



New South Wales

Water Management (General) Amendment Regulation 2006

under the

Water Management Act 2000

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

IAN MACDONALD, M.L.C.,
Minister for Natural Resources

Explanatory note

The object of this Regulation is to modify the provisions of Schedule 10 to the *Water Management Act 2000* (Conversion of former entitlements to access licences and approvals) in relation to the access licences that arise under that Schedule as a consequence of a proclamation under section 55A of that Act that extends the operation of Part 2 of Chapter 3 of that Act to the following water sources:

- (a) the Lower Gwydir Groundwater Source,
- (b) the Lower Macquarie Groundwater Sources,
- (c) the Lower Murrumbidgee Groundwater Sources.

This Regulation is made under the *Water Management Act 2000*, including section 400 (the general power to make regulations) and clause 1 of Schedule 9 (the power to make regulations of a savings or transitional nature).

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Clause 1 Water Management (General) Amendment Regulation 2006

Water Management (General) Amendment Regulation 2006

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Water Management Act 2000

1 Name of Regulation

This Regulation is the *Water Management (General) Amendment Regulation 2006*.

2 Commencement

This Regulation commences on 1 October 2006.

3 Amendment of Water Management (General) Regulation 2004

The *Water Management (General) Regulation 2004* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3 (1):

Part 5 entitlement means a licence under Part 5 of the former 1912 Act.

[2] Part 3, Division 3 heading

Insert “(1 July 2004)” after “licences”.

[3] Part 3, Division 4

Insert after Division 3 of Part 3:

Division 4 Replacement access licences for certain Part 5 entitlements (1 October 2006)**29A Application of Division**

This Division applies to and in respect of each Part 5 entitlement referred to in Column 1 of in Schedule 4A, and to and in respect of each access licence arising from any such entitlement, but not to any other entitlement or access licence.

29B New share components for existing Part 5 entitlements

- (1) This clause applies for the purposes of clause 3 (1) (a), and clause 8, of Schedule 10 to the Act.
- (2) On 1 October 2006, a Part 5 entitlement (or group of Part 5 entitlements) referred to in Column 1 of Schedule 4A is taken to have been replaced:
 - (a) by an aquifer access licence with a share component of the volume specified in Column 2 of that Schedule, and
 - (b) if a volume is specified in Column 3 of that Schedule, by a supplementary water access licence with a share component of the volume so specified.
- (3) The volumes specified in Columns 2 and 3 of Schedule 4A in relation to any Part 5 entitlement (or group of Part 5 entitlements) have been calculated in accordance with whichever of the following methodologies is relevant to that entitlement or group of entitlements:

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- (a) in the case of entitlements relating to the Lower Gwydir Groundwater Source within the meaning of the *Water Sharing Plan for the Lower Gwydir Groundwater Source 2003*, the methodology set out in clauses 25C and 25D of that plan,
- (b) in the case of entitlements relating to the Lower Macquarie Groundwater Sources within the meaning of the *Water Sharing Plan for the Lower Macquarie Groundwater Sources 2003*, the methodology set out in clauses 25C and 25D of that plan,
- (c) in the case of entitlements relating to the Lower Murrumbidgee Groundwater Sources within the meaning of the *Water Sharing Plan for the Lower Murrumbidgee Groundwater Sources 2003*, the methodology set out in clauses 25C and 25D of that plan.

29C Registration of security interests in replacement access licences

- (1) Pursuant to clause 1 of Schedule 9 to the Act, clause 19 of Schedule 10 to the Act is to be construed as if:
 - (a) the reference in clause 19 (5) to the commencement of Part 2 of Schedule 10 to the Act were a reference to 1 October 2006, and
 - (b) the reference in clause 19 (5) (a) to replacement access licences were a reference to replacement access licences arising under clause 29B in relation to the water sources referred to in Schedule 4A.
- (2) Pursuant to clause 1 of Schedule 9 to the Act, the following subclauses are taken to be inserted after clause 19 (10):
 - (10A) Subclause (10B) applies only to an access licence arising from an entitlement with respect to land in respect of which an interest was, immediately before 1 October 2006, registered under the *Real Property Act 1900* or under the *Corporations Act 2001* of the Commonwealth.
 - (10B) No dealing that requires the consent of the holder of a security interest may be registered in relation to an access licence until the expiry of the prescribed period unless, before the expiry of that period, the holder of the interest:
 - (a) has lodged with the Director-General a notice of the kind referred to in subclause (5) (d), or

- (b) has notified the Director-General that the holder does not propose to seek registration of the interest in the Access Register.

29D Entitlements held by 2 or more co-holders

- (1) Pursuant to clause 1 of Schedule 9 to the Act, clause 23 of Schedule 10 to the Act is taken to have been replaced by the following clause:

23 Entitlements held by 2 or more co-holders

Two or more co-holders of a replacement access licence are taken to hold the access licence:

- (a) if the Minister has a record of the shares in which the former entitlement was held immediately before the appointed day, in the same shares as the former entitlement was so held, or
- (b) if the Minister has no such record, but within 2 months after sending a written request to the co-holders seeking information as to their shareholding the Director-General receives:
 - (i) a notice, signed by or on behalf of each of them, by which they agree as to the shares in which they hold the access licence, or
 - (ii) a notice, signed by any one of them, to the effect that legal proceedings have been commenced for the purpose of obtaining a declaration as to the shares in which they hold the access licence, in the agreed shares referred to in the notice under subparagraph (i), or in the shares determined pursuant to the legal proceedings referred to in the notice under subparagraph (ii), as the case may be, or
- (c) in any other case, as tenants in common with the entitlements conferred by the licence under section 56 apportioned equally between them.

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29E Water allocations

Pursuant to clause 1 of Schedule 9 to the Act, clause 25 of Schedule 10 to the Act is to be construed as if clause 25 (4) were replaced by the following subclause:

- (4) The water allocations for a replacement access licence are to be adjusted as required by the accounting practices applicable for the time being to water allocation accounts, except that no such adjustment arising from water taken before 1 October 2006 is to be made after 30 June 2008.

[4] Schedule 4A

Insert after Schedule 4:

Schedule 4A Replacement access licences for certain Part 5 entitlements (1 October 2006)

(Clause 29A)

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
Lower Gwydir Groundwater Source		
90BL011171, 90BL150508, 90BL250343, 90BL253488	766	426
90BL119703, 90BL134721, 90BL134722, 90BL134723, 90BL136758, 90BL139305, 90BL248434, 90BL252051, 90BL252332	1250	868
90BL152823, 90BL152824, 90BL246126	546	306
90BL016165, 90BL249889	341	159
90BL133356, 90BL133359, 90BL143673, 90BL143674, 90BL150929, 90BL150930, 90BL252742	1056	732
90BL141404, 90BL249540, 90BL253195	487	305
90BL136369, 90BL136370, 90BL150147, 90BL150148, 90BL252853, 90BL253287	944	625
90BL130323	106	31

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL150523, 90BL250034	289	4
90BL017250, 90BL118871, 90BL118872, 90BL118873	313	142
90BL127685, 90BL251449, 90BL251625, 90BL251765	1152	772
90BL011327, 90BL018746, 90BL116910, 90BL116911, 90BL138118, 90BL139617, 90BL139618, 90BL139619, 90BL151688, 90BL154435, 90BL249032, 90BL249033, 90BL249034	1175	782
90BL142685, 90BL247497, 90BL251065	639	366
90BL140975, 90BL246193, 90BL246194, 90BL249953	280	167
90BL136199, 90BL137066	144	39
90BL128022	76	
90BL021375, 90BL021376, 90BL021377, 90BL021461, 90BL021462, 90BL023099, 90BL023100, 90BL031284	756	225
90BL010749, 90BL133355, 90BL150506, 90BL150512, 90BL150513, 90BL251817	201	92
90BL022741, 90BL134986, 90BL139833, 90BL249123	470	299
90BL153384, 90BL249633, 90BL249866	461	272
90BL018099, 90BL022154, 90BL110341, 90BL110342, 90BL119361, 90BL119362, 90BL119363, 90BL132980	932	600
90BL138114, 90BL154762	329	188
90BL253041	53	
90BL021579, 90BL153751	84	
90BL140266, 90BL248430, 90BL248782, 90BL250663	473	307
90BL015719, 90BL137330, 90BL246553	416	240
90BL151156, 90BL151580, 90BL246763	61	
90BL136630, 90BL249543, 90BL249544	246	135

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Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL012584, 90BL125386, 90BL137067, 90BL137068, 90BL137069, 90BL137070, 90BL152348, 90BL152441	1619	1141
90BL011261, 90BL016219, 90BL016220, 90BL017201, 90BL018745, 90BL023295, 90BL119575, 90BL119577, 90BL120223, 90BL120224, 90BL131856, 90BL136044, 90BL143029, 90BL143030, 90BL152179, 90BL152180, 90BL152575, 90BL252291	2207	1535
90BL145546, 90BL153305	509	327
90BL253014	470	292
90BL117836, 90BL119369, 90BL136672, 90BL248487, 90BL251066, 90BL251068	330	148
90BL126977, 90BL126978, 90BL248854	515	332
90BL152387	29	
90BL130296	67	
90BL150296	51	
90BL023305, 90BL030183, 90BL133983	82	
90BL023424, 90BL030547	62	
90BL124184	51	
90BL030190	19	
90BL030236	88	11
90BL116784	51	
90BL117059, 90BL248607	51	
90BL122422	40	
90BL134797	21	
90BL152309	31	
90BL138311	19	
90BL252478	52	
90BL133127	16	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL253535	53	
90BL128767	52	
90BL019997, 90BL144654	17	
90BL251981	45	
90BL120493, 90BL249364	69	10
90BL132643	48	
90BL123547	178	
90BL132983	64	
90BL012742, 90BL138117	162	
90BL134197	47	
90BL246805	51	
90BL031508	15	
90BL114651	27	
90BL114931	51	
90BL117361	19	
90BL122429	76	
90BL123551	52	
90BL253292	51	
90BL126671	19	
90BL127388	50	
90BL132736	33	
90BL253472	424	246
90BL136365	79	21
90BL136366	53	
90BL144146	53	
90BL144695	11	

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Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL145088, 90BL145089, 90BL145090, 90BL145091	55	
90BL150375	53	
90BL150565	53	
90BL151684	2	
90BL151863	38	
90BL151934	793	483
90BL152275, 90BL152276	53	
90BL152350	53	
90BL250258	79	21
90BL152562	18	
90BL250365	134	
90BL154867	48	
90BL246661	19	
90BL247523	19	
90BL141178, 90BL250361	19	
90BL110941	19	
90BL118268	26	
90BL246005	19	
90BL246032	19	
90BL246066	19	
90BL246077	19	
90BL246178	51	
90BL246623	19	
90BL246700	19	
90BL140689	109	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL246843	40	
90BL141447	19	
90BL252829	19	
90BL247693	19	
90BL018185	60	
90BL022701	67	
90BL246156	8	
90BL017406, 90BL031080, 90BL031082, 90BL031083, 90BL031085, 90BL031089, 90BL031092, 90BL031093, 90BL031096, 90BL031097, 90BL031098, 90BL031099, 90BL031104, 90BL031106, 90BL031107, 90BL031109, 90BL031110, 90BL031112, 90BL132841, 90BL132843, 90BL132846, 90BL247831, 90BL247832, 90BL247833, 90BL247834, 90BL247835, 90BL247836, 90BL247837, 90BL247838, 90BL247839, 90BL247840, 90BL247841, 90BL247842, 90BL247843, 90BL247844, 90BL247845, 90BL247846, 90BL247847, 90BL247848, 90BL247849, 90BL247850, 90BL247941, 90BL247942, 90BL247943, 90BL247944, 90BL247945, 90BL247946, 90BL247949, 90BL247950, 90BL247951, 90BL247952, 90BL247953	197	
90BL008448	3	
90BL010897	54	
90BL011732	53	
90BL002596, 90BL012041	30	
90BL011178, 90BL015213	54	
90BL015563	51	
90BL016126	58	
90BL016151	54	

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Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL013616, 90BL016437	78	
90BL017032	57	
90BL017460	79	
90BL017828	10	
90BL018923, 90BL018994	62	
90BL019374	53	
90BL019793, 90BL021928	66	
90BL118200	62	
90BL118686	97	
90BL124809, 90BL247703	15	
90BL136669, 90BL136670, 90BL248034	98	32
90BL132173	22	
90BL136762, 90BL155340, 90BL248045, 90BL248485, 90BL249906, 90BL252932	1246	799
90BL248123	19	
90BL248124	12	
90BL246643	6	
90BL246387	19	
90BL012110	21	
90BL020872, 90BL248125	181	80
90BL021368	50	
90BL016804, 90BL021748	157	
90BL248429	6	
90BL011218	51	
90BL252646	19	
90BL248547	19	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
90BL250617	19	
90BL153464	19	
90BL248671	19	
90BL248910	12	
90BL152457	32	
90BL248734	19	
90BL248909	19	
90BL249250	19	
90BL249124	19	
90BL018395	69	
90BL153698	4	
90BL153750	8	
90BL008075, 90BL009831, 90BL015040, 90BL018298	50	
90BL017750, 90BL138098	318	195
90BL250251	193	103
90BL250289	53	
90BL009410, 90BL251556	259	
90BL015039	55	
90BL012899	79	
90BL247500	111	
90BL010906	53	
90BL010310	5	
90BL010983	12	
90BL017366	1	

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Part 5 entitlement	Aquifer access licence	Supplementary access licence
Lower Macquarie Groundwater Sources		
80BL241001	694	
80BL112845	5	
80BL243164	234	
80BL123514	204	
80BL130131	199	6
80BL133869	52	
80BL152474	20	
80BL153372	2	
80BL237935	1154	
80BL118157, 80BL236966	1281	
80BL124341, 80BL237079	1644	69
80BL126281	950	
80BL236608	2382	319
80BL150857	56	
80BL154393, 80BL236537, 80BL236856, 80BL242194	3196	507
80BL118944, 80BL237086	1229	
80BL136835	95	
80BL241217	471	
80BL022539	236	
80BL126280	70	
80BL012837	59	
80BL128713	7	
80BL236808, 80BL239468, 80BL241584	1710	
80BL236839	1168	
80BL236614	181	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
80BL238828, 80BL241752	719	
80BL236237	1493	244
80BL110454	25	
80BL124000	144	23
80BL238097	1781	
80BL001839, 80BL236809	1424	
80BL236854	1867	
80BL236873, 80BL242967	1459	
80BL236581	1338	
80BL236612	1257	
80BL236748	3508	
80BL237035	439	
80BL236865	2635	
80BL236973	897	
80BL237354, 80BL239885	2015	
80BL237398	894	
80BL237399	867	
80BL237402	732	
80BL237388	781	
80BL237855	370	
80BL011910	183	
80BL241215	161	
80BL130988	68	13
80BL143018, 80BL143019	838	
80BL145561	157	

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Part 5 entitlement	Aquifer access licence	Supplementary access licence
80BL155086, 80BL236187, 80BL236670, 80BL236904, 80BL237403	869	
80BL236669	64	18
80BL130514	35	
80BL006227, 80BL009151, 80BL236118	214	
80BL106306, 80BL106309, 80BL236364	785	67
80BL237000, 80BL237001	1017	
80BL241665	19	
80BL236648, 80BL237020, 80BL237050, 80BL237051, 80BL238099, 80BL238100	1473	
80BL236205, 80BL236421, 80BL236424, 80BL236618, 80BL236619	238	203
80BL236965	114	
80BL236425	70	63
80BL236728	361	
80BL239371	3	
80BL236448	63	
80BL236878, 80BL236879	1	
80BL237534	532	
80BL237537	204	
80BL236813	901	
80BL238962	81	32
80BL238347	1	
80BL007260, 80BL007268	153	
80BL007755	2	
80BL236389, 80BL237763	1540	553
80BL237012	1146	279
80BL236701	1078	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
80BL236899	803	
80BL236408	533	
80BL238369	1	
Lower Murrumbidgee Groundwater Sources		
40BL019175	743	
40BL021814, 40BL021815, 40BL021816, 40BL135531	1681	270
40BL186334	1702	283
40BL022993, 40BL125453, 40BL135320	3028	554
40BL118869, 40BL130711, 40BL131200, 40BL131201, 40BL132712, 40BL186511, 40BL188282, 40BL188759, 40BL189195, 40BL189739	9399	1554
40BL105350	100	
40BL186703	1616	266
40BL108511, 40BL143642	1667	297
40BL108520, 40BL133075, 40BL138682	485	51
40BL109235, 40BL187467	1730	332
40BL145210, 40BL152623, 40BL187369	3131	601
40BL190820	1108	162
40BL106250	474	
40BL186295, 40BL190019	2405	
40BL111322	100	
40BL114593	1857	
40BL114799	559	34
40BL114819	100	
40BL117360	774	48
40BL188720	2514	483

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Part 5 entitlement	Aquifer access licence	Supplementary access licence
40BL189097	162	
40BL117984	289	
40BL119019	92	
40BL119791	232	33
40BL121176	25	
40BL133531, 40BL189977	2949	567
40BL122644, 40BL188616	1605	229
40BL123468	148	12
40BL122337, 40BL124054, 40BL186466, 40BL186608, 40BL186915	4806	777
40BL022358, 40BL190200	100	
40BL124326, 40BL131357, 40BL137894, 40BL186274, 40BL186476, 40BL190506	6625	1273
40BL125107	176	
40BL126256	25	
40BL189070	100	
40BL126507, 40BL186298, 40BL186382	2221	427
40BL126722	100	
40BL130397	423	67
40BL130702, 40BL186908	1147	214
40BL130725	41	
40BL130772	724	94
40BL188655	566	
40BL131730	1416	204
40BL131866	263	16
40BL132958	900	129
40BL132975	352	57

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
40BL133530, 40BL142079	258	17
40BL133778	756	106
40BL133935, 40BL141189	5100	923
40BL188340	1673	271
40BL187335, 40BL190911	192	2
40BL190210	1505	289
40BL134886	1	
40BL135108, 40BL187225, 40BL188370	3272	517
40BL135676	241	15
40BL186882, 40BL190151	1702	317
40BL119217, 40BL137731	1105	167
40BL138140, 40BL140863, 40BL186212, 40BL186587	6743	1249
40BL139415, 40BL190704	1573	302
40BL140744	2475	455
40BL188417	895	152
40BL141879, 40BL187901	1294	44
40BL190268	2516	474
40BL145650	892	147
40BL154085	32	
40BL154434	233	24
40BL154638	1086	209
40BL155073	1467	270
40BL186019, 40BL186020, 40BL186190, 40BL186191, 40BL186192, 40BL186193, 40BL186324, 40BL186325, 40BL186560, 40BL186562	24682	4485
40BL186029	1361	207
40BL186032	818	136
40BL186037	655	120

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Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
40BL186083	870	143
40BL186142, 40BL186159	100	
40BL186218	424	70
40BL186219	1303	250
40BL186226	695	116
40BL119208, 40BL186128, 40BL186229, 40BL187100, 40BL187101, 40BL188059, 40BL188060, 40BL188118, 40BL190747	9636	1427
40BL186232	577	19
40BL186236	488	60
40BL186073, 40BL186074, 40BL186075, 40BL186238, 40BL189063	11222	1918
40BL151287, 40BL186720	1961	377
40BL152608	339	
40BL186022	882	169
40BL186050	459	80
40BL130929	465	89
40BL186285	279	
40BL186286	680	89
40BL186268, 40BL186688	2472	421
40BL186277	1347	147
40BL186322	1910	349
40BL186323	1219	230
40BL188392	237	
40BL186597, 40BL186599, 40BL188233, 40BL188234	6269	859
40BL186330	300	49
40BL186345	2039	320
40BL186440	1601	299
40BL186375	1642	286

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
40BL186490	15	
40BL189749	2064	394
40BL186503, 40BL186504, 40BL186505, 40BL186506, 40BL186507	6029	1029
40BL186464	993	144
40BL186432	3037	579
40BL186501, 40BL186510	2617	484
40BL188055, 40BL188056, 40BL188117	3563	535
40BL120604, 40BL189300	1605	298
40BL186486, 40BL186487, 40BL187595, 40BL187596, 40BL187668, 40BL188656	7182	997
40BL186460	1039	198
40BL186554	636	112
40BL186539	302	50
40BL186535	635	112
40BL187254	681	124
40BL186545	407	76
40BL186611	529	85
40BL186610	648	115
40BL186543	395	72
40BL186536	150	12
40BL186537	938	170
40BL186620	1655	304
40BL186580, 40BL188023	3543	599
40BL186639	586	76
40BL186496, 40BL187899, 40BL187900	746	47
40BL186656	100	
40BL186547	186	
40BL186604	925	

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Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
40BL186548	630	87
40BL186930	280	44
40BL186860	279	
40BL186859	532	62
40BL186518	102	1
40BL189801	508	57
40BL186469	463	88
40BL186637	362	45
40BL186878	295	27
40BL187224	32	
40BL187482	39	
40BL189576	1028	
40BL187581	375	68
40BL186261	18	
40BL186255	19	
40BL187705	657	99
40BL186230	744	103
40BL186527	4323	696
40BL186524	743	
40BL188334	979	173
40BL187261	384	49
40BL188347	19	
40BL188739	19	
40BL186467	1405	270
40BL130445, 40BL155088, 40BL186239, 40BL188523	4004	760
40BL190261	100	
40BL188361	111	

Column 1	Column 2	Column 3
Part 5 entitlement	Aquifer access licence	Supplementary access licence
50BL150121	1301	179
50BL196121, 50BL197187	2093	193
50BL196102, 50BL196791	3120	
50BL196349	1333	217
50BL196431	574	48
50BL196448	1336	237
50BL196617	371	
50BL197344, 50BL197747	423	
50BL198114, 50BL198115, 50BL198117, 50BL198118, 50BL198119	10082	1800
50BL198150	1722	190
50BL198153, 50BL198156, 50BL198157	1925	250
50BL198183	635	88
50BL198188	1508	228
50BL198190	1091	209
50BL198191	738	105
50BL132855	743	
50BL122832, 50BL198243	1319	149
50BL138079	666	
50BL140942, 50BL198260	1857	
50BL133856, 50BL198146	1197	154
50BL141965	1464	209
50BL199344	30	