

## Explanatory Notes

### General

1. A division of a water share will cancel the original share and create new water shares, and their total volume will equal that of the original share.
2. The attributes, associations, and ownership of the original water share are transferred onto the new water shares. These include the Allocation Bank Account, water system source, reliability type, trading zone source and use, Water Authority and delivery system, and the water-use licence. The attributes, association, and ownership are detailed in the copy of water share record.
3. If there is a mortgage and/or limited term transfer on the water share to be divided, the mortgage or limited term transfer will remain on each of the water shares once divided.
4. If you do not wish to have a limited term transfer carried forward onto the new water shares, the holder of the limited term transfer would need to terminate the limited term transfer. Similarly, if you do not wish for a mortgage to be carried over to the new shares the mortgage would first need to be discharged.
5. Only the recorded owners of a water share or their legal personal representatives can apply to divide water shares. All notices and invoices will be sent to the postal address of the first named person.
6. If a water broker is coordinating the application, their name, signature, contact telephone number, and identification number should be included in the application form. If the water broker has not received a party identification, a number will be issued on receipt of this application.

### Process for obtaining approval

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7. The applicant(s) must complete the application to *Divide a Water Share* and lodge the completed form including payment of the application fee with the Water Authority over the counter or by mail. All the water share owners must sign the application.
8. The Water Authority will not accept:
  - Photocopied forms as the application number on the top right-hand corner must be unique.
  - Faxed forms as original signatures are required.
9. The application to *Divide a Water Share* and schedule of application fees are available from the Water Authority.

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If you require further information please contact your  
Water Authority:

Goulburn-Murray Water  
40 Casey Street  
PO Box 165, TATURA 3616      T: (03) 5833-5500

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Lower Murray Water  
741-759 Fourteenth Street  
PO Box 1438, MILDURA 3502      T: (03) 5051-3400

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First Mildura Irrigation Trust  
120 Ninth Street  
PO Box 5024, MILDURA 3502      T: (03) 5021-1811

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### Approval of the Application

10. If the application is approved by the Water Authority, the Water Authority will record the division in the water register (this includes cancelling the original water share and creating new shares).
11. The Water Authority will send a letter to the first water share owner listed advising that the division has been approved and recorded in the water register. Copies of the water share records will be attached. A copy of the letter will be forwarded to the water broker (if applicable).

### Refusal of the Application

12. If the Water Authority refuses the application, the Water Authority will send a letter to the first water share owner listed stating the reasons for the refusal. A copy of the letter will be sent to the water broker (if applicable).
13. The application will be refused if the combined volume of the new water shares does not equal the volume of the original water share.
14. If the water share owner(s) wish to attempt the division again a new application to *Divide a Water Share* would need to be lodged with another application fee.

### More information required

15. If the Water Authority requires more information a letter will be sent to the first water share owner listed advising of the missing information and/or incorrect information that requires correction. A copy of the letter will be sent to the water broker (if applicable).
16. Applicants must provide missing information or correct information within two calendar months or the application to *Divide a Water Share* will lapse and a new application would need to be lodged with another application fee.

**Note: A reference in these notes to actions to be undertaken by the Water Authority may mean the Water Authority is acting as delegate of the Minister under section 306 of the Water Act 1989.**



# Annexure 3

## Water Act 1989

This is page \_\_\_\_\_ of Approved Form 5, 6, 8 and 9.

dated \_\_\_\_\_ between:

Signatures of the Parties

## Privacy Collection Statement

The information from this form is collected under the Water Act 1989, in order to process this transaction. The information is used for the purpose of maintaining the water register and for the provision of statistical water market information. Most of the information in the water register is available to the public. Incomplete forms cannot be processed.

## To be Completed by the Applicant(s)

| Given name(s) | Surname | Signature |
|---------------|---------|-----------|
|               |         |           |
|               |         |           |
|               |         |           |
|               |         |           |

Dated 

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## To be Completed if Company is Applicant

All notices and invoices will be sent to the postal address of the first named company.

1. Name of Company 

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|  | ABN |
|--|-----|

Postal Address 

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|--|

Dated 

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|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

| Given name(s) | Surname | Signature | Position |
|---------------|---------|-----------|----------|
|               |         |           |          |
|               |         |           |          |

2. Name of Company 

|  |     |
|--|-----|
|  | ABN |
|--|-----|

Postal Address 

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Dated 

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| Given name(s) | Surname | Signature | Position |
|---------------|---------|-----------|----------|
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