



**Principal Office**  
3 Boskenna Avenue  
Norwood SA 5067  
Australia  
t +61 8 8132 5600  
f +61 8 8362 6655

**Perth Office**  
Level 2, 16 Ord Street  
West Perth WA 6005  
Australia  
t +61 8 9321 1411  
f +61 8 9226 2958

12 November 2008

Companies Announcement Office  
Australian Securities Exchange Limited  
Level 25, 91 King William Street  
Adelaide, SA 5000

Dear Sir/Madam,

### **RIGHTS ISSUE SHORTFALL**

With reference to the recent renounceable rights issue we advise the shortfall is 69,084,440 fully paid shares out of a total of 130,176,453 shares offered ("Shortfall Shares Balance").

Allotment of the Rights Issue Shares will take place on 17 November 2008, with despatch of shareholding statements occurring on the same day.

In accordance with section 4.3 of the Rights Issue Offer memorandum, Toro reserves the right under an exception to Listing Rule 7.1, to place the Shortfall Shares Balance (or any number of them) at a price not less than the offer price (\$0.20 per share) within three (3) months of the closing date of the Rights Issue (6<sup>th</sup> February 2009)

Following allotment, the shareholdings of OZ Minerals Limited will be 287,392,245 shares (51.71%). Please note that the figures are subject to final audit and may change.

For and behalf of  
**TORO ENERGY LIMITED**

A handwritten signature in black ink that reads "Donald Stephens".

**Donald Stephens**  
**COMPANY SECRETARY**