

NOTICE UNDER SECTION 630(3) OF THE CORPORATIONS ACT

To: **Australian Securities and Investments Commission (ASIC)**

Andean Mining Limited (Andean)

This notice (**Notice**) is given under for the purposes of section 630(3) of the Corporations Act 2001 (Cth) (**Act**) by Agua Resources Limited [ACN 128 256 888] (ASX:AGR) (**Agua**) in relation to Agua's off-market takeover offer (**Takeover Offer**) to acquire all of the shares of Andean Mining Limited [ACN 625 466 006] (**Andean**). The Takeover Offer is contained in Agua's Bidder's Statement dated 20 February 2024 (**Original Bidder's Statement**) as supplemented on 22 April 2024 (**First Supplementary Bidder's Statement**), and 20 May 2024 (**Second Supplementary Bidder's Statement**) (together, the **Bidder's Statement**).

Unless otherwise defined in this Notice, capitalised terms in this Notice have the same meaning as set out in the Original Bidder's Statement.

Status of conditions of Takeover Offer

In accordance with section 630(3) of the Corporations Act, Agua gives notice that, at the date of this notice:

- (a) The Takeover Offer is unconditional and has been unconditional since 24 May 2024; and
- (b) Having regard to (a), all of the Conditions described in Section 1.8(a) of Annexure A of the Original Bidder's Statement have been fulfilled; and
- (c) The aggregate of Agua's voting power in Andean is 94.71%.

Date and ASIC Disclaimer

This Notice is dated 24 May 2024 and a copy of this Notice was lodged with ASIC on that date. ASIC and its officers take no responsibility for this Notice.

Authorisation

This notice is signed for and on behalf of Agua Resources Limited pursuant to a resolution of the directors of Agua approving this Notice.

Dated: 24 May 2024



Christina McGrath - Executive Director