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From: Directorate: Mineral Regulation: Northern Cape

Date: 04 February 2013

Enquiries: Mr. N.V. Muila

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Ref No: NCS 30/5/1/1/3/2/1/10706EM

The Director
South African Heritage Resources Agency
PO Box 4637
CAPE TOWN
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Attention: Mrs Nonofho Ndobochani

CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN ON THE FARM BONTEKOE NO. 197, SITUATED IN THE MAGISTERIAL DISTRICT OF NAMAQUALAND: NORTHERN CAPE REGION.

#### APPLICANT: ZOLOSPEX (PTY) LTD

Attached herewith, please find a copy of an EMP received from the above-mentioned applicant, for your comments.

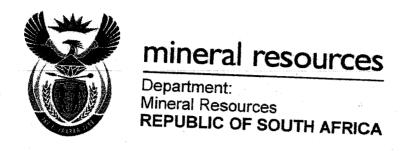
It would be appreciated if you could forward any comments or requirements your Department may have to this office and to the applicant **04 April 2013** as required by the Act.

Consultation in this regard has also been initiated with other relevant State Departments. In an attempt to expedite the consultation process please contact **Vincent Muila** of this office to make arrangements for a site inspection or for any other enquiries with regard to this application.

Your ço-operation will be appreciated.

ACTING REGIONAL MANAGER: MINERAL REGULATION

NORTHERN CAPE REGION

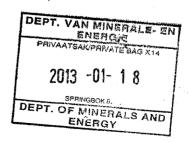


NAME OF APPLICANT: Zolospex (Pty) Ltd

REFERENCE NUMBER: NC30/5/1/2/2/10706PR

## ENVIRONMENTAL MANAGEMENT PLAN

SUBMITTED
IN TERMS OF SECTION 39 AND OF REGULATION 52 OF
THE MINERAL AND PETROLEUM RESOURCES
DEVELOPMENT ACT, 2002,
(ACT NO. 28 OF 2002) (the Act)



#### STANDARD DIRECTIVE

Applicants for prospecting rights or mining permits, are herewith, in terms of the provisions of Section 29 (a) and in terms of section 39 (5) of the Mineral and Petroleum Resources Development Act, directed to submit an Environmental Management Plan strictly in accordance with the subject headings herein, and to compile the content according to all the sub items to the said subject headings referred to in the guideline published on the Departments website, within 60 days of notification by the Regional Manager of the acceptance of such application. This document comprises the standard format provided by the Department in terms of Regulation 52 (2), and the standard environmental management plan which was in use prior to the year 2011, will no longer be accepted.

## IDENTIFICATION OF THE APPLICATION IN RESPECT OF WHICH THE ENVIRONMENTAL MANAGEMENT PLAN IS SUBMITTED.

ITEM	COMPANY CONTACT DETAILS
Name	Zolospex (Pty) Ltd
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	82802146

ITEM	CONSULTANT CONTACT DETAILS (If applicable)
Name	Philip le Roux - Technical Consultant
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- 1 REGULATION 52 (2): Description of the environment likely to be affected by the proposed prospecting or mining operation
  - 1.1 The environment on site relative to the environment in the surrounding area.

The application area is zoned as agriculture land and the main farming activity that is taking place in the area is goat and sheep farming. In the close vicinity of the prospecting area the land is dominated by previous mining activities including pits, and trenches.

The proposed prospecting area from part of the Gariep Supergroup. The Gariep Supergroup comprises the succession of sedimentary rocks formerly known as the Gariep Complexs. The Gariep Supergroup crops out in the north-western and western parts on the coastal plain, where they are largely covered by wind-blown sand.

The proposed prospecting area falls within the part of the Gariep Supergroup known as the Quaternary Group that refers to the lower rubits, arenites and conglomerates and the rest with an angular unconformity on the granitic basement. Diamond mineralisation is associated with this Group.

1.2The specific environmental features on the site applied for which may require protection, remediation, management or avoidance.

Topsoil normally 300mm thick in the form of windblown red dune sand is present over the area. The sub base is dominated by "Dorbank", calcreet and clay in different layers.

The vegetation is dominated by grass land. This vegetation is characterised by Sipagrostis capensis and Stipagrostis brevifolia with Accasia enloloba trees. On the rocky area occasional Sarcocalon spp, Zygophylium retrofractum and Sisendile sparitee are present. The vegetation cover on the area is less than 10%.

Large herbivors are absent due to the altered habitat and conflicting land use. The fauna components are mainly represented by small mammals and reptiles. The habitats are however well represented in the surrounding area.

1.3 Maps showing the spatial locality of all environmental, cultural/heritage and current land use features identified on site.

As can be seen from the map below there is three major environments associated with the prospecting area:

- 1. River system, this area has not been applied for and the prospecting application area is above the 100 year flood line
- 2. Previous mining activities
- 3. The prospecting areas marked in red and green that is mainly on agricultural land.



1.4 Confirmation that the description of the environment has been compiled with the participation of the community, the landowner and interested and affected parties,

Refer to the attachment Appendix 1 – that show that the local Municipality and other direct affected parties was informed and there comments taken into account.

- 2 REGULATION 52 (2) (b): Assessment of the potential impacts of the proposed prospecting or mining operation on the environment, socioeconomic conditions and cultural heritage.
- 2.1 Description of the proposed prospecting or mining operation.
  - The main prospecting activities (e.g. access 2.1.1 topsoil storage sites and any other basic roads. prospecting design features)

The exploration activities planned would take place in phases and only if the previous exploration phase results are positive would the next planned exploration phase be implemented.

Phase 1 – Geophysical Survey

Phase 2 - Percussion Drilling

Phase 3 - Trenching and Washing of gravel.

The following geophysical method will be implemented:

- a. After detail geological mapping of the area an
- b. Electromagnetic (EM-34) geophysical survey of prospective area would be conducted
- c. Estimate survey spacing would be 200m line spacing with reading 20m along lines

The following drilling method would be implemented:

- a. The position of the boreholes to be drilled will be determined by the results of the geophysical survey.
- b. Estimate amount of boreholes would not exceed 30.
- c. Estimate end of hole depth of the holes would be estimate
- d. Borehole to be positioned by handheld GPS
- e. Percussion drilling would take place from surface to the bottom of hole.
- f. Detailed logging of core chips.
- g. Sampling of ore intersections, if any.
- h. Specific Gravity calculations of sampled zone.
- i. Capturing of all data in a GIS database.
- j. Survey of the holes location by a qualified surveyor.

The following trenching and sampling methods would be implemented:

- a. In the area that the drilling has identified gravel trenches will be made.
- b. Total amount of trenches will not exceed 5.
- c. The layout plans will be updated together with regular performance assessments and update of quantum of financial provision for rehabilitation as the prospecting process is progressing.

- d. Trenching would be done by way of mechanical means with a 30-ton excavator.
- e. Topsoil and overburden rocks (estimate 75% of volume) will be removed and stock piled.
- f. Trenches will be dug onto bedrock and all gravel will be place on a stock pile near the plant area making use of B30 dumpers.
- g. The extent of the gravel stockpiles will never exceed 200m<sup>2</sup>
- h. Oversize material large than 75mm will be removed using a grizzly.
- i. The gravel would then be washed to recover diamonds making use of a 10 meter rotary pan.
- j. The concentrate recovered from the rotary pan will go over a de-watering screen in order to remove all sand and the remaining will go over a grease table where diamonds will be recovered.
- k. After washing all gravel and oversize material together with sand would be used to back fill all the trenches.
- After the trenches has been backfilled the topsoil will be replace.
- m. 3D modeling base on drilling, trenching and washing results will be constructed using Micromine software.
- n. Resource estimations would be done.

#### Propose time table

Prospecting Activity	4	,	,									Mont	hs											
Phase 1			-	4	1	9 6	7	1 -	3 9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	2
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Phase 2				-	_	_	-	<del> </del>	ļ												-			
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## 2.1.2 Plan of the main activities with dimensions

The planned boreholes will be HQ (97CM) in diameter and trenches will not exceed 50m in length 8m in width and estimate 7 m in depth.

A plan of the invasive drilling programme would only be done based on the geophysical results and the same for the trenching, the planned positions would only be decided upon after the drilling has been completed. Plans showing the location of each of these activities when available will be forward to the DMR and be discussing with the affected parties before the activity would commence.

## 2.1.3 Description of construction, operational, and decommissioning phases.

All planning of access roads, drill sites and trenches will be done in conjunction with the land owners. The site geologist will peg out the planned access roads, drill sites and trenches.

Careful planning of drilling and trenching operations will be necessary to minimize both the impacts upon the environment, as well as the success and cost of future rehabilitation works.

The purpose of this procedure is to describe the methods for the management of topsoil and rehabilitation of areas disturbed by prospecting activities.

This procedure will be implemented where required. At the completion of prospecting activities it is essential that all disturbed areas be rehabilitated to promote the natural revegetation of these areas.

The aim of all rehabilitation programs is to restore and return the site as close possible to its original state i.e. similar to the state before prospecting activities commenced. Early and effective planning, before a site is disturbed, will assist in the successful regeneration of these areas.

## 2.1.4 Listed activities (in terms of the NEMA EIA regulations)

Construction of Access Road Drilling Trenching

### 2.2 Identification of potential impacts

(Refer to the guideline)

## 2.2.1 Potential impacts per activity and listed activities.

Construction of Access Road Potential Pollution: Land, Air, Noise Disturbance: Landform

Drillina

Potential Pollution: Land, Water, Noise

Disturbance: Landform, Soil

Trenching

Potential Pollution: Land, Water, Noise Disturbance: Landform, Soil, water table

### 2.2.2 Potential cumulative impacts.

The cumulative impact of the operation will be limited, because only one drilling rig will be used during the prospecting phase. Should any negative impact on the environment occur during the drilling of one of the boreholes, the drilling will be stopped and rectified before the next hole is drilled.

Trenching would however have a larger impact on the environment and the cumulative impact of five trenches that is not rehabilitated after the prospecting has been completed may be large. Due to this the first trench would need to be rehabilitated before the third trench is dug. Therefore the cumulative impact on any giving time would be two un rehabilitated trenches.

## 2.2.3 Potential impact on heritage resources No heritage recources have been identified in the area.

## 2.2.4 Potential impacts on communities, individuals or competing land uses in close proximity.

(If no such impacts are identified this must be specifically stated together with a clear explanation why this is not the case.)

The only impact can possibly be a very limited destruction of vegetation for the farmer's animals should this be unavoidable.

# 2.2.5 Confirmation that the list of potential impacts has been compiled with the participation of the landowner and interested and affected parties,

This EMP would be forwarded to all interest and affected parties that has been identified for their comments on the potential impacts. These comments would be incorporated in the final EMP.

## 2.2.6 Confirmation of specialist report appended. (Refer to guideline)

Due to the fact that:-

drilling and trenching will only take place in, commercial farm lands

drilling and trenching will only take place outside the 100y flood line

the company assessed that no specialist studies are required.

- 3 REGULATION 52 (2) (c): Summary of the assessment of the significance of the potential impacts and the proposed mitigation measures to minimise adverse impacts.
  - 3.1 Assessment of the significance of the potential impacts

## 3.1.1 Criteria of assigning significance to potential impacts

Construction of Access Road

Land - Low - will only be tracks.

Air and noise – Low – away from any buildings or settlements

#### **Drilling**

Land – Low – the impact is very small due to the size of the hole.

Water – Low – No chemical processes that can potentially contaminate any ground water, or surface water will be used during the drilling program.

Noise – Medium – However far away from any human settlements

Air- high - Dust due to the fact that the drilling is a dry process.

#### Trenching

Land – High – Land surface and the topography would be disturbed due to trenching.

Water – Medium – No chemical processes that can potentially contaminate any ground water, or surface water will be used during the trenching, the possibility of fuel spills do however exist.

Noise – Medium – However far away from any human settlements

Air- High – Due to the lack of water in the area to hose down the activity.

## 3.1.2 Potential impact of each main activity in each phase, and corresponding significance assessment

The only invasive phase will be drilling and trenching activities, refer to 3.1.1 for details

## 3.1.3 Assessment of potential cumulative impacts.

Medium, mainly due to the planned trenching activities.

## 3.2 Proposed mitigation measures to minimise adverse impacts.

## 3.2.1 List of actions, activities, or processes that have sufficiently significant impacts to require mitigation.

The following procedures will be implemented to minimise the impact of each activity.

#### Pre-drilling / Trenching

It is important that the following requirements are considered prior to a drilling rig being brought onto and used at a specific location or program:

- Select a drilling rig and trenching equipment that is both suitable for the job required and will result in minimal impact;
- When selecting a drilling / trenching contractor , determine their previous record for conducting work in a responsible manner;
- ensure that drilling / trenching contractors are aware of the environmental clauses and their liability under the drilling contract;
- confirm that the area selected for drilling / trenching are not sensitive in either an environmental or cultural context (e.g. susceptible to erosion or have heritage values);
- has the rig and other equipment been thoroughly cleaned to remove any soil, plant or weed material that is foreign to the site;
- is appropriate fire fighting equipment available and have spark arresters been fitted to exhausts if the rig is to be used in regions of long grass;
- have preventative maintenance checks been undertaken to minimize the chance of fluid leaks from the vehicle (e.g. hydraulic lines); and
- have all access tracks to drill pad and trenches sites been constructed in advance

### Siting of Drilling Pads and Trenches

A number of important issues need to be considered in the selection of suitable drill pad and trench sites. All designated drill pad and trench sites need to be:

- Topsoil Management and Rehabilitation of this manual kept to a minimal size, with the unnecessary clearing of vegetation avoided, while still allowing the drilling operation to be carried out in a safe and efficient manner;
- sited to avoid direct and indirect impact(i.e. runoff, dust ect) on sensitive areas; and

 sited away from drainage lines and water courses and suitable buffer zone established.

### Operation of Drilling Rigs

The actual operation of drilling rigs can impact on the environment in a number of ways. It is important that company personnel responsible for drilling contractors:

- encourage contract drilling companies to use biodegradable additives;
- ensure the drilling contractor is trained in the containment and clean up of spilled hydrocarbons;
- ensure that litter or waste should ever be placed down a drill hole
- ensure, for both occupational health and environmental reasons, that all drilling operations minimize the level of dust and noise that is generated; and
- communicate to the drilling contractor their environmental responsibilities, in order that a high level of environmental performance is consistently achieved in the field.

### Containment and clean up of spills

All spillages of lubricating oils, hydraulic oils and diesel spills must be:

- contained immediately and not allowed to enter any drainage lines or watercourses; and
- cleaned up, with all contaminated soil collected and removed from the site and disposed of at a licensed hazardous waste site.

### Capping of Drill Holes

Uncapped drill hopes can be a serious hazard to small native wildlife as a result of their direct trapping down drill holes. Larger animals may also be injured by drill holes being left uncapped. Drill holes can also be prone to erosion and can potentially modify the drainage patterns of the surrounding area.

The use of PVC casing at the top of the hole can assist in preventing caving and it also makes capping easier.

Specifically, at the completion of drilling activities or the drilling contractor generally, shall do the following:

- re-level the ground to the pre-drilling contour without leaving a hole or depression;
- if applicable, cut the casing to 50 cm below the surface;
- cap all drilled holes with drill contractor supplied plugs;
- ensure that the plug is correctly seated into the casing
- seal the hole with a concrete plug of 0.5m by 0.25m dimension, with polypipe sticking out of the plug to identity the hole. Top of concrete plug with subsoils and then topsoil until it is level with ground surface.

This completes the contractor's responsibility for the hole.

Diamond drilling is a wet drilling method but no drilling fluids or chemicals will be required; therefore no contaminants will be introduced into the groundwater during drilling.

The clearing of tracks for vehicle access can result in the clearance of large areas of vegetation and subsequently reduce the visual amenity of area from both the ground and air.

It is critical that all access roads and tracks are carefully sited and properly constructed in order to reduce the environmental impact (e.g. erosion) and the level of maintenance required over the life of the prospecting program.

#### Roads and Tracks

#### Planning

The single most important feature of track construction is good planning. Thorough planning can significantly decrease the environment impact of this activity and will improve the quality and reduce the cost of future rehabilitation works.

#### Approvals

Approval to construct roads and tracks requires the company to:

- firstly, consider whether a road is actually required or can access be gained via alternative methods;
- determine if there are any existing roads/tracks that can be used to gain access to designated area:
- determine if the construction of all required roads is permitted under the prospecting conditions and that the required approvals have been secured from the relevant authorities;

#### and

 consult with landowners to determine any additional requirements that may be Important prior to constructing the road.

### Locating Access Road and Tracks

Determining the most favourable location of access roads and tracks requires consideration of following:

- Use of aerial photographs to assist in the location of tracks and roads, especially in areas with considerable vegetation present;
- Determine the type and volume of traffic likely to use the track and how long access will be required;
- Plan all routes along suitable natural features and avoid areas of high erosion potential, the crossing of drainage channels and any areas of dense or sensitive vegetation;
- Stand of mature trees must be avoided and not cleared; and

 Roads should ascend and descend along ridges wherever possible and traverse slopes along contour lines.

Constructing Roads and Tracks

If no existing access roads are available and the company requires a track to be constructed then the following issues need to be considered:

- Existing roads must be used as far as possible, new roads may only be constructed after the submission on a limited EIA;
- Before construction commences, it is crucial that all earth moving and road equipment is cleaned of all soil and plant/weed seeds before being moved to the new area; and
- Aim for construction of roads during favourable seasons (i.e. avoid construction of roads and tracks during the wet season).

#### Trenches

- 1. The excavated area must serve as a final depositing area for the placement of tailings during processing.
- 2. Rocks and coarse material removed from the excavation will be dumped into the excavation simultaneously with tailings.
- 3. No waste will be deposited into the excavations
- 4. Once excavations have been refilled with overburden, rocks and coarse natural materials and profiled with acceptable contours and erosion control measures, the topsoil previously stored will be returned to the original depth of the area.
- 5. The area shall be fertilised if necessary to allow vegetation to establish rapidly. The site will be seeded with a local or adapted indigenous seed mix in order to propagate the locally or regionally occurring flora.

### Additional requirements:

In addition to actual tract construction, a number of other requirements need to be met, including:

- Ensure that all topsoil or vegetation that is removed is stockpiled for later use during road/track rehabilitation;
- Allow for surface run off from road to be diverted away via spoon drains and void any erosion damage or sediment loads into water bodies;
- Avoid any significant work maintenance on tracks or roads during wet weather; and
- Instruct contractor drilling personnel about their responsibility in the correct use of tracts and roads.

### Management of Hydrocarbons

#### Transportation

The transportation of all hydrocarbon products will be in accordance with the relevant Explosives and Dangerous Goods Code and the company's safety requirements. Specifically:

- All vehicles transporting fuels and oils must be roadworthy and suitable for the safe transport of the goods question;
- All drums or containers should be properly secured to restrict movement and spillage;
- Appropriate identification and safety signs must be displayed and fire equipment carried for the transportation of bulk quantities; and
- Responsible driving practices must be adhered to at all times.

### Storage of Bulk Fuels and Oils

Bulk fuel and oil storage requires that all safety consideration are met and sufficient secondary containment is provided to contain potential spills. Specifically, the storage of fuels and oils:

- Require adequate fire extinguishers to be available; and
- That requires offsite disposal or recycling, will have appropriate storage containers and be stored in a safe and secure manner.

### Use of Hydrocarbon Products

All refuelling and serving of vehicles and drilling rigs should be managed in accordance with the guidelines outlined in this procedure, with the intent of limiting the probability of spills and any subsequent damage to the environment. To achieve this, the following work practices must be adhered to.

- Refuelling and serving of most vehicles and equipment must be carried out in a designated area within the fuel storage area;
- All unloading, loading or handling of fuels must be conducted away from drainage line;
- Drilling rigs should ideally be serviced and refueled at prospecting camps. If drilling rigs require any refuelling or serving whilst at drill pads then all relevant precaution should be taken to minimise the probability of spills:
- All soil contaminated by fuel or oil spill shall be removed to the prospecting camp for temporary storage, prior to the removal off the tenement:
- In the event of the hydrocarbon contaminated soil cannot be removed to the prospecting camp, it should be spread thinly over disturbed ground, ripped and a small quantity of fertilizer added to facilitate remediation;
- Empty fuel and oil drums must be properly stockpiled, in the bounded area, to eliminate the spillage of residual oils and fuels;
- All empty drums and containers must be periodically removed from the site and appropriately disposed or recycled;
- All spills over 20 litres must be reported

## 3.2.2 Concomitant list of appropriate technical or management options

(Chosen to modify, remedy, control or stop any action, activity, or process which will cause significant impacts on the environment, socio-economic conditions and historical and cultural aspects as identified. Attach detail of each technical or management option as appendices)

The biggest potential impact is trenching and due to this management has made a decision that only two trenches would be open at any time. Before a new trench would be dug one for the old trenches first need to be rehabilitated.

## 3.2.3 Review the significance of the identified impacts

(After bringing the proposed mitigation measures into consideration).

The impact of the planned exploration program would be medium.

4 REGULATION 52 (2) (d): Financial provision. The applicant is required to-

### 4.1 Plans for quantum calculation purposes.

(Show the location and aerial extent of the aforesaid main mining actions, activities, or processes, for each of the construction operational and closure phases of the operation).

No plans is available at the moment refer to section 2.2.1 for reasons.

## 4.2 Alignment of rehabilitation with the closure objectives

(Describe and ensure that the rehabilitation plan is compatible with the closure objectives determined in accordance with the baseline study as prescribed).

The only impact would be the re-habitation of the proposed 30 drill hole sites and maximum of five trenches of which only two will be un rehabilitated at any time.

#### 4.3 Quantum calculations.

(Provide a calculation of the quantum of the financial provision required to manage and rehabilitate the environment, in accordance with the guideline prescribed in terms of regulation54 (1) in respect of each of the phases referred to).

The only rehabilitation would be that of the drill holes.

The following assumptions in calculation of the financial provision

Levelling of drill site – 5 hours – two persons Cleaning of sumps – 3 hours – two persons Closing of sumps – 10 hours – two persons General site cleaning – 2 hours – two persons Total of 20 hours for two people @ R 30 per hour = R600

Management of re-habitation R66 per site

Total of R666 per drill site = R20 000 for the project (30 holes)

Two trenches 50m\*8m\*7m \*2 (trenches) = 5 600m3 @ cost of R9 per m3 – R50 000

This is the amount budgeted for is the prospecting work program

## 4.4 Undertaking to provide financial provision

(Indicate that the required amount will be provided should the right be granted).

The amount of R70 000 (R20 000 for the first year and R50000 for the secong year) will be provided as a bank guarantee if the right is granted.

- 5 REGULATION 52 (2) (e): Planned monitoring and performance assessment of the environmental management plan.
- 5.1 List of identified impacts requiring monitoring programmes.

The drilling and trenching program require monitoring

5.2 Functional requirements for monitoring programmes.

Make sure the procedures in 3.2.1 is followed

5.3 Roles and responsibilities for the execution of monitoring programmes.

The site geologist will be responsible for management and monitoring of the program. An independent environmental consultant will be appointed at the end of each of the two planned drilling phases in order to independently verify and approve of the re-habitation of each site and trench.

## 5.4 Committed time frames for monitoring and reporting.

Each site needs to be repaired within 7 days of completion of the drilling and the site geologist will monitor this.

At the end of the drilling phase (about 30 holes) the independent consultant will monitor and sign off on each site.

For the trenching the third trench may only start once the first trench had been rehabilitated.

Independent consultant would also have to sign off after the trenching have been completed.

## 6 REGULATION 52 (2) (f): Closure and environmental objectives.

#### 6.1 Rehabilitation plan

(Show the areas and aerial extent of the main prospecting activities, including the anticipated prospected area at the time of closure).

#### Rehabilitation Planning

Assemble all photographic and written records that detail the condition of the site prior to the prospecting program; and in consultation with landowners, develop a suitable rehabilitation plan or strategy for the site.

### General Rehabilitation Principles

Successful rehabilitation of disturbed areas requires that all the following guidelines be implemented:

- The removal of all structures, waste material and contaminated soil;
- Filing of all pits and sumps and the re-establishment of all natural drainage lines;
- Ensuring that all drill holes are capped ensuring that all rehabilitation work carried out promotes the contouring and subsequent blending of the area back to the original land form;
- areas of compacted subsoil are loosened and stored topsoil is effectively redistributed over re-contoured areas; and
- the success of re generated areas, including any areas prone to erosion, is monitored.

## 6.2 Closure objectives and their extent of alignment to the pre-mining environment.

Closure and Rehabilitation

After planning, the key stage of rehabilitation that are required include the:

- removal of all equipment from the site including all accommodation units, storage sheds etc;
- removal of any stockpiled waste or recyclable materials;
- excavation and removals of any contaminated soil from the fuel storage facility or any other areas within the camp;
- filling and levelling of all drains, sumps or other water diversions with the aim of reconstructing the contours of the original land form;
- re-spreading of all available original topsoil and any stockpile vegetation over the site;

- deep ripping of heavily or harrowing is done along the contours of sloping sites; and
- documenting of the rehabilitation work and periodic monitoring of the site to determine the success of the work.

#### 6.3 Confirmation of consultation

(Confirm specifically that the environmental objectives in relation to closure have been consulted with landowner and interested and affected parties).

This Environmental Management Plan would be forwarded to each of the landowners and affected parties for further comments, and these comments would be in-corporate in the final EMP plan.

## 7 REGULATION 52 (2) (g): Record of the public participation and the results thereof.

Refer to the attached report Appendix 1 – "Report on the results of consultation" that address point 7.1 – 7.3 in detail.

Refer mainly to sections

E1 - Response from Nama Khoi Municipality

E2 - Feedback from De Beers

E3 - Draft agreement between Zolospex and De Beers

E4 - Feedback from Bonte Koe Mynbou

## 8 SECTION 39 (3) (c) of the Act: Environmental awareness plan.

### 8.1 Employee communication process

(Describe how the applicant intends to inform his or her employees of any environmental risk which may result from their work).

Daily site meetings will be held with employees and all employees will do an induction course. The company has appointed Geoserve Exploration Drilling (Pty) Ltd as the drilling contractors. This company is the only drilling company in South Africa that has ISO 9001 and ISO14001. This means that they have an environmental policy in place that is of world standard.

#### 8.2 Description of solutions to risks

(Describe the manner in which the risk must be dealt with in order to avoid pollution or degradation of the environment).

Geoserve will have a trained environmental specialist at the rig. He will monitor and identify any environmental impacts and report to management. Any such impact will be dealt with immediately.

8.3 Environmental awareness training.

(Describe the general environmental awareness training and training on dealing with emergency situations and remediation measures for such emergencies).

All the personnel will has go on extensive training courses, including environmental awareness aspects.

- 9 SECTION 39 (4) (a) (iii) of the Act: Capacity to rehabilitate and manage negative impacts on the environment.
- 9.1 The annual amount required to manage and rehabilitate the environment.

(Provide a detailed explanation as to how the amount was derived)

The total annual amount is R20 000 per year, based on fact that 30 boreholes would be drilled in the first year and R50 000 for the second year then trenching is planned. Refer to section 4.3.

9.2 that the stated amount correctly reflected in the Prospecting Work Programme as required.

Attached is table 9.2.1 of the Prospecting Work Programme that indicates that the amount of R70 000 has been budgeted for rehabilitation.

10 REGULATION 52 (2) (h): Undertaking to execute the environmental management plan.

Herewith I, the person whose name and identity number is stated below, confirm that I am the person authorised to act as representative of the applicant in terms of the resolution submitted with the application, and confirm that the above report comprises EIA and EMP compiled in accordance with the guideline on the Departments official website and the directive in terms of sections 29 and 39 (5) in that regard, and the applicant undertakes to execute the Environmental management plan as proposed.

Full Names and Surname	Philip le Roux
identity Number	671021 5103 08 4

## 7.3.3 All other evidence of Technical Ability (append)

As mentioned in 7.2 would make use as large service provided that has all the necessary skills and knowledge to successfully run this type of exploration program.

8. REGULATION 7(1)(j)(ii): DETAILS WITH DOCUMENTARY PROOF OF A BUDGET AND DOCUMENTARY PROOF OF THE APPLICANT'S FINANCIAL ABILITY OR ACCESS THERETO

**AND** 

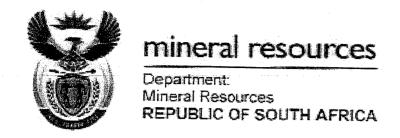
9. REGULATION 7(1)(k): A COST ESTIMATEOF THE EXPENDITURE TO BE INCURRED FOR EACH PHASE OF THE PROPOSED PROSPECTING OPERATION (remember to also include prospecting fees)

Activity	Year 1 Expenditure (R')	Year 2 Expenditure (R')	Year 3 Expenditure (R')
Phase 1	6 months	<u> </u>	· (4x )
Site Establishment Survey Interpretation	R 5 000 R 65 000 R 20 000		
Phase 2	6 months	€ (	
Site Establishment	R 10 000		
Drilling Cost Geological Management Rehabilitation	R 150 000 R 30 000 R 20 000		
Phase 3		12 months	
Site establishment		R 10 000	
Trenching		R 200 000	1
Washing Management Rehabilitation		R 150 000 R 40 000 R 50 000	- Andrews
Administration			
Admin and prospecting fees	R 20 000	R 30 000	
Annual Total	R 320 000	R 480 000	
		Total Budget	R 800 000

## 10. FINANCIAL ABILITY TO GIVE EFFECT TO THE WORK PROGRAMME

10.1 The amount required to finance the Work Programme.

Appendix 1



NAME OF APPLICANT: Zolospex (Pty) Ltd

REFERENCE NUMBER: NC 30/5/1/1/2/10706 PR

# REPORT ON THE RESULTS OF CONSULTATION

# WITH COMMUNITIES AND INTERESTED AND AFFECTED PARTIES

AS REQUIRED IN TERMS OF SECTIONS, 16(4)(b) or 27 (5) (b) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT (ACT 28 of 2002), AND IN ACCORDANCE WITH THE STANDARD DIRECTIVE FOR THE COMPILATION THEREOF AS PUBLISHED ON THE OFFICIAL WEBSITE OF THE DEPARTMENT OF MINERAL RESOURCES.

#### A. Definitions

'consultation' means a two way communication process between the applicant and the community or interested and affected party wherein the former is seeking, listening to, and considering the latter's response, which allows openness in the decision making process.

'community' means a group of historically disadvantaged persons with interest or rights in a particular area of land on which the members have or exercise communal rights in terms of an agreement, custom or law: Provided that, where as a consequence of the provisions of the Act negotiations or consultations with the community are required, the community shall include the members or part of the community, directly affected by prospecting or mining, on land occupied by such members or part of the community.

"Interested and affected" parties include, but are not limited to: -

- (i) Host Communities
- (ii) Landowners (Traditional and Title Deed owners)
- (iii) Traditional Authority
- (iv) Land Claimants
- (v) Lawful land occupier
- (vi) The Department of Land Affairs.
- (vii) Any other person (including on adjacent and non-adjacent properties) whose socioeconomic conditions may be directly affected by the proposed prospecting or mining operation
- (vai) The Local Municipality.
- (ix) The relevant Government Departments, agencies and institutions responsible for the various aspects of the environment and for infrastructure which may be affected by the proposed project.

#### B. Report on the results of consultation

- 1. Methodology applied to consultation.
  - Name the community or communities identified, or explain why no such community was identified.

The land belong to the state

- 1.2. Specifically state whether or not the Community is also the landowner.

  Land belong to the state
- 1.3. State whether or not the Department of Land Affairs been identified as an interested and affected party.

#### Was not informed

- 1.4. State specifically whether or not a land claim is involved.
  There is no knowledge of any land claim:
- 1.5. Name the Traditional Authority identified

#### **Municipality of Springbok**

1.6. List the landowners identified by the applicant. (Traditional and Title Deed owners)

Uitvoerende bestuur van die verteenwoordigende kleurlingraad

1.7. List the lawful occupiers of the land concerned.

No people stay on this portion of land

1.8. Explain whether or not other persons' (including on adjacent and non-adjacent properties) socio-economic conditions will be directly affected by the proposed prospecting or mining operation and if not, explain why not.

Two companies that has mining rights in the area may be affected namely De Beers Consolidated Mines (Pty) Ltd and Bontekoe Mynbou Ondernemings 1.9. Name the Local Municipality identified by the applicant

#### **Municipality of Springbok**

1.10. Name the relevant Government Departments, agencies and institutions responsible for the various aspects of the environment and for infrastructure which may be affected by the proposed project.

Municipality of Springbok and the Regional Director of the Department of Mineral Resources.

1.11. Submit evidence that the landowner or lawful occupier of the land in question, and any other interested and affected parties including all those listed above, were notified.

Letter to the affected parties, and prove of registered to affected parties as well as advert place in local newspaper (Die Platterlander 16 November 2012) has been attached. Appendix A1 -

- Description of the existing status of the cultural, socio-economic or biophysical environment, as the case may be, prior to the proposed prospecting or mining operation.
  - 2.1.1. Confirm that the identified and consulted interested and affected parties agree on the description of the existing status of the environment.

No feedback has been ontain from any interested and affected party to date.

2.1.2. Describe the existing status of the cultural environment that may be affected

No impact

 2.1.3. Describe the existing status of any heritage environment that may be affected

No impact

2.1.4. Describe the existing status of any current land uses and the socioeconomic environment that may be directly affected

### Argiculture ground may be affected by the bulk sampling

2.1.5. Describe the existing status of any infrastructure that may be affected.

No impact on existing infrastructure

2.1.6. Describe the existing status of the biophysical environment that will be affected, including the main aspects such as water resources, flora, fauna, air, soil, topography etc.

The bulk sampling will impact on the soil and topography of thea area

2.1.7. Provide any relevant additional information.

None

- 3. The anticipated environmental, social or cultural impacts identified.
  - 3.1 Confirm that the community and identified interested and affected parties have been consulted and that they agree that the potential impacts identified include those identified by them.
    - 3.1.1. Provide a list and description of potential impacts identified on the cultural environment.

None

 Provide a list and description of potential impacts identified on the heritage environment, if applicable.

None

3.1.3. Provide a list and description of potential impacts identified on the socioeconomic conditions of any person on the property and on any adjacent or non adjacent property who may be affected by the proposed prospecting or mining operation.

None

3.1.4. Provide a list and description of potential impacts (positive & negative) identified on: employment opportunities, community health, community proximity.

At least five people from the community will be employed during the prospecting phase.

3.1.5. Provide a list and description of potential impacts identified on the biophysical environment including but not be limited to impacts on: flora, fauna, water resources, air, noise, soil etc.

A hole we be dug to obtain a bulk sample and this will have an impot on the totgraphy of the area.

3.1.6. Provide a description of potential cumulative impacts that the proposed operation may contribute to considering other identified land uses which may have potential environmental linkages to the land concerned.

De Beers has a prospecting right for gold over the area and will have to work with then for minimize any environmental impacts.

- 4. Land use or development alternatives, alternative means of carrying out the proposed operation, and the consequences of not proceeding with the proposed operation.
  - 4.1. Provide a list of and describe any alternative land uses that exist on the property or on adjacent or non-adjacent properties that may be affected by the proposed mining operation.

Mono

- 4.2. Provide a list of and describe any land developments identified by the community or interested and affected parties that are in progress and which may be affected by the proposed mining operation. No feedback to date
- 4.3. Provide a list of and describe any proposals made in the consultation process to adjust the operational plans of the mine to accommodate the needs of the community, landowners and interested and affected parties.

No feedback to date

- 4.4. Provide information in relation to the consequences of not proceeding with proposed operation None
- 5. Description of the process of engagement referred to in 3.2.1 and 3.2.2 above with identified communities, landowners and interested and affected parties.

5.1. Provide a description of the information provided to the community, landowners, and interested and affected parties to inform them in sufficient detail of what the prospecting or mining operation will entail on the land, in order for them to assess what impact the prospecting will have on them or on the use of their land:

The letter from the DMR together with a map was provided to all affected parties, example attached, Appendix B1 - B4.

- 5.2.Provide a list of which of the identified communities, landowners, lawful occupiers, and other interested and affected parties were in fact consulted.
  All affected parties was consulted.
- 5.3. Provide a list of their views raised in regard to the existing cultural, socioeconomic or biophysical environment, as the case may be.

De Beers ask that a copy of the EMP when completed need to be forwarded to them. Appendix C1. Zolospex responded and informed De Beers that this would be done, Appendix C2

5.4. Provide a list of their views raised on how their existing cultural, socio-economic or biophysical environment potentially will be impacted on by the proposed prospecting or mining operation.

Refer to 5.3 above.

5.5. Provide list of any other concerns raised by the aforesaid parties. No comments to date

5.6. Provide the applicable minutes and records of the consultations as appendices.
Prove that letter was sent by registered mail is attached, Appendix D1.

5.7. Provide information with regard to any objections received.

No objections to date

Describe the most appropriate means to carry out the proposed operation with due accommodation of the issues raised in the consultation process.

The EMP will also be forward to all affected parties and hopefully feedback will be given, that will be incorporated in the final EMP.

#### C. IDENTIFICATIONOF THE REPORT

The report on the results of consultation must, at the end of the report include a certificate of identification as follows;

Herewith I, the person whose name and identity number is stated below, confirm that I am the person authorised to act as representative of the applicant in terms of the resolution submitted with the application, and confirm that the above report comprises the results of consultation as contemplated in Section 16 (4) (b) or 27 (5) (b) of the Act, as the case may be.

Dhillia la Dinna
Philip le Roux
671021 5103 08 4
retraction on +

#### PER REGISTRATED MAIL

## Zolospex (Pty) LTD

Reg: 2010/007615/07 14 Starfish way, Atlantic beach, Melkbos strand, 744; Cell: 0837013887

ST. OJ. ČENIMI ŠIJI EDELIMITI

Ref No: NC5 30/5/1/2/2/10706 PR

19 November 2012

ATTENTION: The Regional Director

Department Mineral Resources

Pte Bag X 14 Springbok 8740

lasper Niewoudt

Re: Comments on proposed prospecting operation on the farm Bonte Koe No 197 Namaqualand District.

Herewith consultation with Sonte Koe Mynbou Ondernemings, Nama Khei Municipality and De Beers Consolidated Mines Limited. Will also be submitted on Samrad.

Yours Faithfully

i de Westhauer

Enclosed

- I. Locality Map showing proposed prospecting area
- 2. Consultation Bonte Koe Mynbou Ondernemings
- 3. Nama Khoi Municipality
- 4. De Beers Consolidated Mines Limited
- 5. Advertisment Platte Lander

#### PER REGISTRATED MAIL

### Zolospex (Pty) LTD

Reg: 2010/007615/07 14 Starfish woy, Atlantic beach, Melkbos strand, 7441

Call: 0837013887

Ref No: NCS 30/5/1/2/2/10706 PR

19 November 2017

ATTENTION: Ms Veratia Trutes

Bontekoe Mynbou Ondernemings

Po Box 87 Ficks Bury 9730

HE: Comments on proposed prospecting operation on the form Bontekoe No 197 Namaqualand District.

Application has been made by Zolospex (Pty) LTD to the Department Mineral Resources (DMR) to allow prospecting on the above — mentioned farm. The proposed prospecting is targeted at Diamonds, (see attached letter from the DMR). This prospecting program will entail surface mapping, geochemical sampling, geophysical surveying, percussion and core draining and trenching to assess possible locality and extent of deposits.

As an effected party in accordance with Section 16(14) of the mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), you are required to submit any written comments you may have on the proposed prospecting operation to the above address or email on or before the  $11^{\circ}$  December 2012

Please note that you will have further opportunity to comment on the proposes activities when the Environmental Management Plan (EMP) is distributed for your comment in the course of next month.

Please also notify us of any other parties you may consider to be interested and affected parties for the later commenting on the EMP.

Note that the new Act places emphasis on comphance with the time periods as specified within the Act, on there can be no extension of the commenting period.

Yours Faithfully

, vd Westholzen

Enclosures 1. Letter from DME indicating acceptance of the application 7. Locality Map showing proposed prospecting area.

#### PER REGISTRATED MAIL

### Zolospex (Pty) LTD

Reg: 2010/007615/07 14 Starfish way. Atlantic beach, Melkhos strand, 7441 Cell: 0837013887 mwgeoafr@mweb.co.za

Ref Not: NCS 30/5/1/2/2/10706 PR

19 November 2012

ATTENTION: Municipal Manager

Po Box 17 Springbok 8240

RE: Comments on proposed prospecting operation on the farm Bontekoe No 197 Namaqualand District.

Application has been made by Zolospex (Pty) LTD to the Department Mineral Resources (DMR) to allow prospecting on the above - mentioned farm. The proposed prospecting is targeted at Diamonos. (see attached letter from the DMR). This prospecting program will entail surface mapping, geochemical sampling, geophysical surveying, percussion and core drilling and trenching to assess possible locality and extent of deposits.

As an effected party in accordance with Section 16(14) of the Mineral and Petroleum Resources. Development Act, 2002 (Act 28 of 2002), you are required to submit any written comments you may have on the proposed prospecting operation to the above address or email on or before the 11th December 2012.

Please note that you will have further opportunity to comment on the proposes activities when the Lovisonmental Management Plan (EMP) is distributed for your comment in the course of next month.

Please also notify us of any other parties you may consider to be interested and affected parties for the later commenting on the EMP.

Note that the new Act places emphasis on compliance with the time periods as specified within the Act, so there can be no extension of the commenting period.

Yours Faithfully

i vit Westhuizen

Enclosures 1. Letter from DME indicating acceptance of the application, 2. Locality Map showing proposed prospecting area.

#### PER REGISTRATED MAIL

### Zolospex (Pty) LTD

Reg: 2010/0076:15/07 14 Starfish way, Atlantic beach, Melkbos strand, 7441 Cell: 0837013:887 mwxcoafr@mwcb.co.za

Ref No: NCS 30/5/1/2/2/10705 PR

19 November 2012

ATTENTION: Mr Anton Mever

De Beers Consolidated Mines ETD Namaqualand Mines Pte Bug XO: KLEINZEE 3282

RE. Comments on proposed prospecting operation on the farm Bontekoe No 197 Namaqualand District.

Application has been made by Zolospex (Piy) LTD to the Department of Mineral recourses (DMR) to allow prospecting on the above – mentioned farm. The proposed prospecting is targeted at Diamonds, (see attached letter from the DMR). This prospecting program will entail surface mapping, geochemical sampling, geophysical surveying, percussion and core origing and trenching to assess possible locality and extent of deposits.

As an effected party in accordance with Section 16(14) of the mineral and Petroleum Resources. Development Act, 2002 (Act 28 of 2002), you are required to submit any written comments you may have on the proposed prospecting operation to the above address or email on or before the 11" December 2012

Please note that you will have further opportunity to comment on the proposes actavities when the devicemental Management Plan (EMP) is distributed for your comment in the course of next month.

Please also notify us of any other parties you may consider to be interested and affected parties for the later commenting on the EWP.

Note that the new Act places emphasis on compliance with the time periods as specified within the Act, so there can be no extension of the commenting period.

Yours Fathiuliv

Jve Westhuizer

Enclosures 1. Letter from DME indicating acceptance of the application 2. Uncality Map showing proposed prospecting area.

# Jong boksers

van Port Nolloth presteer tydens Kimberley toernooi

Isaac Cioete - Springbok

Orkeings higt joing backsens van Port Notice gazar presteer by in tournool in Kimberley on derhalwe het die LUR, vir Sport, Kurs en Kultuur, Pauline Williams turbo gránkgewers.

begin. Destudiwe wil ek psaag die ueleentheid gosmuk om die verskillende programme van elle sportkodes aan te moedig om soort na 'n hoër vlak te ngem."

Sy het gesê dat de regerino noo

steeds alie fesetor van saurt en die becelening doarvar. gaun andersteur 5005 dit in die verlede dedoen is.

Die baksklub van Port Nolloth was onlance DEUT DIE BLODV Bakskich van Kamberley uncencoi. Hier het hulle saam. met nog sewe klubs in die Noord-Kaap by die Xopane Konterensie Servicon, in

Beaconstield manageding.

Die groep het bestaan uit wyf lede, waarvan drig sours was en liver is hulle name en toekennings:

Anthony Thindwa (siwer medalie)

Hoë spoed jaagtog tussen Verdagtes en polisie

Petro. P. Alley

Die Woord Kasşı Potske beget de. moešík meak viz darana en dweem tarriciaera in die provensie. Die Komberley Polisic on missiand vecekeening afdeling het twee mans wat dagge uit Durban wou affewer Vrydag, 9 November, sukserval derigeseed ha 'n wenk van 'n amonieme persoon het die aldeling speedig reageer en die vrog gekonfiskees

Na die werk is alle paale na Komberley deur poisie leix riangehou, car te verseiter dat die dagga nie sy

in die 52kg aldeling; Denovan Montgomery (goue medane) in die Sikg afteling: Erlan Hendrikse (goue medalje) in die Saxo effetion.

Onnewkig kon die meises nie deelneem nie randat hulle terretaanders van die De Ax boksidus na opgedaag het ric.

Alphorao Minnies (bestuccer) het sy dank istgespreek beenoor Williams on haar departement, wet so emissibuglig help dat sport in one area ostwiżów en uitgebou word.

besterining bereik nic. Die paase was variaf 18:00 tot 00:15 gemonitor en in arrestavie bet omstreess 23:40 plassgerind. 'n Roomkleurige wit Toyota Corolla, wat die beskrywing gepas bet, is beingekeer neest dit verwoed op die NO wedgesag het toe nut polisie teenwaerdicheid gewaar!

the voereury het geweier om to stop en 'n ince spoed jaagtog tussen die vertiagies en polisie het gevolg! Die vertages het na die Green Peint area gery, at the middel van die pad gestop, en verwident in die bosse probeer skraling sæsk. Een veri die verdagtes, 'n 37-jarige, was egter vinnig in nie husse gearresteer nadat die polisie hom te woot agterna gesit het. Die ander verdagte het neur nie bosse gehandloop en is aga sock.

21 Swart plastick sakke vol dagge (102 kilogram) met 'n waarde van 9500 ((0) is gevind. Dagga was versteek in die Dagasicank en agle-sholek. Die guarrusteurde verdagte het E2 November voor die Kimberley Landdroshof verskyn op aanklagse van dwelmbandet.

Die Kimberley SAPD se Operasionele Bevelvoerder, Kolonel Heroldt Saunders. së dankie aan lede van die gemeerskap wat inligting our die verdagles ingedien



Volgens haar is dit net weereens 'n bowys dat die jeug van die Noord-Kaap ander sportsoorte soos hyvoorbeeld boks, ook erratig coneem.

"Die kustuur van 'n aktiewe en wen masic in Suid-Minks most on grandylek



== Namakwa

## NAMAKWA DISTRIKSMUNISIPALITEIT

KENNISGEWING NR. 73/2012 **RAADSVERGADERING** 28 November 2012

Kennis geskied hiermee dat in opdrag van die Speaker van die Namakwa Distriksmunisipaliteit, Mar Bentiey Vass, 'n Raadsvergadering gehou sat word op Wigensdag, 28 November 2012 om 9HCO vm in die Dorpsaal, te Garies

Dit dien daarop gelet te word dat daar 'n beperkte aantal sitpiekke beskikbaar is en daar dus op 'n eerste-daar-eerste-gehelp grondslag gewerk sal word.

Navrac kan gerig word aan: Namakwa Distriksmunisipalitelt, Privaatsak X20, Springbox, 8240 of tel. 027 712 8000 of Faks 027 717 8040, of per e-posica info@namakwa-dm.gov.za

Munisipale Bestuurder Mr. ML Brandt

### PROSPEKTEER BEDRYWIGHEDE

Uitnodiging om kommentaar te lewer en te registreer as geintereseerde en/of geaffekteerde party ten opsigte van die volgende prospekteer bedrywighede in terme van die Minerals and Petroleum Resources Development Act. 2002 (Wet 28 van 2002)

Zolospex (Pty) Ltd (Reg no 2010/007615/07) ten opsigte van prospekteer bedrywighede op die olaas Bonte Koe No 197 Namakwaland distrik.

Reference NCS 30/5/1/1/2/10706 PR.

Kommentaar moet voor 11 Desember 2012 gerig word aan:

The Regional Director Department Mineral Resources P Bag X 14 Springbok 8240

# 2. REGULATION 7(1)(b): PLAN CONTEMPLATED IN REGULATION 2(2) SHOWING THE LAND TO WHICH THE APPLICATION RELATES

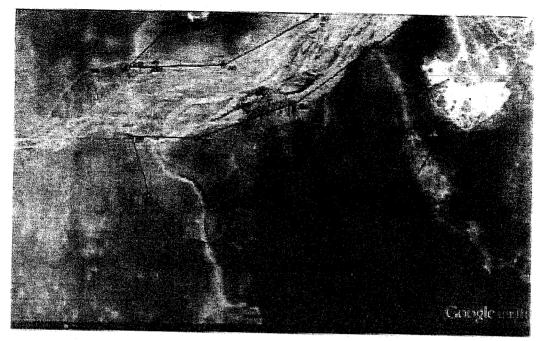
Details of the two blocks applied for is shown below: Geographic, WGS84

Stock A Portion of farm Bonte Koe No 197 District Namaqualand



Beacon Nomber	South	Last
H. W.	29 23.266	77'18.635
47	79°33.274	17018.720
83	24,33'325	17,13.670
Ad	24,33 448	17"18.780
A5	29 33,439	17,19.046
ā£	29533,319	17"15.107
R. T	79 <sup>5</sup> 33.388	17"70 097
48	79 33 782	17"19.672
A9	29 34.293	17 18 618
atn	79 34.277	17 17.846
413	79 34.333	17 17.523
247	29 33 952	17'17.925
AT?	29"33.860	17718.312
Ald	29 33.774	17"18.556
Alb	29"33.658	17419446
415	79"33.457	17738.915
A17	79"33663	17 18.719





Beacon Nr 💮	South	Enst
81	29 <sup>0</sup> 13,846	17 <sup>2</sup> 70,6M8
82	29"34.957	17,517088
A3	29 <sup>0</sup> 36.379	17020.149
84	29 <sup>0</sup> 36.297	17 <sup>6</sup> 19.678
85	29°36.072	17°18.295
65	29 <sup>0</sup> 35.624	17 <sup>0</sup> 17.789
B7	29 <sup>0</sup> 35.032	17 <sup>6</sup> 17.568
5-6	29 <sup>6</sup> 35.038	17018.379
89	29 <sup>0</sup> 34,670	17019.442

### 3. REGULATION 7(1)(c): THE REGISTERED DESCRIPTION OF THE LAND TO WHICH THE APPLICATION RELATES

The prospecting right extent over two portions of portion 0 of the Farm Bontekoe No. 197 in the Namaqualand Rd Administrative district of the Northern Cape.

Title Deed of the property is

T28531/1977

LPI Code

C05300000000019700000





# mineral resources

Department: Mineral Resources REPUBLIC OF SOUTH AFRICA Directorate: Mineral Regulation Nombers Case Restas

Hopley Centre Van der Stell Screen Springbok

Private Bag X 14 Springhole 1340

Tel : 627 – 713 \$166 Faz : 627 – 712 1959 Reguerius : Ingue Vincencul E-mali : Juagoraniasmonali (School Luc at

Ref : NCS 300/1/12/ ID906 PR

Date: 12 Movember 1012.

REGISTERED MAIL & FAX: 086 672 9783

The Director
Zolospex (Pty) Ltd
14 Star Fish Way
Atalantic Beach
MELKBOSSTRAND
7441

Sir

ACCEPTANCE OF AN APPLICATION FOR A PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002): PORTIONS OF THE FARM BONTEKOE NO 187, ADMINISTRATIVE DISTRICT OF NAMAQUALAND.

- Please be advised that your application for a prospecting right has been accepted.
- 2. With regard to your accepted application, the following is applicable;
- 2.1. In the event that the area that you applied for includes land in respect of which a prior application is in process, your application will, in terms of the provisions of section 9(1)(b) of the Act only be dealt with once the prior application has been finalized and an appropriate final version of the EM plan and work programme can be submitted accordingly.
- 2.2. Please be informed that the possibility of the area applied for being the aubject or pertially the subject of a prior application in terms of section 102 of the Act has not been excluded. The date and detail of such prior applications are however, on record and should this prove to be the case your application will also, in terms of the provisions of section 9(1)(b) of the Act, only be dealt with once the prior application has been finalized.

- 3. In terms of sections 16(4), 17(4) and 29 of the MPRDA you are herewith directed to:
- 3.1. Notify in writing and consult with the land owner(s) or lawful occupier(s) and any other affected parties in accordance with the consultation guideline and submit the results of such consultation in the format of the consultation template provided in the SAMRAD ONLINE application portal within 30 days from the date of this letter. Please specifically take note that holders of, and applicants for, rights for other minerals on the same land are affected parties, and following identification in paragraphs 4.3 and 6 of the consultation report, the work programme and the EM Plan must include technical arrangements made for the co-existence of the respective operations, and a clear distinction between the respective environmental liabilities and management responsibilities.
- 3.2. The following companies are affected parties and should be consulted. Prospecting Rights were granted or issued to the said companies:
  - a) De Seers Consolidated Mines Ltd NC 30/5/1/1/2/0914 PR; and
  - b) Bonte Koe Mynbou Ondernemings (Edms) Bpk NC 30/5/1/1/2/0679 PR.
- 3.3. Submit an Environmental Management Plan (EM Plan) in accordance with the EM Plan guideline and in the format of the EM Plan template provided in the SAMRAD ONLINE application portal within 50 days from the date of this letter. (One copy of the EM Plan should be submitted online and five copies should be submitted manually).
- 3.4. Give effect to the objects of section 2(d) of the Act and submit the information required by, and in the format of, the BEE temptate in the provided in the SAMRAD ONLINE application portal within 30 days from the date of this letter.
- 4. Kindly note that the acceptance of your application does not grant you the right to commence with prospecting activities. No prospecting activities may be commenced unless a right has been formally issued to you after due consideration of your application and a positive decision in this regard.

Yours faithfully

REGIONAL MANAGER: MINERAL REGULATION

RTHERN CAPE REGION

From Anton. Meyer@debeersgroup.com

To mwgeosifi@mweb.co.za

CC:

Date: 2012/11/14 08:29:13 AM

Subject: PROPOSED PROSPECTING OPERATION ON BONTE KOE NO 197 (Ref No NOS 30/5/1/2/2/10499 PR

Dear Sir

The abovementioned application refers.

Herewith I kindly request you to register me as the contact person for ongoing consultation with De Beers regarding any EMP related consultations.

Kind regards,

#### Anton Meyer

Environmental Officer
De Boers Consolidated Mines-Namaqualand Mines
Private Bag X01
Kteinsee
8282
Tel: (+27) 27 807-2024

Tel. (+27) 27 807-2934 Fax: (+27) 27 807-7318

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From:

ការមាន នៅក្រុមការ

Anlon:Meyer@debeersgroup.com

CC:

Date

2012/11/14 09:59:37 AM

Subject: RE: PROPOSED PROSPECTING OPERATION ON BONTE KOE NO 197 (Ref No NOS 30/5/1/2/2/10499 PR

Amon

I will forward the EMP to you when ready for comment and keep you upto date with all aspect

Philip

From: Anton.Meyer@debeersgroup.com

Sent:2012/11/14 08:29:13 AM Tu:mwgeoalr@mweb.co.za

Subject: RE: PROPOSED PROSPECTING OPERATION ON BONTE KOE NO 197 (Ref No

NCS 30/5/1/2/2/10499 PR

Dear Sir

The abovementioned application refers.

Herewith I kindly request you to register me as the contact person for ongoing consultation with De Beers regarding any EMP related consultations.

Kind regards.

#### **Anton Mever**

Environmental Officer

De Beers Consolidated Mines- Namaqualand Mines

Private Bag X01

Kleinsee

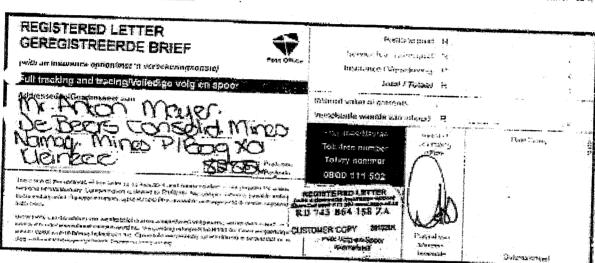
8282

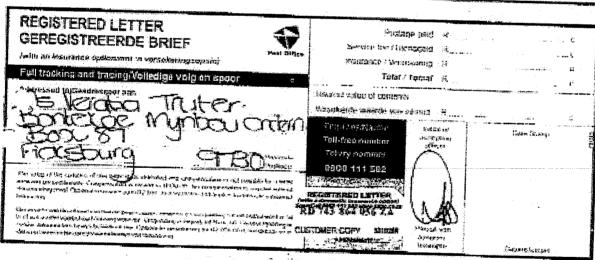
Tel: (+27) 27 807-2934 Fax: (+27) 27 807-7318

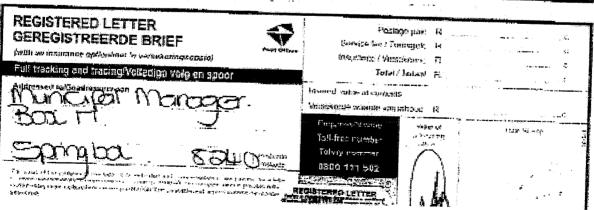
本不实实实务体系的方式介绍有关的企业未必要作业长台传统的资本介绍来介绍来来的现在分词 "我们的现在分词,我们的现在分词,我们们的现在分词,我们们们的一个人们的人

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E2 1.77







## NAMA KHOI



#### MUNISIPALITEIT

Alle korrespondensie moet gerig word aan die: MUNISIPALE BESTUURDER

All correspondence to be addressed to: MUNICIPAL MANAGER



## MUNICIPALITY

Posbus / P.O.Box 17 Privaatsak / Private Bag X22 SPRINGBOK 8240

**(027) 7188100** 

(027) 7121635

Email:springbok@namakhoi.org.za
Web: www.namakhoi.org.za

Navrae / Enquiries: Russel Hartley/Wessel Weels

Ons Verwysing / Our Reference: 18/4/R U Verwysing / Your Reference: NCS 30/5/1/2/2/10706 PR

ZOLOSPEX (PTY) LTD P.O. Box 127 PORT NOLLOTH 8280

Dear Sir/ Madam

# **RE: MINING APPLICATION BONTEKOE**

Hereby we as the Nama Khoi Municipality would like to invite **ZOLOSPEX (PTY) LTD** to do a formal presentation to the Nama Khoi Council regarding the company's proposed mining activities within our municipal area.

For any further inquiries, please contact Mr Russel Hartley/ Wessel Weels at the following number (02771) 88100.

Yours sincerely,

NA BAARTMAN MUNICIPAL MANAGER 14/12/2012

#### FW: Bont Koe

~ " · DOIN INC

Maxitrade [mineralprospects@telkomsa.net]

Sent:

10 January 2013 09:46 AM

To:

Philip Le Roux

Cc:

mwgeoafr@mweb.co.za

Attachments: Zolospex&De Beers Working ~1.doc (104 KB)

Philip, hiermee De Beers en Zolospex ooreenkoms. Kyk asb waarop jy kan antwoord.

Groete

Johan

From: Meyer, Anton [mailto:Anton.Meyer@debeersgroup.com]

Sent: 10 January 2013 09:33 AM

To: Maxitrade

Subject: RE: Bont Koe

Hi Johan

Further to our conversation yesterday- attached please find a rough draft Working Agreement. Please provide the information reuired in the areas highlighted in yellow and feel free to make any changes as you please. As soon as I have your comments I will send the draft through for review by our Site Manager and our legal advisors.

W.r.t your query below, I just want to confirm that the tailings at Strydrivier 188 are not available for treatment.

Furthermore, the surfzone concessions of NM are included in the deal with EPI.

Regards,

**Anton Meyer** 

Environmental Officer
De Beers Consolidated Mines- Namaqualand Mines
Private Bag X01
Kleinsee
8282

Tel: (+27) 27 807-2934 Fax: (+27) 27 807-7318

From: Maxitrade [mailto:mineralprospects@telkomsa.net]

Sent: Tuesday, January 08, 2013 11:44 AM

**To:** Meyer, Anton **Subject:** FW: Bont Koe

Hi Anton

Re De Beers tailings

As you know our company Zolospex applied for a prospecting right to prospect for diamonds on the farm Bonte Koe No 197. Apparently De Beers and Firestone Diamonds had an agreement , Firestone to treat gravels for De Beers from the mine Nuttabooi on the farm Bonte Koe. The tailings were then dumped on one of the De Beers farms Stryd Rivier 188 or Staanhoek 198 , adjacent to the farm Bonte Koe. Our company Zolospex is interested in treating these tailings on a basis to be agreed upon. We would appreciate it if you would consider this matter. If you would consider we will forward our full application.

Page 2 of 4

Regards

Johan vd Westhuizen Director

From: Maxitrade [mailto:mineralprospects@telkomsa.net]

**Sent:** 18 December 2012 11:39 AM **To:** 'anton.meyer@debeersgroup.com'

Subject: FW: Bont Koe

Hi Anton

Re email dated 14 December 2012

The directors of our company wish to thank you for supporting us with our prospecting application to prospect for diamonds on the farm Bonte Koe no 197. We recognise your right for gold on this farm. We briefly want introduce the Zolospex directors to your company. Ernest Blom President of the World Diamond Bourses (WFDB). He is also Honorary Life President of it. He also chair the Diamond Dealers club of South Africa. He is a diamond buyer and owns a diamond cutting company Ernest Blom Diamonds. Manie Silver well known Mining engineer and consultant. WJ Koekemoer pioneer in shallow water sea diamond mining. Currently director in Maxitrade 51 General Trading (Pty)Ltd. Izingwe Capital is the BEE partner of Maxitrade. Johan vd Westhuizen Diamond cutter , shallow water diamond mining and onshore diamond mining. Also director of Maxitrade. ER Warne, Johan Cloete and Deon Leon well known inhabitants of the Komaggas community. They are also the BEE partners in the company. We also plan to only use the Komaggas community for all the jobs on the mine and if prospecting proof successfully we will also contribute towards the social upliftment of the Komaggas community.

Regards

Johan vd Westhuizen Director

From: Meyer, Anton [mailto:Anton.Meyer@debeersgroup.com]

Sent: 14 December 2012 09:00 AM

To: Maxitrade

Subject: FW: Bont Koe

Hi Johan

Our telephonic discussion regarding the above refers.

Below is the Site Manager at Namaqualand Mines' response to your request. Since we are closing today and due to time constraints we can draft and formalize a written agreement between Zolospex and De Beers early next year when the mine re-opens on 7 January 2013.

I trust you will find this in order.

Regards,

**Anton Meyer** 

Fax: (+27) 27 807-7318

Environmental Officer
De Beers Consolidated Mines- Namaqualand Mines
Private Bag X01
Kleinsee
8282
Tel: (+27) 27 807-2934

From: Macdonald, William

Sent: Thursday, December 13, 2012 4:06 PM

**To:** Meyer, Anton **Subject:** RE: Bont Koe

Anton

As discussed, will you please remain the contact person for DB on this.

We are not going to object to their diamond prospecting licence.

If need be you can pen a letter that says we recognise their right and support it, they recognise our right and both parties agree to proceed in a spirit of cooperation and will advise the other if the project is likely to develop further.

#### Regards

#### William Macdonald

Site Manager: Namaqualand Mines

Mob: 082 824 8869 Fax: 027 807 2680

Email: william.macdonald@debeersgroup.com



From: Meyer, Anton

Sent: 13 December 2012 01:01 PM

To: Macdonald, William

Cc: 'Maxitrade'

Subject: FW: Bont Koe

Hi William

Attached plese see correspondence from Zolospex regarding their diamond prospecting application at Bontekoe. The letter that was sent to me is on page 4.

An EMP has not yet been compiled, but a discussion is required between Zolospex and De Beers since De Beers holds the prospecting rights for gold on the same portion of land (see 3.2 of the letter from the DMR on page 9 of the attachment). This may require some important decision-making.

Mr Johan van der Westhuizen from Zolospex would like to start engaging De Beers in this regard, thus I am copying him into this mail.

Regards,

**Anton Meyer** 

Environmental Officer
De Beers Consolidated Mines- Namaqualand Mines
Private Bag X01
Kleinsee
8282

Tel: (+27) 27 807-2934 Fax: (+27) 27 807-7318 From: Maxitrade [mailto:mineralprospects@telkomsa.net]

Sent: Thursday, December 13, 2012 12:17 PM

**To:** Meyer, Anton **Subject:** FW: Bont Koe

Middag Anton

Hiermee al my skrywe aan geafekteerde partye, waaronder julle brief ook is en wat ons gerigestreerde pos aan julle gestuur het.

Groete

Johan vd Westhuizen Sell no: 0823544483

\*

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https://mail.busgateway.is.co.za/owa/?ae=Item&t=IPM.Note&id=RgAAAABaMxJ4z... 2013/01/10



#### **WORKING AGREEMENT**

between

**DE BEERS CONSOLIDATED MINES LIMITED** (Registration number 1888/000007/06) ("**DBCM**")

and

**Zolospex Mining (Pty) Ltd** (Registration number 2010/007615/07

(collectively referred to as "the Parties")

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- 1. Introduction
- 1.1 Short background to application?
- 1.2 Details about Zolospex EMP & consultation?
- 1.3 The DMR directed the Parties to enter into this working agreement(True?).
- The purpose of this agreement is to capture the salient points which will comprise the agreement between the parties should the Application be granted.
- Accordingly, the Parties wish to enter into this agreement ("the Working Agreement") for the purposes of recording, in principle, their common understanding of (i) the terms upon which the parties will work together during their respective prospecting operations and (ii) the terms upon which any prospective rehabilitation liabilities and general obligations will be conducted.

#### 2. **Duration**

This Working Agreement will commence on the date upon which it is signed by the Party signing last in time ("Signature Date") and shall endure until (i) the lapsing of Ngono Mining CC's prospecting right or (ii) the denial of the Application or (iii) the grant of DBCM's prospecting right under the Application and the subsequent conclusion of a Co-operation Agreement contemplated in 4 below; whichever event occurs first.

- 3. Proposed Prospecting Work by Zolospex
- Any prospecting programme undertaken, in the event of the prospecting right for diamonds being granted, will be a phased approach.
- 3.2 The First Phase
- 3.2.1 Summary of process
- 3.3 The Second Phase
- 3.3.1 Summary of process
- 3.3.2 Additional phases?
- 3.4 It is noted by the Parties that prior to the first phase, it cannot be predicted

whether or not prospecting by Zolospex on the Prospecting Area will proceed beyond the first phase.

- 3.5 Zolospex undertakes not to remove bulk samples, generally and more specifically on the Prospecting Area, 2 (two) years from signature date of this Working Agreement. (Please remove if not applicable)
- 3.6 Notwithstanding the provisions of clause 3.5, should Zolospex require bulk sampling to occur on the Prospecting Area, DBCM undertakes to address the concerns of DBCM over the Prospecting Area and capture such concerns and solutions to the issues in the Co-operation Agreement, more fully set out under clause 4 below.

#### 4. Obligations

- The Parties undertake to, after the Application is granted by the DMR, conclude a detailed agreement which encapsulates the following:
- 4.1.1 to agree mechanisms to work together to lessen the impact of bulk sampling when this becomes applicable; the removal and disposal of bulk samples of any potentially diamondiferous and gold bearing material;
- to agree the sharing of the responsibilities in terms of the Parties' respective environmental management plans, arising out of all applicable laws including but not limited to environmental laws, health and safety laws or common law; and
- 4.1.3 to ensure that the Parties' prospecting work programmes on the shared Prospecting Area shall be limited to those activities identified in their respective prospecting work programmes;

hereinafter referred to as the "Co-operation Agreement".

#### 5. Confidentiality

- 5.1 In respect of Confidential Information (as defined below), the Parties agree:
- that all business, financial, operational information and intellectual property including trade secrets, know-how, plans, drawings and specifications inter alia and other commercially sensitive information ("Confidential Information") received by either Party in pursuance of the terms of this Working Agreement will be deemed to be of a confidential

and/or proprietary nature and will be used only for purposes intended and will be treated as confidential;

- 5.1.2 that all Confidential Information will remain the property of the owner of such information;
- that Confidential Information will not be disclosed to any third party without prior written consent of the owner of such information;
- that the intellectual property rights attaching to any proprietary technology, know-how, software or machinery or other equipment supplied by any Party will be safeguarded, and that the Parties will take whatever precautions that are requested or considered necessary to protect intellectual property from falling into the hands of unauthorised individuals and organisations, including competitors; and
- 5.1.5 that any person to whom any disclosure of Confidential Information is made will be required by the disclosing Party to adhere to the terms of this clause 5 as if a Party to this Working Agreement.
- 5.2 The obligations of the Parties in relation to the non-disclosure of Confidential Information in terms of this Working Agreement do not extend to information that:
- is disclosed to the receiving Party in terms of this Working Agreement but at the time of such disclosure such information is known to be in the lawful possession or control of that Party and not subject to an obligation of confidentiality;
- 5.2.2 is or becomes public knowledge otherwise than pursuant to a breach of this Working Agreement; or
- is required by the provisions of any law, statute or regulation, or in any court proceedings to be disclosed and the Party required to make the disclosure has taken all reasonable steps to oppose or prevent the disclosure of and to limit, as far as reasonably possible, the extent of such disclosure and has consulted with the other Party prior to making such disclosure.

### 6. No joint venture or partnership

- This Working Agreement will not constitute a joint venture or partnership between the Parties.
- No Party may hold itself out, or knowingly permit any other person to hold such Party out as a partner or agent for the other Party.
- The Parties hereby indemnify and hold each other harmless against any claims or losses whatsoever which may be incurred by virtue of the representations, acts or omissions of themselves or their employees, agents or representatives in contravention of the above prohibition.

## 7. Legal Effect of this Working Agreement

This Working Agreement creates legally binding rights and obligations between the Parties.

#### 8. Dispute resolution

Should any disagreement between the Parties arise out of this Working Agreement, the disagreement will be referred to the relevant directors of each of the Parties for resolution.

## 8.1 good faith and the relationship between the Parties

- 8.1.1 The Parties agree to use all reasonable endeavours to resolve any dispute and difficulties arising out of this Working Agreement in a reasonable, expeditious and pragmatic manner and to consider in good faith any proposal by the other Party with regard to the terms of this agreement.
- The Parties shall deal with each other in the utmost good faith in relation to the implementation of this Working Agreement.

#### 9. Miscellaneous Matters

#### 9.1 addresses and notices

9.1.1 For the purposes of this Working Agreement, including the giving of notices and the serving of legal process, the Parties choose as their *domicilium citandi et executandi* ("domicilium") at:

9.1.1.1.

DBCM:

address:

De Beers Head Office

36 Stockdale street

Kimberley

8301

telefax no:

053 839 4250

and marked for the attention of the Company Secretary

9.1.1.2.

Zolospex (Pty (Ltd):

physical address: ???

???

???

e-mail address: 777

telefax no:

777

and shall be marked for the attention of ???.

#### 9.2 whole agreement

This Working Agreement contains all the express provisions agreed on by the Parties with regard to the subject matter of the Working Agreement and the Parties waive the right to rely on any alleged express provision not contained in the Working Agreement.

#### 9.3 no representations

A Party may not rely on any representation that allegedly induced that Party to enter into this Working Agreement, unless the representation is recorded in this Working Agreement.

#### 9.4 variation, cancellation and waiver

No contract varying, adding to, deleting from or cancelling this Working Agreement, and no waiver of any right under this Working Agreement, shall be effective unless reduced to writing and signed by or on behalf of the Parties.

#### 9.5 applicable law

This Working Agreement shall be interpreted and implemented in accordance with the laws of South Africa.

#### 9.6 severability

If any provision contained in this Working Agreement is rendered void, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

## 9.7 warranty of authority

Each of the persons signing this Working Agreement on behalf of the Parties warrants their authority to do so.

#### 9.8 counterparts

This Working Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which when taken together shall be deemed to constitute one and the same agreement.

Signed at	on	2010
Witnesses:	De Beers Consolidated Mines Limited who warrant that they are duly authorised.  DBCM Exco Member or DBCM Director	
1		
2	DBCM Director	······································
Signed at	on	2010
	Zolospex (Pty) Ltd, wh they are duly authorised.	o warrant that
1	Director	
2		
	Director	

FW: Bonte Koe

Maxitrade [mineralprospects@telkomsa.net]

Sent: 09 January 2013 02:47 PM

To: Philip Le Roux

Hiermee brief Bonte Koe Mynbou Ondernemings.

From: Veratia [mailto:veratia@firestonediamonds.co.za]

Sent: 08 January 2013 11:54 AM

To: 'Maxitrade'
Cc: marco

Subject: RE: Bonte Koe

Hi Johan

Ek het vanoggend vir jou 'n sms gestuur hieromtrent. Hulle sê die brief sal by die 15de geteken word. Daar sal geen problem wees, dis net hulle is besig om Oena te verkoop, en nou is dit 'n "inbetween" status wat eers oorbrug moet word.

Groete Veratia

From: Maxitrade [mailto:mineralprospects@telkomsa.net]

Sent: 08 January 2013 11:50 AM

To: 'Veratia'

Subject: FW: Bonte Koe

More Veratia

Marco nog nie geteken, benodig asb dringend.

Groete

Johan

From: Maxitrade [mailto:mineralprospects@telkomsa.net]

Sent: 18 December 2012 12:06 PM

To: 'Veratia'

Subject: RE: Bonte Koe

Baie Dankie!

From: Veratia [mailto:veratia@firestonediamonds.co.za]

Sent: 18 December 2012 11:57 AM

To: 'Maxitrade'

Subject: RE: Bonte Koe

Het met Marco gepraat. Hy verstaan nou. Ek sal die brief optrek en vir hom stuur vir sy handtekening.

EY

https://mail.busgateway.is.co.za/owa/?ae=Item&t=IPM.Note&id=RgAAAABaMxJ4z... 2013/01/10

Stuur dit dan vir jou so gou as ek dit ontvang.

Groete Veratia

From: Maxitrade [mailto:mineralprospects@telkomsa.net]

Sent: 18 December 2012 11:53 AM
To: veratia@firestonediamonds.co.za

Subject: Bonte Koe

More Veratia

Enige nuus rondom my brief van Zolospex Bonte Koe.

Groete

Johan

# **Prospecting Work Program - Bontekoe Project**

## 1) Particulars of the Applicant

Company name:

Zolospex (Pty) Ltd

Company registration number:

2010/007615/07

Postal address:

PO Box 127

Port Nolloth

8280

Physical address:

1804 Kamp Street

Mc Douglas Bay

Port Nolloth

8280

Contact person:

Johan van der Westhuizen

Telephone number:

027 851 7776

Fax number:

027 851 7776

Cellphone number:

082 354 4483

E-mail address:

mineralprospects@telkomsa.net

### BEE Partners - 26% Shareholder

Shareholders:

Deon Leon Leo - 13%

Edward Reagon Warne - 13%

Share certificate and details of all shareholding is attached in the BEE compliance document and shareholders agreement that form part of this application.