

## A GUIDE TO ANNUAL TRANSFERS (PART B)

This paper is provided purely as a guide to Part B of the Transfer and Conversion Rules of Murrumbidgee Irrigation Limited (MI) and does not have any legal effect. This guide cannot be relied on in substitution for, and does not affect the interpretation of, the Transfer and Conversion Rules or any contract, rules or other document that is binding on MI or a customer.

### 1. CLOSING DATES FOR EXTERNAL WATER ALLOCATION TRANSFERS

Transfer type	Closing date	WSP* reference
Murrumbidgee Valley <b>High Security</b>	31 May	53(8)
Murrumbidgee Valley <b>General Security</b>	31 May	53(9)
Intervalley <b>High &amp; General Security</b>	31 May	57(6)
Interstate <b>High &amp; General Security</b>	30 April	58(5)

\*WSP = Murrumbidgee Regulated River Water Sharing Plan. See [www.water.nsw.gov.au](http://www.water.nsw.gov.au)

Transfers of Water Allocation out of MI's WALs require MI to submit an application to NOW. The closing dates for applications to NOW shown in the table above are set under the Water Sharing Plan. If a customer wishes to do an external transfer of Water Allocation out of MI's WALs, the customer must submit all necessary documents to MI in time for MI to lodge an application with NOW by the relevant closing date.

### 2. CLOSING DATES FOR INTERNAL WATER ALLOCATION TRANSFERS

Transfer type	Closing date
MI Internal <b>High &amp; General Security</b>	15 June

Internal transfers of Water Allocation within MI's WALs are not governed by the Water Sharing Plan.

### 3. APPLICATIONS TO TRANSFER

Applications must be made on a prescribed MI Form 19. Forms are available from MI's offices or can be downloaded from its web site at [www.mirrigration.com.au](http://www.mirrigration.com.au)

#### 4. FINANCIAL ISSUES

- 3.1 Transfers out of MI's licence must be accompanied by the prescribed fee.
- 3.2 Approval of annual transfers of Water Allocation will be subject to **satisfactory financial arrangements** having been made with MI for payment of outstanding Charges.
- 3.3 Net transfers out of MI's licence may be subject to a trade fee, invoiced at the end of the water year. Rates are set out in the Schedule of Charges published in July and can be downloaded from MI's web site.

#### 5. TRANSFERS OUT OF MI'S LICENCE

Water NSW (WNSW) and NSW Office of Water (NOW) manage delivery, use, and environmental impacts. The risk and cost of meeting WNSW / NOW requirements will be met by those involved in the trade.

#### 6. EXCLUSIONS AND SPECIAL CIRCUMSTANCES

The following applications to transfer will not be permitted, or are subject to special arrangements:

- 6.1 **Domestic & Stock** Water Allocation (Category 5) – cannot be transferred externally, but can be transferred internally provided that the water is used only for domestic & stock purposes.
- 6.2 **Domestic** Water Allocation (Category 6) – cannot be transferred externally, but can be transferred internally provided that the water is used only for domestic purposes.
- 6.3 **Town** Water Allocation (Category 7) – all transfers are prohibited.
- 6.4 **Surplus Water** – including General Security Surplus Water and Internal Surplus [non-HOU] Water – refer to Surplus Water Rules.
- 6.5 **Delivery Entitlements** – no annual transfers of Delivery Entitlements are permitted.

#### 7. DELIVERY ISSUES

It is the **buyer's responsibility** to ensure delivery of traded Water Allocation is possible at the site of use.

#### 8. SINGLE WATER ALLOCATION ACCOUNTS (SWAA)

- 7.1 Two or more customers can form an SWAA provided:
  - 7.1.1 they are a single entity for assessment of income tax; or
  - 7.1.2 they have a single ABN; or
  - 7.1.3 they have an established share farming agreement to MI's satisfaction.

- 7.2 The application for an SWAA will set out the distribution of water allocation to each party upon termination of the SWAA or exit from the SWAA by one or more parties.
- 7.3 The application form must nominate one applicant to deal with MI on behalf of the other customers participating in the SWAA. MI will deal exclusively with the nominated applicant.

**Important note:**

This guide is given for your information and every effort has been made to ensure its accuracy. MI does not warrant the accuracy, reliability or completeness of the information and excludes liability for any decision or action taken on the basis of information included in, or omitted from, this guide.