



FERRIER HODGSON

AJS:AS:JG:D1  
JGunnis

17 July 2009

Ms Elizabeth Harris  
ASX Limited  
Level 8, Exchange Plaza  
2 The Esplanade  
PERTH WA 6000

Email: [Elizabeth.Harris@asx.com.au](mailto:Elizabeth.Harris@asx.com.au)

Dear Madam

**WESTERN KINGFISH LIMITED ACN 122 711 880**  
**(Subject to Deed of Company Arrangement) ("WKL")**

We refer to previous correspondence in relation to the above company.

We wish to advise that on 30 July 2009 the following securities will be released from escrow:

- 23,500,000 ordinary fully paid shares; and
- 6,000,000 options to acquire ordinary fully paid shares with an exercise price of \$0.30 and an expiry date of 31 January 2012.

WKL applies for quotation of the shares referred to above by way of the enclosed Appendix 3B Form – Application for quotation of additional securities.

Should you have any queries in relation to the above matter, please do not hesitate to contact Jamie Gunnis of this office.

Yours faithfully

ANDREW SAKER  
Joint and Several Deed Administrator of  
Western Kingfish Limited

Encl.

**PERTH**

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CORPORATE ADVISORY

FORENSICS

CORPORATE RECOVERY

# Appendix 3B

## Application for quotation of additional securities and agreement

*Information or documents not available now must be given to ASX as soon as available. Information and documents given to ASX become ASX's property and may be made public.*

Introduced 1/7/96. Origin: Appendix 5. Amended 1/7/98, 1/9/99, 1/7/2000, 30/9/2001, 11/3/2002, 1/1/2003, 24/10/2005.

Name of entity

WESTERN KINGFISH LIMITED  
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)

ABN

85 122 711 880

We (the entity) give ASX the following information.

### Part 1 - All issues

*Questions 1 to 10 - Not Applicable*

### Part 2 - Bonus issue or pro rata issue

*Questions 11 to 33 - Not Applicable*

### Part 3 - Quotation of securities

*You need only complete this section if you are applying for quotation of securities*

34 Type of securities  
(tick one)

(a)  Securities described in Part 1

(b)  All other securities

Example: restricted securities at the end of the escrowed period, partly paid securities that become fully paid, employee incentive share securities when restriction ends, securities issued on expiry or conversion of convertible securities

### Entities that have ticked box 34(a)

### Additional securities forming a new class of securities

*Questions 35 to 37 - Not Applicable*

**Entities that have ticked box 34(b)**

<p>38 Number of securities for which +quotation is sought</p>	<p>23,500,000</p>					
<p>39 Class of +securities for which quotation is sought</p>	<p>Ordinary fully paid shares</p>					
<p>40 Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?</p> <p>If the additional securities do not rank equally, please state:</p> <ul style="list-style-type: none"> <li>• the date from which they do</li> <li>• the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>• the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>	<p>Yes</p>					
<p>41 Reason for request for quotation now</p> <p>Example: In the case of restricted securities, end of restriction period</p> <p>(if issued upon conversion of another security, clearly identify that other security)</p>	<p>End of escrow period</p>					
<p>42 Number and +class of all +securities quoted on ASX (including the securities in clause 38)</p>	<table border="1"> <thead> <tr> <th>Number</th> </tr> </thead> <tbody> <tr> <td>63,810,000</td> </tr> </tbody> </table>	Number	63,810,000	<table border="1"> <thead> <tr> <th>+Class</th> </tr> </thead> <tbody> <tr> <td>Ordinary fully paid shares</td> </tr> </tbody> </table>	+Class	Ordinary fully paid shares
Number						
63,810,000						
+Class						
Ordinary fully paid shares						

+ See chapter 19 for defined terms.

**Quotation agreement**

1 +Quotation of our additional +securities is in ASX's absolute discretion. ASX may quote the +securities on any conditions it decides.

2 We warrant the following to ASX.

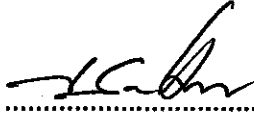
- The issue of the +securities to be quoted complies with the law and is not for an illegal purpose.
- There is no reason why those +securities should not be granted +quotation.
- An offer of the +securities for sale within 12 months after their issue will not require disclosure under section 707(3) or section 1012C(6) of the Corporations Act.

Note: An entity may need to obtain appropriate warranties from subscribers for the securities in order to be able to give this warranty

- Section 724 or section 1016E of the Corporations Act does not apply to any applications received by us in relation to any +securities to be quoted and that no-one has any right to return any +securities to be quoted under sections 737, 738 or 1016F of the Corporations Act at the time that we request that the +securities be quoted.
- If we are a trust, we warrant that no person has the right to return the +securities to be quoted under section 1019B of the Corporations Act at the time that we request that the +securities be quoted.

3 We will indemnify ASX to the fullest extent permitted by law in respect of any claim, action or expense arising from or connected with any breach of the warranties in this agreement.

4 We give ASX the information and documents required by this form. If any information or document not available now, will give it to ASX before +quotation of the +securities begins. We acknowledge that ASX is relying on the information and documents. We warrant that they are (will be) true and complete.

Sign here:  ..... Date: 16/7/2009.....  
Joint And Several Deed Administrator  
Western Kingfish Limited  
(Subject to Deed of Company Arrangement)

Print name: ANDREW SAKER.....  
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+ See chapter 19 for defined terms.