

Form 3

Guide to the Application

Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement

This application is used to apply to Coleambally Irrigation Co-operative Limited for consent to the assignment of a share component from an Water Access Licence to the Co-operative's Water Access Licence (WAL) and for the issue of water entitlements for the same to the applicant.

1 Checklist

The following is a list of documentation required for processing of this application:

- Where the entitlement is being added to a Farm with existing entitlements lodgement of the existing Share/ Water Entitlements / Delivery Entitlements Certificates
- Confirmation from the vendor that the volume and WAL entered on this application are correct
- Water NSW Form 71Q – Application to Assign Share Component (with sections requiring transferor's details completed)
- Payment of the prescribed fee as per the Schedule of Standard Service Charges can be found at www.colyirr.com.au under Fees and Pricing

2 General Notes

- 1) Any existing original certificates relevant to the Farm to which the units are being transferred (i.e. share, water entitlement, and delivery entitlement) must be submitted
- 2) Note that in the application the amounts credited to the Available Water Account of the transferor will remain in that account. If the contract between the parties states otherwise the transfer to CICAL's Licence for the transferee's account will be by separate lodgement of a Water NSW 71T.
- 3) Forms or pages not dated where indicated or otherwise incomplete may be returned
- 4) After Board approval is received, the Form 71Q will be lodged by CICAL for execution with the Water NSW for determination.
- 5) When CICAL has received the determination from Water NSW and received advice that settlement has taken place, CICAL will lodge the determination with LPI for registration of the determination transferring the water to CICAL's WAL.
- 7) Information relative to water entitlements on the CICAL Register is provided to the National Irrigation Corporation Water Entitlement Register (NICWER) uploading daily.

3 Holding Water Entitlements in CICL's licence

- 1) If the water entitlements being transferred into CICL's licence are not to be attached to a landholding, please tick the box on the transferee's application on **page 4** noting that the water entitlements will have to be transferred to a Non-Member Water Entitlement Holder account.

4 Security

- 1) Security for ongoing access fees will be requested where the number of delivery entitlements exceeds five (5) times the number of water entitlements remaining – refer CICL Rule 116.
- 2) Security may be in the form of cash deposit, bank guarantee, or another acceptable form of security and lodged with and accepted by CICL prior to settlement.
- 3) The quantum or value of security will be equal to the termination fee that would apply to all delivery entitlements, at the date of application.
- 4) Details relative to security must be completed on **page 5** of this application.

5 Completing the Application

- 1) All handwriting should be in BLOCK letters in blue or black ink.
- 2) If there is insufficient space on any part of the form, please attach an annexure, labelled beginning at the letter "A", and refer to the annexure at the relevant position on the form.
- 3) The application must be executed by ALL registered proprietors. If executing as attorney, please make note of the power of attorney and provide evidence.
- 4) Follow any other instructions provided with the relevant forms / pages.
- 5) Submit completed applications to:

The Company Secretary
Coleambally Irrigation Co-operative Limited
PO Box 103
COLEAMBALLY NSW 2707

6 Enquiries

For all enquiries or further information regarding this application, please contact Coleambally Irrigation on:

Telephone: 02 6954 4003 Email: cosec@colyirr.com.au

Form 3
Transferor's Confirmation
External Permanent Transfer to CICL licence

Transferor Details

Name

Address

Transferee Details

Name

Address

Farm No.

Particulars of Transfer

From

To

[Transferor's WAL]

[CICL WAL]

Water Entitlements

HS / GS / G class / Supp

Class (please circle)

I/We the transferor(s) identified above apply to Coleambally Irrigation Co-operative Limited to apply to the Ministerial Corporation under section 71Q of the *Water Management Act 2000* (NSW) for the Minister's consent to the assignment of share component from a WAL held by the transferor to the Co-operative's relevant Water Access Licence (WAL).

Transferor: Signed by the Transferor on in the presence of:

DATED _____

Signature of witness_____
Signature of Transferor or Director/Company Secretary_____
Name of Transferor or Director/Company Secretary
(BLOCK letters)_____
Name of witness (BLOCK letters)_____
Signature of additional Transferor or Director_____
Name of Transferor or Director/Company Secretary
(BLOCK letters)

Form 3
Transferee's Application
External Permanent Transfer to CICL licence

I/We the transferee(s) identified above apply to Coleambally Irrigation Co-operative Limited for the following:

- To be issued with the number of water entitlements identified in this application
- To assign the number of water entitlements to Farm No. and the opportunity to apply for delivery entitlements and / or shares
- To assign the number of water entitlement to a Non Member Water Entitlement Holder reference number

I/We the Transferee(s) understand that we are able to apply for Delivery Entitlements and Shares (subject to approval) to be associated with Farm No. , and hereby advise Coleambally Irrigation Co-operative Limited that I/we apply for the following:

- General Security Delivery Entitlements
- High Security Delivery Entitlements
- Shares

I/We the Transferee(s) agree to pay the associated Annual Access Fees levied against delivery entitlement as set out in the Schedule of Water Access Charges published in June for the coming irrigation year and in accordance with the CICL Water Supply Contract www.colyirr.com.au.

Transferee: Signed by the Transferee on in the presence of:

DATED _____

Signature of witness

Signature of Transferee or Director/Company Secretary

Name of Transferee or Director/Company Secretary
 (BLOCK letters)

Name of witness (BLOCK letters)

Signature of additional Transferee or Director

Name of Transferee or Director/Company Secretary
 (BLOCK letters)

Form 3
Security Declaration
External Permanent Transfer to CICL licence

Where the water delivery right (delivery entitlements) held is more than 5 times the irrigation right (water entitlements) as noted in Rule 116, Coleambally Irrigation Co-operative Limited has the right to require security for the payment of fees or charges.

I/We

acknowledge and understand that I/We **are** **are not** required to provide security for the following:

units of unsecured General Security Delivery Entitlements

units of unsecured High Security Delivery Entitlements

In accordance with the forms of security listed above I/We nominate the following security:

Security to the value of \$ in the form of a bank guarantee, or

Security to the value of \$ in the form of a cash deposit with CICL, or

Security of units of High / General Security Water Entitlements held on

Farm No.

owned by

Signature of all owners of the Guarantor farm

Signature of Guarantor

Signature of Guarantor

Name of Guarantor (BLOCK letters)
(BLOCK letters)

Name of Guarantor

Where the Transferee is an individual: Signed by the Transferee in the presence of:

Signature of witness

Signature of Transferee

Name of witness (BLOCK letters)

Signature of additional Transferee

Where the Transferee is a company:

Signature of Director/Company Secretary

Signature of Director

Name of Director/Company Secretary (BLOCK letters)

Name of Director (BLOCK letters)