

Permanent Trade - Customers

Murray Irrigation shares, water entitlements and delivery entitlements can be transferred between landholdings, and water entitlements can be transferred to and from any person including non-Murray Irrigation WAL licenses as long as NSW Office of Water (NOW) approves the trade.

In some cases, shares, water entitlements and delivery entitlements are sold to a new owner along with the landholding itself, often called a land sale.

Murray Irrigation landholdings may be subdivided (with or without entitlements), amalgamated or have their boundary altered to include or exclude new lots. Landholdings may be also disconnected from Murray Irrigation's supply system.

Murray Irrigation shares may be cancelled if no longer required and/or no purchaser can be found, similarly delivery entitlements may be terminated if no longer required and/or no purchaser can be found.

All permanent trade functions are performed via application to Murray Irrigation. Application forms are readily available on our website under 'Customers' then 'Forms'. Each application form contains a guide to completing the application and a checklist outlining the requirements necessary to register the permanent trade function.

Murray Irrigation recommends that customers seek their own independent legal and financial advice relevant to their individual circumstances.

What does the Permanent Trade process involve?

Murray Irrigation receives the application submission from the customer, solicitor or agent and reviews it for compliance with Murray Irrigation rules and performs some other basic checks.

If these requirements are met, the application is considered for what Murray Irrigation calls 'conditional approval'. This means that the application is approved subject to certain conditions being met. Applications are considered for conditional approval once per week.

Murray Irrigation Water Trade staff will communicate with the person(s) who submitted the application with regard to any further requirements for registration, until such time that all the identified requirements have been received.

Once all requirements have been received and verified, the application is registered and new certificates produced if relevant.

Murray Irrigation will release the new certificates and any executed copies of Entitlements Contracts as instructed.

Why do title searches need to be supplied?

Title searches contain information held by NSW Land and Property Information (LPI) regarding land ownership and the presence of any security interest(s) in the land titles. This information must be verified as part of approving an application, and identifies third parties who need to also provide consent (security interest holders). Murray Irrigation can perform title searches for customers for a fee. Refer to *Standard Service Fees - Computerised title search*.

What if I have a mortgage or other security interest?

If a security interest is noted on the land title or Murray Irrigation's registers, e.g. mortgage or caveat, then Murray Irrigation will require you or your representative to seek consent from the security interest holder via *Form 19 - Security Interest* (or to remove the interest either wholly or partially in the case of Murray Irrigation's register).

If your mortgage has been or will be discharged after settlement, then a certified copy of the Discharge of Mortgage document will be accepted instead of the consent, along with a written undertaking that the form will be, or has been, lodged with LPI.

Refer to *Security Interest* and *Security Policy* factsheets available on our website.

Fact sheet



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Must I use a solicitor?

While Murray Irrigation recommends that customers seek their own independent legal and finance advice, our forms can be completed by the customer themselves. Our forms are available via our website www.murrayirrigation.com.au under 'Customers' then 'Forms' and then under various categories depending on what the form is used for. Our forms are interactive, meaning that you can type information into them before printing, to make it easier to complete.

You will need to locate and supply any original certificates required and also obtain any relevant consent or removal of security interest from your mortgagor or caveator.

Murray Irrigation Water Trade officers are available by appointment to help you complete applications and Murray Irrigation can also organise title searches at a fee per title searched.

Murray Irrigation will not however pursue security interest consents, copies of documents, or other actions that need to be performed by the customer or their representative.

Why does Murray Irrigation require original certificates to be returned?

Water entitlements and delivery entitlements certificates provide evidence of the entitlements registered to you, in Murray Irrigation's registers at the time they are produced. They are often held by banks as an additional security measure, like holding an original certificate of title for land. Original certificates must be returned so that they can be cancelled when a new certificate is issued that shows current information.

What if I can't find my original certificates or the bank has lost them?

If your original certificates have been lost or misplaced, you will need to make application to have them replaced. *Form 8 – Replacement/Reissue Certificate* is available on our website under 'Customers' then 'Forms' and 'Replacement Certificates'.

Do I need to transfer water entitlements with delivery entitlements?

Water entitlements and delivery entitlements can be traded in any quantity, independently of one another. Murray Irrigation does however suggest that purchasers consider the impact of using any announced annual allocation associated with purchased water entitlements and whether the purchase of annual delivery entitlements to avoid incurring the casual usage fee may be necessary.

Refer to *Annual Trade in Delivery Entitlements* fact sheet available on our website.

What does the requirement regarding 'negative balance' mean?

Where a water allocation account will contain either a negative allocation (ML) balance or a negative annual delivery entitlement balance after a permanent transfer, a condition of the application will be the adjustment of this negative balance to either zero or a positive balance.

This can be done either by the transfer of the required amount of ML or annual delivery entitlements from another landholding or by purchase from the Exchange.

Murray Irrigation will indicate the current balance of the water allocation account as at date of writing, in any written correspondence regarding outstanding requirements from conditional approval through to registration.

Murray Irrigation suggests that you obtain a current copy of water allocation statement at date of settlement to ensure that all water allocation account balances will remain either zero or positive after registration of transfer.

All Murray Irrigation customers have the ability to log into our water ordering system to obtain a current copy of their water allocation account statement as at date of logging in. If you are unfamiliar with this practise, please contact Water Trade via reception on T. 1300 138 265 to seek assistance.

What happens if Murray Irrigation returns forms to me to complete or fix details?

As a part of the permanent trade process, Murray Irrigation will occasionally need to send back incorrectly completed forms to the customer. If this happens, please read the accompanying letter carefully as it will contain details as to why the form has been returned and what must occur to complete it.

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Once the form has been completed as requested, please ensure you return the document to either your solicitor or directly to Murray Irrigation in a timely fashion. This way our Water Trade staff can continue to process your application without significant delay.

How long will my application take to register?

Each application contains a guide to completing the application and here you will find an approximate timeframe for completion. However, generally an application will take as long as it takes for all requirements to be submitted. We will make every effort to ensure your application is processed in a timely and efficient manner. Customers should be aware that processing is delayed until Murray Irrigation receives all requirements.

How do I know when my application has been registered?

Murray Irrigation will send out a final letter indicating registration along with any new certificates and a copy of the executed entitlements contract (if relevant) to whomever is nominated via *Vendor's Application form > Release certificates on registration*. This is usually a bank or other security interest holder, a solicitor or to the customer themselves.

In the case where a new customer number is established, Murray Irrigation will send a separate letter directly to the customer to inform them of their new number so that they can access our water ordering system without undue delay.

Murray Irrigation definitions and terminology

For further information on Murray Irrigation definitions and terminology, please refer to *Water Trade Glossary* available on our website.

Contact us

For further information please contact reception on T. 1300 138 265.

More Information

Please refer to Murray Irrigation's website: www.murrayirrigation.com.au.

Forms are available under 'Customers' then 'Forms'.

Fact sheets on other topics are available under 'Customers' then 'Customer information'.

Fees and prices are available under 'Customers' then 'Fees and Prices'.

Please ensure you refer to the current Fees and Prices schedules as we also list previous season's documents.