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GOVERNMENT NOTICE

DEPARTMENT OF WATER AFFAIRS

No. 708

12 August 2010

NATIONAL WATER ACT, 1998

NOTICE REQUIRING PERSONS TO APPLY FOR A WATER USE LICENCE IN TERMS OF SECTION 43(1) OF THE NATIONAL WATER ACT FOR THE PURPOSE OF COMPULSORY LICENSING

The Acting Director-General of the Department of Water Affairs, duly authorised in terms of section 63 of the National Water Act, 1998 (Act No. 36 of 1998) ["the Act"] recommended on 26 July 2010 that it is desirable that within the Tosca Molopo geographic area the provisions relating to compulsory licensing be brought into effect for all persons who wish to take underground water as a water resource in terms of section 21(a) of the Act within this area.

This is due to the following reasons -

- (a) to achieve a fair allocation of water from a water resource in accordance with section 45 -
 - (i) which is under water stress; or
 - (ii) when it is necessary to review prevailing water use to achieve equity in allocations;
- (b) to promote beneficial use of water in the public interest;
- (c) to facilitate efficient management of the water resource; or
- (d) to protect water resource quality.

Therefore, I, Louis Johann Snyders in my capacity as Chief Director: Northern Cape Region of the Department of Water Affairs and duly authorised, request that in terms of section 43(1) of the Act that all persons who wish to take water from the underground water resource within the Tosca Molopo geographic area set out below must submit a licence application within 60 (sixty) days from the date of publication of this Notice.

Water users who exercised an entitlement in terms of general authorisation No 1191 as published in the *Government Gazette* 20526 on 8 October 1999 must also apply for a licence.

All water users whose use falls within an existing lawful water use in terms of section 32 of the Act must also submit a licence application.

Water users who have been issued with a licence for taking water from the underground water resource within the Tosca Molopo geographic area under the Act need not re-apply for a licence, but must submit to either of the addresses below, a copy of their licence.

The Tosca Molopo geographic area comprises of the following areas:

- | | |
|--------------------|--|
| Northern Boundary: | The water-parting formed by the Water Mountains from and including the farm Knapdaar 5 up to and including the farm Stilton 189; |
| Western Boundary: | The water-parting formed by Koedoeskop from and including the farm Stilton 189 up to and including the farm Dubbel Aar 21; |
| Southern Boundary: | The line between the farms Dubbel Aar 21 and Nimrods Vlei 93; |
| Eastern Boundary: | The Molopo River from and including the farm Nimrods Vlei 93 up to and including the farm Knapdaar 5. |

Licence application forms can be obtained from:

- (i) The Northern Cape Regional Office situated at:
Court Building
Cnr Knight and Stead Street
Kimberley
8300;
- (ii) The Tosca Molopo Water User Association situated at:
Agri Molopo West Building
Tosca
8616


- (iii) Downloaded from the Department of Water Affairs website: [www//dwa.gov.za](http://www.dwa.gov.za).

All applications for a licence must be in the form and contain the information determined by the responsible authority and must contain a licence fee of R 114.00, which fee includes VAT.

Completed licence application forms must be submitted to:

- (i) The Northern Cape Regional Office; and
- (ii) The Tosca Molopo Water User Association.

After the closing date for the submission of the licence application, all the applications will be evaluated in terms of section 45(1) of the Act and a proposed allocation schedule reflecting the quantity of water to be assigned or allocated from the water resource(s) will be published in the *Gazette* calling for written objections.



CHIEF DIRECTOR: Northern Cape Region

Date: 2/8/2010