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IN THE HIGH COURT OF SOUTH AFRICA
Gauteng Division, Pretoria

CASE NO: **2025-111881**

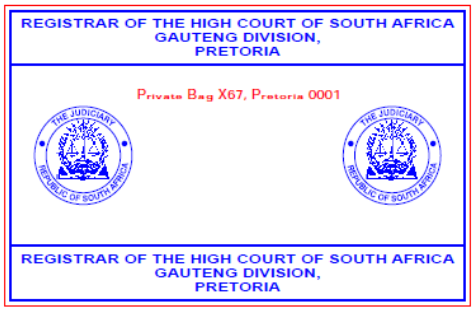
In the matter between:

Sakeliga NPC,Transvaal Agricultural Union of South Africa,CT van der Merwe Boerdery (Pty) Ltd,Twyfel Nie Plase (Pty) Ltd,Blouberg Sitrus (Pty) Ltd,Pontdrif Citrus (Pty) Ltd,Corfuscore (Pty) Ltd,Mosima Beleggings (Pty) Ltd	Plaintiff / Applicant / Appellant
and	
Minister of Water and Sanitation,Director-General of Water and Sanitation,Department of Water and Sanitation	Defendant / Respondent

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Replying Affidavit

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ELECTRONICALLY SIGNED BY:

Registrar of High Court of South Africa , Gauteng Division,Pretoria

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

Case No: 2025-111881

In the matter between:

SAKELIGA NPC	First Applicant
TRANSVAAL AGRICULTURAL UNION OF SOUTH AFRICA	Second Applicant
CT VAN DER MERWE BOERDERY (PTY) LTD	Third Applicant
TWYFEL NIE PLASE (PTY) LTD	Fourth Applicant
BLOUBERG SITRUS (PTY) LTD	Fifth Applicant
PONTDRIF CITRUS (PTY) LTD	Sixth Applicant
CORFUSCORE (PTY) LTD	Seventh Applicant
MOSIMA BELEGGINGS (PTY) LTD	Eighth Applicant

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

and

MINISTER OF WATER AND SANITATION	First Respondent
DIRECTOR-GENERAL DEPARTMENT OF WATER AND SANITATION	Second Respondent
DEPARTMENT OF WATER AND SANITATION	Third Respondent

FILING NOTICE

DOCUMENTS TO BE FILED:

- **APPLICANTS' REPLYING AFFIDAVIT**

16/10/2025-2:44:19 PM

SIGNED AT PRETORIA ON 16 OCTOBER 2025.

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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
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TO: **THE REGISTRAR OF THE ABOVE HONOURABLE COURT**
PRETORIA

AND TO: **THE STATE ATTORNEY**
ATTORNEYS FOR RESPONDENTS
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Cnr 316 Thabo Sehume & Francis Baard Street,
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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

Case No: 2025 - 111881

In the matter between:

SAKELIGA NPC	First Applicant
TRANSVAAL AGRICULTURAL UNION OF SOUTH AFRICA	Second Applicant
CT VAN DER MERWE BOERDERY (PTY) LTD	Third Applicant
TWYFEL NIE PLASE (PTY) LTD	Fourth Applicant
BLOUBERG CITRUS (PTY) LTD	Fifth Applicant
PONTDRIF CITRUS (PTY) LTD	Sixth Applicant
CORFUSCORE (PTY) LTD	Seventh Applicant
MOSIMA BELEGGINGS (PTY) LTD	Eighth Applicant

and

MINISTER OF WATER AND SANITATION	First Respondent
DIRECTOR-GENERAL DEPARTMENT OF WATER AND SANITATION	Second Respondent
DEPARTMENT OF WATER AND SANITATION	Third Respondent

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REPLYING AFFIDAVIT

I, the undersigned,

TOBIAS VIVIAN ALBERTS

do hereby make oath and state the following:



1.

I am an adult male and legal officer of the First Applicant in this application, with work address at Block A, 45 Loftus Park, 416 Kirkness Street, Arcadia, Pretoria.

2.

The content of this affidavit falls within my personal knowledge unless the context indicates otherwise. To the best of my knowledge the content is both true and correct.

3.

I am still duly authorized to conduct these proceedings on behalf of all of the Applicants and to depose to this affidavit on their behalf.

4.

Before dealing *seriatim* with the Answering Affidavit, I want to highlight some aspects. It appears that the Answering Affidavit is firstly an attempt at getting this Honourable Court not to adjudicate the matter at all cost.

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5.

It is falsely and opportunistically claimed that there is no real dispute between the parties and that such a dispute will only arise in future if the Respondents ever sues for the alleged dues.

6.

There is clearly a dispute. The Applicants have placed their position on record that a three year prescription term finds application when it comes to water use charges in respect of the water used for irrigation purposes by those in the private sector.

7.

The Respondents hold an opposite view. The Respondents are clearly of the view that a three year prescription period does not find application and they insist that all dues, irrespective of when same arose, should be paid.

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8.

The individual Applicants (Third to Eighth Applicants) are constantly being harassed for payment and the dispute remains. Many other irrigators have to endure the same conduct.

9.

The Respondents also do not get to the stage where they issue Summons. They simply let more and more of the arrears prescribe without taking any legal action. It suits them to rather try to extort prescribed debt or to hope that the victims of this practice are ill-informed and commit to payment.

10.

The order will bring substantial advantage to the Applicants since it will provide legal clarity. If there is clarity on the applicability of a three year

prescription period, that erases all doubt in respect of the period for which payment could be due. This can then lead to sensible settlement discussions and payment proposals and finality on the issue. If there is ever future litigation by the Department, this will also already take some of the issues out of debate.



11.

I now turn to deal with the Answering Affidavit of Mr. Mpho Ratshisusu. If I do not specifically address an aspect in his affidavit, the intention is to deny that aspect and to persist with the version advanced in the Founding Affidavit and this affidavit.

12.

I have read his affidavit and respond as follows:

13.

AD PARAGRAPH 1 TO 5:

I note the identity of the deponent. I expressly deny that the facts contained in his affidavit are true and correct or that same resorts within his personal

knowledge. I deny that the deponent has access to al documents of relevance. If this had been the case, he would have seen that the invoicing and statements are not complete. The deponent claims that in fact correct invoices / statements were duly delivered, but cannot annex an example of such alleged complete accounting.

14.

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I note that the deponent acts on legal advice. The correctness of the said advice is denied.

15.

AD PARAGRAPH 6 TO 9:

15.1. I note the methodology adopted. It is denied that the application is ill-conceived or that there is any reason for this Honourable Court not to grant the relief sought by the Applicants.

15.2. I respectfully deny that there is any merit in the opposition.

15.3. The relief sought is not unwarranted or undesirable (although the Respondents clearly would prefer for such an order not to be granted).

16.

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AD PARAGRAPH 10 TO 14.1:

16.1. This constitutes legal argument. It is denied that the legal stance adopted and advanced by the deponent is correct.

16.2. This is a proper case for the Honourable Court to exercise any discretion that it may have in favour of the Applicants. It is also denied that the deponent has correctly listed all factors to be considered.

17.

AD PARAGRAPH 15 TO 20:

17.1. The content of these paragraphs is expressly denied. Clearly the relief is not sought in the abstract. One simply needs to look at the Notice of Motion to see that the relief is sought in respect of specific

accounts held by various Applicants. The Founding Affidavit also deals with the various Applicants and their prescribed debts and the enforcement efforts against them.

17.2. For anyone to claim that the relief is sought in the abstract is disingenuous, opportunistic and wrong.

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17.3. There is sufficient factual basis before this Honourable Court. It is correct that the Department has never issued Summons. It merely continues to harass the water users with collection efforts.

17.4. This is likely, *inter alia,* because the Department knows that it is attempting to enforce prescribed debt. It hopes to be paid monies that it won't be able to legally recover.

17.5. It is respectfully submitted that this is a case where the discretion of this Honourable Court should be exercised favourably in respect of the Applicants.

18.

AD PARAGRAPH 21 TO 23:

18.1. The content of these paragraphs is denied. Clearly there is a dispute. This much is evident from the correspondence annexed to the founding papers. The Respondents, one the one hand, aver that the relevant debts do not prescribe after the passing of three years. The Applicants hold the opposite view.

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18.2. The Department is, however, not getting to the point of issuing Summons. It merely harasses and threatens. The dispute is already in existence and needs to be resolved.

19.

AD PARAGRAPH 24 TO 28:

19.1. The content of these paragraphs is denied. There will be substantial advantage to the order being granted. This will clarify the legal question in respect of the applicable period of prescription. This will enable the parties to pursue more sensible discussions in future when it comes to settling any arrears that might actually be due and has not been extinguished.

19.2. This may also possibly even lead to a situation where it is not necessary for the Department to pursue legal action. Currently the

payment dispute remains ongoing and the Department is not being paid, because of its (wrong) hard line approach that a three year prescription period cannot apply. In each particular case the prescription date will be calculated with reference to when Summons is served, etc. *In casu* no Summons has been served to date. The judgment will however assist if that point ever does arrive.

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19.3. The deponent cannot show any reason why the debt in respect of the Applicants before Court would not have prescribed. The Respondents bear the onus in this regard and have not produced any evidence of any interruption of prescription. I once again reiterate that this case is not brought in the abstract.

19.4. The order will have significant practical impact. It will hopefully lead to the Department ceasing with its harassment of commercial irrigators by continuing to insist that prescribed debt should be paid. It is convenient for the deponent to avoid the issue and hide behind an argument that the dispute should only be settled when Summons is issued, whilst the Respondents are not issuing any Summonses and this has remained the position for many years.

20.

AD PARAGRAPH 29 TO 30:

20.1. The declaratory order will clarify the legal position and the rights of the parties. There is no alternative remedy. The Applicants cannot simply be expected to endure the constant harassment whilst the Department does not get to the stage of issuing Summons. This has been the stale mate position for many years. The Respondents appear unwilling to test their stance in legal proceedings. This forced the hand of the Applicants.

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20.2. The Applicants want legal clarity and, unlike the Respondents, they are taking action at their own expense to resolve the matter.

21.

AD PARAGRAPH 31 TO 33:

21.1. The question raised has not been adjudicated before. The position in respect of water used for irrigation purposes by private actors has not been before the Court.

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21.2. In any event, the judgment on which the Respondents base their position, is in respect of different facts. The judgment is also, with respect, wrong and not binding.

21.3. It has already been set out that the appliable water use charges in terms of the National Water Act have no relation to Section 27 of the *Constitution of the Republic of South Africa,* 1996. That section does only have relevance when it comes to potable water used for household purposes and sanitation. The fact that the State may have certain obligations in terms of sections of the Constitution, find no application to the current case and does not affect the position of private irrigators.

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21.4. It is denied that water use charges may be used in the manner indicated by the deponent. Those charges should primarily be aimed at the cost of water resource management and development.

21.5. The relevant provisions of subsection 27 of the Constitution dictates that everyone has the right to have access to sufficient food and water.

21.6. Everyone certainly does not have the right of access to irrigation water. In fact, to the contrary, the vast majority of South Africans

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have no access to water for irrigation purposes and will also never seek such access during their lifetime. Such applications are normally limited to a handful of individuals and entities operating in the commercial farming or related sectors.

22.

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AD PARAGRAPH 34 TO 36:

22.1. Separate relief is sought in respect of each and every account of relevance. The Respondents also had the opportunity of answering separately to any specific account. They could, for example, have indicated that Summons had possibly been issued in respect of some of the accounts (which is not the case), or that there would have been some other reason why debt should not be prescribed in their view. The Respondents failed to deal with any particular account in any meaningful manner.

22.2. It is denied that there is any reason for the application to be dismissed. I have also dealt with the fact that the relevant water uses are not derived from Section 27 of the Constitution. In fact, it is the current conduct of the Minister that is going against achieving the objects of the NWA. Because payment of the prescribed debt is

sought to be extorted, this leads to a situation where essentially all irrigators are forced to not pay at all in the fear of possibly making a commitment that will be construed against them. The revenue of the Department will likely significantly increase if it is only reasonable and only demands payment for three years.

22.3. It is denied that there is sufficient basis for the application to be dismissed or for the cost order sought by the Respondents.

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23.

AD PARAGRAPH 37 TO 41:

I reiterate that the facts in the Founding Affidavit are true and correct.

24.

AD PARAGRAPH 42 TO 45:

24.1. The Applicants did place the necessary factual allegations before this Honourable Court.

24.2. Detailed statements and invoices have been requested on numerous occasions. They have still not been provided and also haven't been placed before this Honourable Court.

24.3. The Respondents claim that such statements have always been forthcoming, and yet they could not annex a single example of a complete detailed statement or invoice to their Answering Affidavit.

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25.

AD PARAGRAPH 46 TO 51:

There is some significance in viewing and comparing the provisions of the old Act. The provisions of the National Water Act are obviously highly relevant. I have already dealt with the purpose of the water use charge. The purpose is also not relevant when it comes to determining the applicable period of prescription.

26.

AD PARAGRAPH 52 TO 53:

I have already indicated that Section 27 of the Constitution is of no relevance.

27.

AD PARAGRAPH 54 TO 55:

I have already dealt with the fact that Section 27 of the Constitution is not applicable. Payment of water use charges under the NWA does not amount to fulfilling a constitutional obligation. It is denied that the accounts in question would not be susceptible to prescription.

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28.

AD PARAGRAPH 56 TO 56.2:

28.1. The Applicants did set out the position of each individual commercial irrigator.

28.2. The Respondents were at liberty to deal with each respective water user and relevant account in detail. They have not done so despite the fact that the onus is on them. It is incorrectly claimed by the deponent in paragraph 56.1 that some payments have been made by some Applicants which would serve *"as an acknowledgement of liability"*. It is indicated that *"this will be demonstrated below"*.

28.3. Despite this bald claim, no thread of further evidence is provided claiming that any particular Applicant has made any payment or partial payment. The statement is opportunistic and wrong. The Applicants confirm that they have not made any payment.

28.4. Clearly, the Respondents will clutch at any straw, but do not have any evidence that will get them past prescription. The onus is also on them to show any payment or interruption.

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29.

AD PARAGRAPH 57 TO 58:

29.1. I note the bald and opportunistic claim that the Applicants would, allegedly, have had proper invoices and statements for many years. Despite this bald and incorrect claim, such *"correct"* statements or invoices are not placed before this Honourable Court in adherence to the best-evidence rule. The reason for this is simple – the documents do not exist.

29.2. When the NWA made its way into our law, the legislature was obviously aware of the fact that the Prescription Act was already part

of existing law. In respect of a large variety of statutory causes of action the prescription period is not dealt with separately in any other Act.

29.3. Everyone knows that you look to the Prescription Act to find guidance. It is denied that the water use charges go towards to the progressive realization of access to water. I have already indicated that in respect of irrigation water there is no right of such access. Some roleplayers simply apply and are then possibly granted such right/s. The vast majority of South Africans will never apply for or use such a right during their lifetime.

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30.

AD PARAGRAPH 59 TO 62:

30.1. The content of these paragraphs is denied. The Applicants had various difficulties with calculating what may possibly be due, such as the lack of proper invoices and statements.

30.2. Prescribed debt is also being claimed.

30.3. Prescription has still stepped in. Prescribed debt is sought to be extorted from all of the Applicants acting in own interest.

31.

AD PARAGRAPH 63 TO 70:

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31.1. Legal certainty is required in relation to the subject matter. The issue has not been decided before. Clearly, the Applicants and Respondents hold different views. The Department has been unwilling to issue Summons so that the point can be decided. The Applicants have commenced the current litigation to gain clarity. The Department has, in the past, blown hot and cold on the issue, but it is now clear that the Respondents are (incorrectly) of the view that a three year period of prescription would not find application. The Respondents are wrong.

31.2. Any form of enrichment is denied. The Applicants are severely impacted and constantly harassed and disrupted by the debt enforcement efforts that do not culminate in litigation from the side of the Respondents. When it comes to prescription it is a factual and legal question. It is impermissible to question motives and to try to bring emotion into the matter.

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32.

AD PARAGRAPH 71 TO 77:

32.1. A three year period of prescription is applicable. In the past some departmental officials shared this view, but the Respondents are now holding an opposite view. Clarity needs to be provided in respect of which position is correct.

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32.2. Interestingly, the Regulation quoted references monthly invoices and not *"bi-annual"* invoices. The Department has also been at liberty to institute litigation, but persistently fails to do so. I have already indicated that the Applicants did not constantly receive invoices (definitely not monthly or six-monthly). The invoices that were received also are not proper invoices with detailed descriptions.

32.3. The issue of prescription in relation to commercial water use entitlements and water use charges by private actors has not yet featured before the Courts. The Department is constantly attempting to enforce prescribed debt and is harassing the commercial irrigators in this regard. Despite this, the Department has been unwilling to commence litigation against any of the individual Applicants. To the

best of my knowledge litigation has also not commenced in respect of any other individual irrigator.

33.

AD PARAGRAPH 78 TO 82:

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33.1. Debt older than three years is sought to be enforced. This stands in the way of a possible final resolution of the issue pertaining to the alleged total arrears. Clearly, the Department is unwilling (or unable) to provide any clarity in relation to the letters of demand or proper invoicing.

33.2. It is denied that the current application constitutes an abuse of process or that a punitive cost order can ever be warranted against the Applicants under the circumstances. The information referenced in paragraph 80 to 82 of the answering affidavit does have some relevance. This will be addressed at the hearing.

34.

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AD PARAGRAPH 83:

The delay in issuing Summons surely cannot be attributed to the debt collectors merely following due processes. That process has been dragging on for several years. The Department is unwilling to issue Summons. No process invoked by the debt collectors in their harassment strategy has yielded any results.

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35.

AD PARAGRAPH 84 TO 86:

It is denied that there has been proper invoicing. There can be no sensible negotiation whilst the department remains adament on enforcing prescribed debt. To make matters worse, this is debt for which it cannot provide proper statements or invoices. The information placed before Court by the Applicants has relevance and clearly shows that declaratory relief is warranted and necessary.

36.

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AD PARAGRAPH 87 TO 87.6:

36.1. It is denied that there is any reason for this Honourable Court to exercise its discretion against the Applicants. Declaratory relief is clearly warranted *in casu*.

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36.2. There clearly exist a dispute and the parties hold opposing views on what the correct legal position is. This stands in the way of sensible negotiations and possible settlement. Declaratory relief will aid the Applicants in this dispute and bring clarity to their position. The Department has constantly remained unwilling (or unable) to institute litigation. The Applicants cannot be expected to merely wait for summonses (that won't come) for several more years. Interestingly, no indication has even been provided on when Summons may possibly be issued.

36.3. The Respondents were at liberty to address each specific applicant and every specific account. They failed to do so. They could have set out a particular defence on a particular account, if they had one.

36.4. There is no alternative remedy available to the Applicants, but in any event this is not the test. All of the

CONCLUSION:

37.

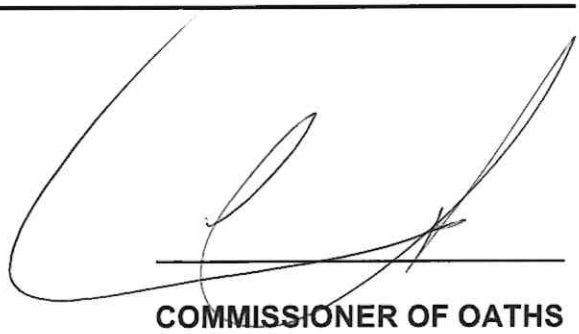
The Applicants accordingly respectfully persist in seeking the relief sought in the Notice of Motion.

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TOBIAS VIVIAN ALBERTS
DEPONENT

THUS SWORN AND SIGNED AT Pretoria ON THIS 8th DAY OF October 2025, BEFORE ME, Herman Kekana, COMMISSIONER OF OATHS, THE DEPONENT HAVING ACKNOWLEDGED THAT HE UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, HAS NO OBJECTION IN TAKING THE OATH AND REGARDS THE OATH AS BINDING ON HIS CONSCIENCE AFTER COMPLYING WITH THE REQUIREMENTS OF GOVERNMENT NOTICE R1258, DATED 21 JULY 1972, AS AMENDED.

BEFORE ME:



COMMISSIONER OF OATHS

NAME: Herman Kelderman
CAPACITY: Commissioner of Oaths
Practicing Attorney
ADDRESS: A Wolmarans Inc. Attorneys
Practice No: 26077
2nd Floor, Building B, Loftus Office Park
402 Kirkness Street, Arcadia, Pretoria
Tel: 012 534 3002, Fax: 086 620 0551



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IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

CASE NO.: 2025-111881

In the application between:

SAKELIGA NPC	**1st Applicant**
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and	
MINISTER OF WATER AND SANITATION	**1st Respondent**
DIRECTOR GENERAL DEPARTMENT OF WATER AND SANITATION	**2nd Respondent**
DEPARTMENT OF WATER AND SANITATION	**3rd Respondent**

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CONFIRMATORY AFFIDAVIT

I, the undersigned,

JOHANNES JACOBUS BEZUIDENHOUT

State under oath as follows:

16/10/2025-2:44:19 PM

1 I am an adult male financial manager and employee of the company and farm Mosima Beleggings (Pty) Ltd, with registration number 1998/015635/07, and registered address at Office No 11, JCJ Corner Building, 2 Biccard Street, Polokwane, Limpopo, 0699.

2 I am duly authorised to depose to this affidavit by virtue of a director's resolution dated 17 February 2025.

3 The facts set out in this affidavit fall within my personal knowledge, save where the context indicates otherwise and are to the best of my knowledge true and correct.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

4 I have read the replying affidavit of **TOBIAS VIVIAN ALBERTS** and confirm the correctness thereof in so far as it relates to me.

JOHANNES JACOBUS BEZUIDENHOUT

I hereby certify that the deponent has declared that the deponent understands and knows the contents of this affidavit and that to the best of the deponent's knowledge and belief it is the truth, which affidavit has been signed and sworn to before me at BALTIMORE on this 10th day of October 2025, and that the provisions of the Regulations contained in Government Notice R 1258 of the 21st July, 1972, (as amended) and Government Notice R1648 on the 18th August 1977 (as amended) have been complied with.

COMMISSIONER OF OATH (RSA)
Ex Officio - Chartered Accountant (SA)
Member No: 3066415
Annemarie Nel
Farm Virginia, Saltlake Road,
Baltimore, 0619

COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

CASE NO.: 2025-111881

In the application between:

SAKELIGA NPC	**1st Applicant**
TRANSVAAL AGRICULTURAL UNION OF SOUTH AFRICA	**2nd Applicant**
CT VAN DER MERWE BOERDERY (PTY) LTD	**3rd Applicant**
TWYFEL NIE PLASE (PTY) LTD	**4th Applicant**
BLOUBERG SITRUS (PTY) LTD	**5th Applicant**
PONTDRIF CITRUS (PTY) LTD	**6th Applicant**
CORFUSCORE (PTY) LTD	**7th Applicant**
MOSIMA BELEGGINGS (PTY) LTD	**8th Applicant**
and	
MINISTER OF WATER AND SANITATION	**1st Respondent**
DIRECTOR GENERAL DEPARTMENT OF WATER AND SANITATION	**2nd Respondent**
DEPARTMENT OF WATER AND SANITATION	**3rd Respondent**

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA
Private Bag X67, Pretoria 0001

CONFIRMATORY AFFIDAVIT

I, the undersigned,

JOHANNES JACOBUS BEZUIDENHOUT

State under oath as follows:

16/10/2025-2:44:19 PM

1 I am an adult male financial manager and employee of the company and farm Corfuscore (Pty) Ltd, with registration number 2014/049788/07, and registered address at Office No 11, JCJ Corner Building, 2 Biccard Street, Polokwane, Limpopo, 0699.

2 I am duly authorised to depose to this affidavit by virtue of a director's resolution dated 17 February 2025.

3 The facts set out in this affidavit fall within my personal knowledge, save where the context indicates otherwise and are to the best of my knowledge true and correct.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

4 I have read the replying affidavit of **TOBIAS VIVIAN ALBERTS** and confirm the correctness thereof in so far as it relates to me.

JOHANNES JACOBUS BEZUIDENHOUT

I hereby certify that the deponent has declared that the deponent understands and knows the contents of this affidavit and that to the best of the deponent's knowledge and belief it is the truth, which affidavit has been signed and sworn to before me at BALTIMORE on this 10th day of October 2025, and that the provisions of the Regulations contained in Government Notice R 1258 of the 21st July, 1972, (as amended) and Government Notice R1648 on the 18th August 1977 (as amended) have been complied with.

COMMISSIONER OF OATH (RSA)
Ex Officio - Chartered Accountant (SA)
Member No: 3066415
Annemarie Nel
Farm Virginia, Saltlake Road,
Baltimore, 0619

COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

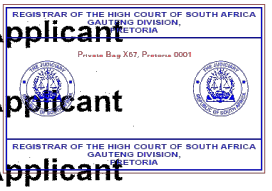
CASE NO.: 2025-111881

In the application between:

SAKELIGA NPC	**1st Applicant**
TRANSVAAL AGRICULTURAL UNION OF SOUTH AFRICA	**2nd Applicant**
CT VAN DER MERWE BOERDERY (PTY) LTD	**3rd Applicant**
TWYFEL NIE PLASE (PTY) LTD	**4th Applicant**
BLOUBERG SITRUS (PTY) LTD	**5th Applicant**
PONTDRIF CITRUS (PTY) LTD	**6th Applicant**
CORFUSCORE (PTY) LTD	**7th Applicant**
MOSIMA BELEGGINGS (PTY) LTD	**8th Applicant**

and

MINISTER OF WATER AND SANITATION	**1st Respondent**
DIRECTOR GENERAL DEPARTMENT OF WATER AND SANITATION	**2nd Respondent**
DEPARTMENT OF WATER AND SANITATION	**3rd Respondent**



CONFIRMATORY AFFIDAVIT

I, the undersigned,

LIESCHEN HOOGENBOEZEM

State under oath as follows:

1 I am an adult female financial manager and employee of the company and farm Blouberg Sitrus (Pty) Ltd, with registration number 2000/011389/07, and registered address at Plaas Fraaifontein, MS447, Vivo, Limpopo.

2 I am duly authorised to depose to this affidavit by virtue of a director's resolution dated 14 February 2025.

3 The facts set out in this affidavit fall within my personal knowledge, save where the context indicates otherwise and are to the best of my knowledge true and correct.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA
Private Bag X67, Pretoria 0001
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

4 I have read the replying affidavit of **TOBIAS VIVIAN ALBERTS** and confirm the correctness thereof in so far as it relates to me.

Hoogenboezem

LIESCHEN HOOGENBOEZEM

I hereby certify that the deponent has declared that the deponent understands and knows the contents of this affidavit and that to the best of the deponent's knowledge and belief it is the truth, which affidavit has been signed and sworn to before me at _____ on this _____day of _____ 2025, and that the provisions of the Regulations contained in Government Notice R 1258 of the 21st July, 1972, (as amended) and Government Notice R1648 on the 18th August 1977 (as amended) have been complied with.

COMMISSIONER OF OATHS
MARLI SHULMAN
SAIPA MEMBER No.: 44880
PLAAS VLIELAND
VIVO, LIMPOPO. 0924

COMMISSIONER OF OATHS

09·10·2025

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

CASE NO.: 2025-111881

In the application between:

SAKELIGA NPC	**1st Applicant**
TRANSVAAL AGRICULTURAL UNION OF SOUTH AFRICA	**2nd Applicant**
CT VAN DER MERWE BOERDERY (PTY) LTD	**3rd Applicant**
TWYFEL NIE PLASE (PTY) LTD	**4th Applicant**
BLOUBERG SITRUS (PTY) LTD	**5th Applicant**
PONTDRIF CITRUS (PTY) LTD	**6th Applicant**
CORFUSCORE (PTY) LTD	**7th Applicant**
MOSIMA BELEGGINGS (PTY) LTD	**8th Applicant**

and

MINISTER OF WATER AND SANITATION	**1st Respondent**
DIRECTOR GENERAL DEPARTMENT OF WATER AND SANITATION	**2nd Respondent**
DEPARTMENT OF WATER AND SANITATION	**3rd Respondent**



CONFIRMATORY AFFIDAVIT

I, the undersigned,

LIESCHEN HOOGENBOEZEM

State under oath as follows:

1 I am an adult female financial manager and employee of the company and farm Pontdrif Citrus (Pty) Ltd, with registration number 1996/013207/07, and registered address at Plaas Fraaifontein, MS447, Vivo, Limpopo.

2 I am duly authorised to depose to this affidavit by virtue of a director's resolution dated 14 February 2025.

3 The facts set out in this affidavit fall within my personal knowledge, save where the context indicates otherwise and are to the best of my knowledge true and correct.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA GAUTENG DIVISION, PRETORIA
Private Bag X67, Pretoria 0001
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA GAUTENG DIVISION, PRETORIA

4 I have read the replying affidavit of **TOBIAS VIVIAN ALBERTS** and confirm the correctness thereof in so far as it relates to me.

Hoogenboezem

LIESCHEN HOOGENBOEZEM

I hereby certify that the deponent has declared that the deponent understands and knows the contents of this affidavit and that to the best of the deponent's knowledge and belief it is the truth, which affidavit has been signed and sworn to before me at _____ on this _____day of _____ 2025, and that the provisions of the Regulations contained in Government Notice R 1258 of the 21st July, 1972, (as amended) and Government Notice R1648 on the 18th August 1977 (as amended) have been complied with.

COMMISSIONER OF OATHS
MARLI SHULMAN
SAIPA MEMBER No.: 44880
PLAAS VLIELAND
VIVO, LIMPOPO. 0924

COMMISSIONER OF OATHS

09·10·2025