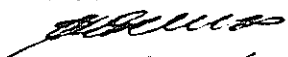


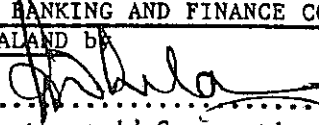
CLOSEBURN FARM LIMITED as mortgagee hereby consents to the granting of this easement.

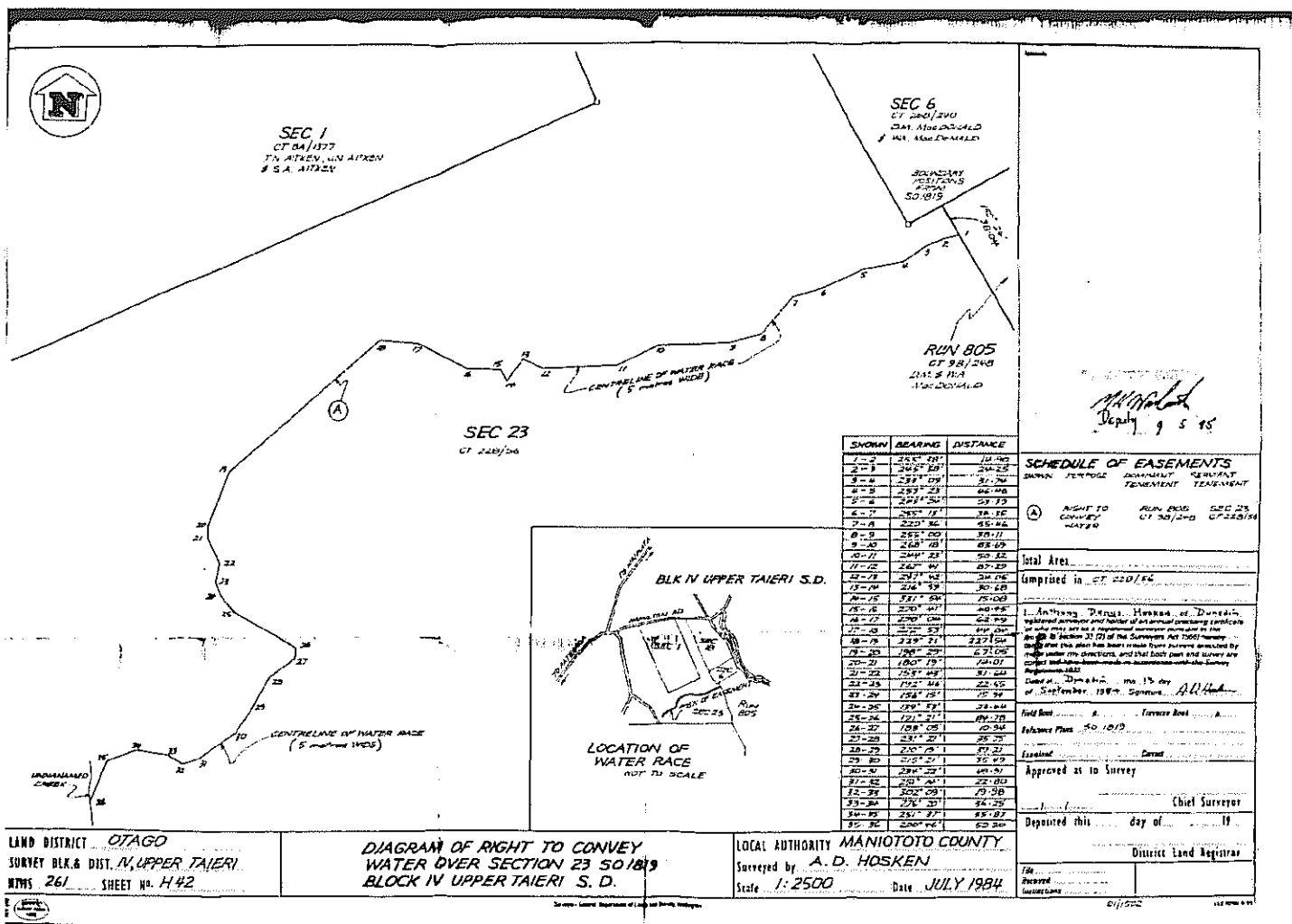
THE COMMON SEAL of CLOSEBURN FARM )  
LIMITED was hereunto affixed in the )  
presence of:  )  
G.D. Clarke (Director) )



THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND as Mortgagee hereby consents to the granting of this easement.

SIGNED for and on behalf of THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND as Mortgagee by:  
MICHAEL JOHN WHELAN  
in the presence of:  
Witness:   
Occupation: Collector  
Address: Dunedin

THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND by   
Acting for the said Corporation pursuant to Section 16 of the Rural Banking and Finance Corporation Act 1974



SHOWN	BEARING	DISTANCE
1-2	35° 18' 00"	10.40
2-3	245° 08'	24.25
3-4	288° 09'	31.70
4-5	253° 23'	64.44
5-6	225° 30'	57.33
6-7	285° 18'	38.15
7-8	222° 36'	45.42
8-9	255° 00'	38.11
9-10	268° 03'	65.69
10-11	244° 23'	50.32
11-12	246° 07'	67.29
12-13	231° 48'	34.06
13-14	224° 39'	30.68
14-15	381° 54'	75.00
15-16	220° 40'	40.88
16-17	220° 02'	62.82
17-18	222° 53'	49.20
18-19	329° 21'	227.50
19-20	198° 20'	67.05
20-21	150° 15'	124.01
21-22	258° 49'	37.24
22-23	192° 48'	22.45
23-24	158° 19'	25.54
24-25	092° 12'	24.84
25-26	121° 21'	89.25
26-27	108° 05'	10.34
27-28	281° 20'	25.25
28-29	220° 11'	91.21
29-30	015° 21'	35.49
30-31	284° 29'	49.50
31-32	281° 20'	25.25
32-33	302° 09'	73.58
33-34	270° 20'	34.25
34-35	251° 37'	65.82
35-36	220° 40'	62.82

SHOWN	PERIOD	DEVELOPMENT	TELEPHONE	TELEVISION
A	RIGHT TO CONVEY WATER	RUN BOS OF 98/2403	SEC 23 OF 249/246	SEC 23 OF 249/246

Total Area \_\_\_\_\_  
 Imprinted in \_\_\_\_\_ of \_\_\_\_\_  
 I, Anthony Dennis, Member of the Council of the Surveyors of New Zealand, do hereby certify that the above is a true and correct copy of the original plan as shown to me by the Surveyors of New Zealand, and that I have compared the same with the original plan and find it to be a true and correct copy of the original plan as shown to me by the Surveyors of New Zealand, and that I have compared the same with the original plan and find it to be a true and correct copy of the original plan as shown to me by the Surveyors of New Zealand.

Date of this certificate, the 15 day of September, 1984. *A.D.H.*  
 Chief Surveyor

Field Book \_\_\_\_\_  
 Reference Plans \_\_\_\_\_  
 Approved as to Survey \_\_\_\_\_  
 Deponent this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 District Land Registrar

LAND DISTRICT OTAGO  
 SURVEY BLK. & DIST. IV, UPPER TAIERI  
 NTWS 261 SHEET No. 142

DIAGRAM OF RIGHT TO CONVEY WATER OVER SECTION 23 SO 1819 BLOCK IV UPPER TAIERI S. D.

LOCAL AUTHORITY MANIOTOTO COUNTY  
 Surveyed by A. D. HOSKEN  
 Scale 1:2500 Date JULY 1984

DATED 1984



CYNTHIA CLARKE  
HARRIS INGLIS HUNTER  
JAMES EDWARD BRUNTON

Transferor

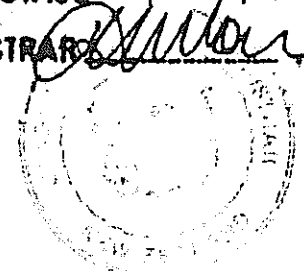
DAVID MALCOLM MACDONALD  
WILLIAM ANDREW MACDONALD

Transferee

11.43 15.MAR85 631713

PARTICULARS ENTERED IN REGISTER I  
LAND REGISTRY OTAGO 228/36 98/248

ASST. LAND REGISTRAR *[Signature]*



GRANT OF WATER RACE EASEMENT

FRASER, MACDONALD, MARTIN & CO  
SOLICITORS  
RANFURLY

01/82

*[Handwritten signature]*

RELEASED UNDER THE OFFICIAL INFORMATION ACT

RELEASED UNDER THE OFFICIAL INFORMATION ACT



Department of Conservation  
*Te Papa Atawhai*

Our ref: P338

50 JUL 2002

3 July 2002

Accredited Supplier  
DTZ New Zealand  
Box 5744  
DUNEDIN

Attention: Martin George

Dear Sir

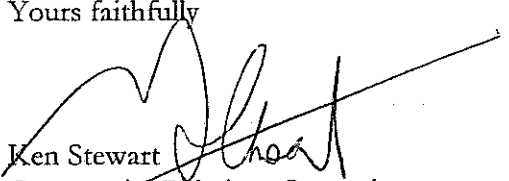
**TENURE REVIEW: GORGE FARM**

I refer to your letter of 25 June 2002.

The attached plan illustrates marginal strips on the boundary of the lease. These are recorded as con unit H42075.

As the department has not always received advice from LINZ when marginal strips are created the department is not able with certainty to say whether there are any other marginal strips affecting this property.

Yours faithfully



  
Ken Stewart  
Community Relations Supervisor  
For Conservator

**Otago Conservancy**

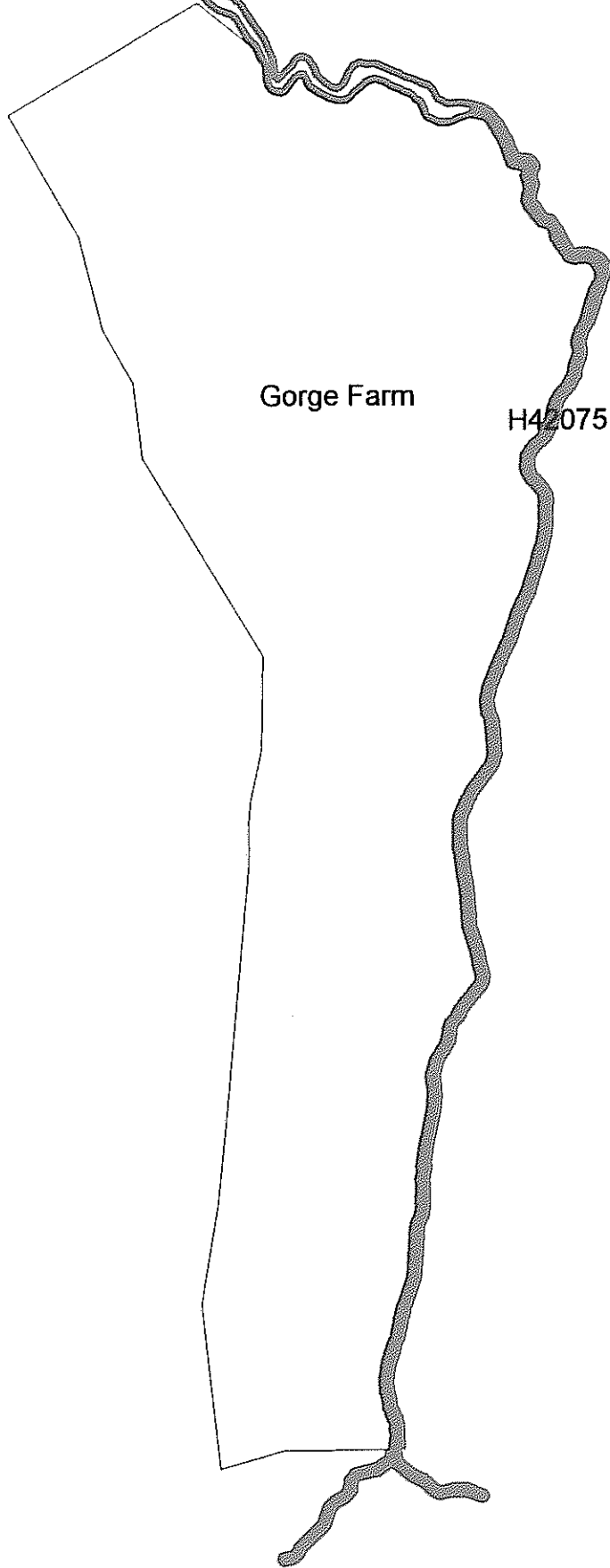
P.O. Box 5244, 77 Stuart Street, Dunedin, New Zealand  
Telephone 03-477 0677, Fax 03-477 8626, [www.doc.govt.nz](http://www.doc.govt.nz)

RELEASED UNDER THE OFFICIAL INFORMATION ACT

### Gorge Farm

-  Pastoral lease.shp
-  Marginal strips.shp

200 0 200 400 Meters



Gorge Farm

H42075



Ministry of Economic  
Development

Manatū Ōhanga

Crown Minerals

Date: 02/07/02

To: Martin George

Fax Number:

03 4775162

From: Michelle Stokes (contact details below)

Priority:

Pages: 3

NOTE OF CONFIDENTIAL INFORMATION: This facsimile message contains information that is confidential and that may be subject to legal privilege. If you are not the intended recipient, you are hereby notified that you must not use, review, disseminate, distribute or copy this facsimile message. If you have received this message in error, please immediately notify us by facsimile or telephone (call collect) and return the original message to us by mail. Thank you.

**SUBJECT: BEAUMONT STATION AND GORGE CREEK STATION**

I'm sorry about the delay Martin.

The area described on your fax of 17/6/02 as Beaumont Station contains exploration permit 40 465, part of which is shown on the accompanying screen-print.

// The area described on your fax of 25/6/02 as Gorge Creek Station contains no current permits or applications for permits on the NMI.



Michelle Stokes  
NMI Administrator

Manager of New Zealand's  
crown owned mineral estate

Head Office, 33 Bowen Street, PO Box 1473, Wellington, New Zealand  
Tel: 474 2941; Fax: 499 0868; www.crownminerals.govt.nz