

Application to Cancel a Water Share

Explanatory Notes

General

1. This application can facilitate the cancellation of one water share only.

Process for obtaining approval

Lodgement

2. The applicant must complete the Application to *Cancel a Water Share* form and lodge the completed form, including payment of the application fee with the Water Authority over the counter or via mail.
3. 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.
4. The Application to *Cancel a Water Share* form and a schedule of application fees are available from the Water Authority. Please note that if you are also submitting an *Application for the Issue of a Water Share* that only one fee will need to be paid.

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

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

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

Approval of the Application

5. If the application is approved by the Water Authority, the Water Authority will record the cancellation of the water share in the water register.

6. The Water Authority will send a letter to the first water share owner listed advising that the cancellation has been approved and recorded in the water register. A copy of the letter will be forwarded to the water broker if a water broker coordinated the application.

Refusal of the Application

7. 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 a water broker coordinated the application.
8. The Water Authority may refuse the application if:
 - i. the cancellation would cause the non water user limit to be exceeded;
 - ii. there are outstanding charges on the water share; and/or
 - iii. there is a recorded mortgage or limited terms transfer over the water share being cancelled.
9. If the water share owner(s) wish to attempt the cancellation again a new application to *Cancel a Water Share* would need to be re-lodged with an application fee.

More information required

10. If the Water Authority requires more information a letter will be sent to the to the first water share owner listed making clear the missing information and/or incorrect information that requires correction. A copy of the letter will be forwarded to the water broker if a water broker coordinated the trade.
11. Applicants must provide missing information or correct information within two calendar months or the application to *Cancel 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.

How to complete the Application to Cancel a Water Share

Question 1 – Reason For Cancellation

You may wish to apply to *cancel an interstate entitlement* (this application would then be followed by an application to “issue a water share upon the cancellation of an interstate entitlement”). Under section 33AB of the Water Act 1989 there are a number of matters to be considered in cancelling an interstate water share. These are outlined in the “refusal of application” reasons.

If you have applied to *cancel a water share to change the reliability to high/low* this application would then be followed by an application to “issue a water share upon the cancellation of a water share with a high/low reliability”.

Question 2 – Water Share to be Cancelled

Please enter the water share identification number of the water share you wish to have cancelled. This number can be found on the copy of the water share record. You may apply to your Water Authority for a copy of the water share record.

Question 3-4 – Volume of the Water Share

Please enter in mega litres the volume of the water share to be cancelled. The volume can also be obtained from the copy of the water share record.

Question 5 – Water Share Owner(s) Signatures

Only water share owner(s) or legal personal representatives can apply to cancel a water share. All owners must sign this application. All notices and invoices will be sent to the postal address of the first named person.

Questions 6 – Water Broker

Please provide the name, contact telephone number and party identification number if a water broker is coordinating the application. If the water broker has not received a party identification number, a number will be issued on receipt of this application.

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Application No: WSC

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 can not be processed.

Water Share details

1. Do you wish to: (Please tick)

- Cancel a water share
- Cancel a water share to undertake an exchange rate interstate trade
- Vary a water share to change the reliability to high
- Vary a water share to change the reliability to low

2. Water share identification no. to be cancelled:

3. Volume of water share being cancelled (in ML) ML

4. Please write in full (using capital letters) the volume to be cancelled:
 ML

Works Share Owner(s) Signature(s)

5. Please print name in full and in capital letters. All owners of the relevant water share must sign. If there are more than four owners or the owner is a company please ensure that Annexure 3 is also completed.

Given name(s)	Surname	Signature
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Dated

6. Water Share Owners Water Broker (if Water Broker is coordinating the Application)

Given name(s) Surname

Postal Address

Party ID Phone Number

Annexure 3

Water Act 1989

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

dated _____ between:

Signatures of the Parties

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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

	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