

Coleambally Irrigation Co-operative Limited

ABN 75 951 271 684

Brolga Place, PO Box 103, Coleambally NSW 2707

Phone: 02 6954 4003 Facsimile: 02 6954 4321



Guide to the Application:

Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement

Form 1

This application is used to apply to Coleambally Irrigation Co-operative Limited for the permanent transfer of Land and Infrastructure with or without the associated delivery entitlements, shares and water entitlements to the Transferee of the Landholding.

Note: If there is water entitlement attached to this landholding which is not going to be part of this transaction nor being retained by the Transferor as a Non-Member it will be necessary to complete the transfer or transformation of the water entitlement prior to this application being considered.

1 Checklist

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

- Form 1 duly completed
- Consent or Discharge of Mortgage by encumbrancee
- Original Share / Water Entitlement / Delivery Entitlement Certificates
- Confirmation of settlement / Notice of Sale
- Payment of all related charges (current and arrears)
- A Liability Statement has been produced by this office
- 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) Where an encumbrance is noted on the titles of any of landholding, shares, delivery entitlement or water entitlement, Consent by the Encumbrancee is required. A certified copy of a Discharge of Mortgage may be provided in lieu of Consent.
- 2) All original certificates (i.e. share, water entitlement and delivery entitlement) must be submitted
- 3) Note that delivery entitlements held or carryover capacity may be the subject of an existing annual transfer to another customer.
- 4) Forms or pages not dated where indicated or otherwise incomplete may be returned
- 5) Information relative to water entitlements on the CICL Register is provided to the National Irrigation Corporation Water Entitlement Register (NICWER) uploading daily.
- 6) If the Transferor wishes to apply to CICL to terminate delivery entitlements and / or cancel shares please complete a separate **Form 6**

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3 Retaining Water Entitlements

- 1) If wishing to retain water entitlements not sold with the landholding, please tick the box on the transferor's application on page 3 noting that the water entitlements will have to be transferred to a Non-Member Water Entitlement Holder account.
- 2) All remaining water entitlements will be issued in the transferor's name as a Non-Member Water Entitlement Holder.

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 6** 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

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Transferor's Application:

Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement

Form 1

Transferor Details

Name

Address

Landholding Lot/DP

Particulars Associated with Transfer

Water Entitlements

HS / GS / G class / Supp HOU

Class (please circle)

Water Entitlements

HS / GS / G class / Supp HOU

Class (please circle)

Delivery Entitlements

HS / GS / G class

Class (please circle)

Delivery Entitlements

HS / GS / G class

Class (please circle)

Shares

Retention of Water Entitlements

By ticking this box, the Transferee(s) applies to Coleambally Irrigation Co-operative Limited to retain the remaining water entitlements not transferred above, as a Non-Member Water Entitlement Holder and agrees to sign a Non-Member contract as a condition of this sale.

Termination of Delivery Entitlements

By ticking this box, the Transferee(s) applies to Coleambally Irrigation Co-operative Limited to terminate all or some of the Delivery Entitlements and/or Shares associated with this Farm, and agrees to complete a **Form 6** to confirm the treatment of the Delivery Entitlements and/or Shares as a condition of this sale.

The Transferor(s), by their signatures below, apply to Coleambally Irrigation Co-operative Limited for transfer of the land, infrastructure and entitlements as specified above to the Transferee as indicated in the Transferee's application.

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)

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**Transferee's Application:
Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement**

Form 1

Transferee Details

Name

Address

Contact Details

Phone

Mobile

Email address

Particulars Associated with Transfer

Water Entitlements

HS / GS / G class / Supp HOU

Class (please circle)

Water Entitlements

HS / GS / G class / Supp HOU

Class (please circle)

Delivery Entitlements

HS / GS / G class

Class (please circle)

Delivery Entitlements

HS / GS / G class

Class (please circle)

Shares

Foreign Ownership of Water Entitlements

By ticking this box, the Transferee(s) confirm that this farm and its associated Water Entitlements will be foreign owned (in accordance with the <https://www.ato.gov.au/General/Foreign-investment-in-Australia/Water-Register/> guidelines), and applies to Coleambally Irrigation Co-operative Limited to register this ownership status on its Member and non-Member Registers.

The Transferee(s), by their signatures below:

- apply to Coleambally Irrigation Co-operative Limited for transfer of the land, infrastructure and entitlements as specified above, and
- acknowledge the acceptance of all liabilities attached to this landholding(including the annual water invoice issued 30 June each year)

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)

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**Transferor's Statutory Declaration:
Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement**

Form 1

I/We Name(s)

of (Address)

Solemnly and sincerely declare that:

- 1. I/We are the Transferor(s) in the attached application for permanent transfer of * shares / delivery entitlements / water entitlements / land / infrastructure to:

(Transferee)

- 2. I/We declare that:

- a. The following parties hold the specified interests in the * shares / delivery entitlements / water entitlements / land / infrastructure

- b. I/We have procured the agreement in writing of the mortgagee/s who hold an interest in the Landholding and/or entitlements the subject of this application.

(Mortgagee)

and I/We make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900 (NSW).

MADE and declared at in the state of

on in the presence of:

Signature of Justice of the Peace / Solicitor

Signature of Declarant

Name of Justice of Peace / Solicitor

Signature of additional Declarant (if more than one)

* delete inapplicable reference

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Security Declaration:

Land / Infrastructure / Delivery Entitlement / Share / Water Entitlement

Form 1

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)

Name of Guarantor (BLOCK letters)

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)