

ACCESS MANAGEMENT PLAN
[DETERMINED BY THE WARDEN'S COURT – 9 APRIL, 2008]
MINING ACT 1992
PART 10A

PROPERTY NAME: "WYOMING"

BLOCKS: 23A, 23B, 31A, 31B, 31C, 31D, 192, 193

LOCATED IN OPAL PROSPECTING AREAS 1 & 2

This Access Management Plan forms part of the conditions of any mineral claim or opal prospecting licence granted within the "Wyoming" property. A breach of any conditions of this Access Management Plan is consequently a breach of the conditions of such mineral claim or opal prospecting licence and may be subject to appropriate sanctions by the Mining Registrar, which can include cancellation of the claim or lease. S373 Mining Act 1992 creates an offence for any person who prevents a claimholder or licence holder from legitimately exercising their rights under this Plan.

LANDHOLDER: Mr Kevin Parkins, holder of Western Lands Lease
Nos: 4643, 5352.

TITLEHOLDERS:

1. Any person who is the current holder of a mineral claim or opal prospecting licence which is located within the property "Wyoming", and/or the agents or servants of such claimholder or licensee.
2. Any person who is a potential applicant for a mineral claim who enters "Wyoming" for the purpose of marking out a claim, and/or the agents or servants of such person.

MINERS' REPRESENTATIVE: Maxine O'Brien, Lightning Ridge Miners' Association, Limited.

1. LOCATION:

This Access Management Plan covers the property "Wyoming" as shown on the attached plan and which is described as:

All that piece or parcel of land situate near Lightning Ridge in the State of New South Wales, County of Finch, having an area of approximately 5742 hectares comprising:

- Western Lands Lease 4643 being the whole of the land comprised in Certificate of Title Folio Identifier 24676/764430 and
- Western Lands Lease 5352 being the whole of the land comprised in Certificate of Title Folio Identifier 2465/764428

2. OPERATION OF ACCESS MANAGEMENT PLAN

This Access Management Plan applies to:

- The holder(s) of all mineral claims and opal prospecting licences and/or the agents or servants of such claimholders or licensees, in respect of the property known as "Wyoming" in existence at the time of, or issued after, the publication of registration of this plan, in accordance with S.236K(1), Mining Act 1992.
- Potential applicants for a mineral claim and/or the agents or servants of such claimholders or licensees, for the purpose only of entering upon "Wyoming" to mark out a claim, after the publication of the registration of this plan.

3. REVIEW OF ACCESS MANAGEMENT PLAN

This Access Management Plan may not be replaced except by leave of the Warden's Court [S236L(2) Mining Act 1992]. Any disputes as to the interpretation of any clause in this plan shall be dealt with by a Warden's Court.

4. ACCESS

Access to Opal Prospecting Blocks and areas of mineral claims shall only be via the roads and tracks nominated on the attached map, (marked "a") which are marked in a manner referred to in clause 8 hereunder, unless otherwise agreed in writing with the Landholder. Access from the roads and tracks nominated on the map to a mineral claim shall be by the shortest and most practicable route taking into consideration sensitive features of the area and wherever possible should be used by adjacent claim holders on a shared basis.

5. CONSTRUCTION OF ACCESS ROADS AND TRACKS

1. As far as reasonably possible, all access roads and tracks as well as erosion and sedimentation control measures are to be constructed in accordance with the principles contained in the documents titled *Guidelines For the Planning, Construction and Maintenance of Tracks* and prepared by NSW Land & Water Conservation (marked "b" attached)
2. At any point of an access road or track, where it crosses an area where water will flow in times of rain, a culvert shall, as far as practicable, be constructed in accordance with the principles contained in the document titled *Temporary Waterway Crossing*, (marked "c" attached).

6. REPAIRS TO ACCESS ROADS AND TRACKS

In the event that it is necessary for repairs or maintenance is required on any access road or track, the same should be reported to either the Mining Registrar Lightning Ridge or the Secretary, LRMA. In utilising the protocol which is in existence at the time of the reporting, the repair or maintenance shall be attended to as soon as practicable.

7. ACCESS TRACKS TO MINING TITLES FROM PRIMARY ACCESS ROADS

1. As far as possible, there shall be one track only extending beyond a Primary Access Road to each group of contiguous mineral claims.
2. Titleholders shall at all times use that single access track to travel to and from their claims, as far as practicable.
3. In the event of the necessity to create a further access track, the procedure outlined above in respect of the creation of further Internal Primary Access Roads shall apply.

8. IDENTIFICATION OF PRIMARY ROADS AND ACCESS TRACKS

All primary roads and access tracks are to be clearly signposted, by the miners' representative, in such a manner and at appropriate intervals that any person using such roads will not stray from those mining roads and will be aware that he or she is on a mining road within "Wyoming".

9. ESTABLISHMENT OF FURTHER INTERNAL PRIMARY ACCESS ROADS

In the event that the titleholders (or any of them) are desirous of establishing a new internal access road in addition to the Primary Access Roads in order to gain access to particular mining titles not yet granted at the date of registration of this plan, the following procedure shall be followed:

1. The titleholder seeking the establishment of the new road shall give notice in writing to the landholder of the intention to open up the new road together with a description and diagram of the proposed route of the road;
2. The landholder and the titleholder shall then meet on the site of the proposed road with a view of reaching agreement as to its route, design and method of construction;
3. The agreement as to the route, design and method of construction of the new internal access road shall be reduced to writing and signed by the titleholder and the landholder;
4. The agreed new route shall then be marked out by the titleholder in accordance with the marking out provisions of this Access Management Plan

5. The titleholder shall then construct the new route and make an appropriate amendment to the plan that is attached to this Access Management Plan and file the same with the Mining Registrar Lightning Ridge.
6. If the parties are unable to reach agreement on any aspect of the proposed new access road then the dispute may be referred to the Warden's Court.
7. For the purpose of this clause, a titleholder may utilise the miners' representative to negotiate a new internal primary access road.

10. DISTURBANCE TO STOCK

Titleholders shall at all times whilst using any access road or track keep noise to a minimum so as to ensure that there is no disturbance to any stock in the vicinity.

11. CONDITIONS FOR USE OF PRIMARY ACCESS ROADS AND ACCESS TRACKS

Roads or tracks may only be used in accordance with the conditions hereunder.

1. All gates on access roads are to be kept in the same condition, i.e. closed or open, as found by those travelling thereon.
2. No titleholder shall interfere with any fence while travelling upon the roads or tracks.
3. Black soil roads and tracks shall not be used during or following wet weather while the surface is impassable. The surface is deemed to be impassable if a two wheel drive vehicle is unable to traverse the road/track unassisted.
4. No road or track shall be impeded with mining equipment or mullock. No mullock is to be placed upon any road or track unless with the written permission of the landholder.
5. Only designated roads shall be used for access to opal fields. Where routes are marked "No Access" or "No Access to Opal Field" there is to be no mining related traffic on these roads
6. The maximum speed limit on any road or track is 50 kph
7. Access roads and tracks shall not be used prior to sunrise or after sunset
8. Titleholders should ensure that no exotic species [e.g. Buffel Grass and Hudson's Pear] is introduced onto the property; tyres of vehicles are to be checked prior to entering to ensure such species or the seeds thereof are not attached thereto.

9. No titleholder shall interfere with, damage, destroy or remove any road identification sign, unless the removal of such is at the request of the LRMA or the landholder.
10. Titleholders are not to leave any rubbish or foreign matter on any access road or track
11. Any explosive transported over any access road or track must be done in accordance with current safety standards and legislation. 24 hours notification, by phone or other means, must be given to the landholder prior to the transportation of such items over any access road or track. Notification requirements may be dispensed with by the landholder upon written notification to the miners' representative.
12. Any disputes arising from this Access Management Plan shall be dealt with by a Warden's Court [S296B1(ii) Mining Act 1992]
13. There is to be no transportation of any dog or other animal over any access road or track, without the written consent of the landholder.
14. Indigenous artifacts shall not be transported over any access road or track other than in compliance with all relevant legislation in relation to the same.

12. ACCESS TO OPB 192 AND 193.

There shall be no access from the Opal Prospecting Blocks on the western portion of the land to OPB's 192 or 193 via the holding yards, other than via a gravel road, to be constructed by the miners' representative, for a distance of approximately 1.5 kms, as indicated on the attached plan, from the existing road within OPB23B, along to the southern portion of the dam which exists on the north-eastern portion of OPB 23B, extending around to the eastern side of that dam and then moving in a north-westerly direction to the red soil on the existing track which is within the westerly most portion of OPB 193.

13. CUTTING OF TIMBER

No person shall cut any timber for any purpose, including the construction of an access road or track, without the written consent of the landholder.

WYOMING PROPERTY ACCESS MANAGEMENT PLAN

NSW DEPARTMENT OF PRIMARY INDUSTRIES



Legend

- Proposed Track
- Main Access
- Industry roads
- Existing track
- Fence
- Drain
- Opal Prospecting Block
- 500m exclusion zone
- Mining Reserve
- Policy Reserve
- Wyoming Property

Note: No access permitted within exclusion zones or reserve areas.

Landholder.....

Miners' Representative.....



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