

# Appendix 3B

## New issue announcement, 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.

Name of entity

**DEEP YELLOW LIMITED**

ABN

**97 006 391 948**

We (the entity) give ASX the following information.

### Part 1 - All issues

You must complete the relevant sections (attach sheets if there is not enough space).

1	+Class of +securities issued or to be issued	Fully Paid Shares
2	Number of +securities issued or to be issued (if known) or maximum number which may be issued	87,500
3	Principal terms of the +securities (eg, if options, exercise price and expiry date; if partly paid +securities, the amount outstanding and due dates for payment; if +convertible securities, the conversion price and dates for conversion)	Exercise of Employee Options  12,500 Options vested 1 December 2008 75,000 Options vested on 1 June 2009 and they had an exercise price of 27.5 cents
4	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?  If the additional securities do not rank equally, please state: <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>	Yes

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5	Issue price or consideration	27.5 cents	
6	Purpose of the issue (If issued as consideration for the acquisition of assets, clearly identify those assets)	Employee options exercised	
7	Dates of entering +securities into uncertificated holdings or despatch of certificates	15 December 2009	
		Number	+Class
8	Number and +class of all +securities quoted on ASX (including the securities in clause 2 if applicable)	1,125,689,458	Ordinary
9	Number and +class of all +securities not quoted on ASX (including the securities in clause 2 if applicable)	2,912,500 31/12/09 at 44.6c	Unlisted options
		2,437,500 31/12/10 at 59.6c	“ “
		787,500 30/06/10 at 64.6c	“ “
		612,500 30/06/11 at 74.6c	“ “
		12,500,000 30/11/10 at 59.5c	“ “
		8,537,500 30/06/11 at 27.5c	“ “
		3,405,000 30/06/11 at 40c	“ “
		2,145,000 30/06//11 at 45c	“ “
		2,145,000 30/06/11 at 60c	“ “
		1,700,000 31/12/11 at 27.5 c	“ “
		865,000 30/06/12 at 27.5 c	“ “
		625,000 30/12/12 at 60c	“ “
		2,650,000 30/12/12 at 35c	“ “
		4,000,000 30/12/12 at 45c	“ “
10	Dividend policy (in the case of a trust, distribution policy) on the increased capital (interests)	N/A	

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**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.
- We warrant that if confirmation is required under section 1017F of the Corporations Act in relation to the +securities to be quoted, it has been provided 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.



16 December 2009

Sign here: .....  
(Director/Company secretary)

Date: .....

Print name: .....  
Mark Pitts

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