

POMONA IRRIGATION TRUST

Application for Transformation of an Irrigation Right and Termination of a Water Delivery Right OR Application for Transformation of an Irrigation Right.

NEW SOUTH WALES

[Rule 12 Water Market Rules 2009, *Water Act 2007* (Cwlth)]
Section 237B Water Management Act 2000]

Please Mark your Option

- Transform Irrigation Rights & Terminate Water Delivery Rights
(Termination fees will apply)**

eg: An irrigator has 100 Irrigation Rights and 100 Delivery Rights.

Applies to transform 20ML Irrigation Rights & Terminate 20 units Delivery Rights. Irrigator retains 80ML Irrigation Rights & 80 units Delivery Rights. Termination Fees will apply to the 20 units of terminated Delivery Rights.

- Transform Irrigation Rights & keep the Water Delivery Rights
(Annual charges for all Water Delivery Rights will still apply)**

eg: An irrigator has 100 Irrigation Rights and 100 Delivery Rights.

Applies to transform 20ML Irrigation Rights. Irrigator will retain 80ML Irrigation Rights. The Irrigator will still retain 100 units of Delivery Rights. Annual charges will apply for the 100 units of Delivery Rights; the Irrigator will enter into a contract.

Please tick

- I/We wish to apply to have the Water Entitlement for the Landholding referred to in this Application for Transformation determined under Section 237A of the NSW WMA.

Does this Transformation include transfer of water allocation? YES NO

1. Operator's details

Name: Pomona Irrigation Trust

Address: 24 Pump Road, Pomona NSW 2648

Postal address: PO Box 311, Wentworth NSW 2648

ABN: 68 538 782 846

Contact person: Nikki King Position held: Secretary

Telephone: 0401 528 728 Telephone: 03 5027 3682

Email: info@pomonawater.com.au

Initials of all Applicants:

POMONA IRRIGATION TRUST

2. Applicant 1 Details

Note: If the Irrigation Right is held jointly by two or more persons, each person must be named as an applicant and each person must sign the application. The applicant's details must be identical to the details on the contract or irrigation right which is being transformed.

Mr/Mrs/Ms _____ Given name: _____ Surname: _____

Company name (if applicable) _____

ACN (if applicable) _____

Position held (if applicable) _____

Address: _____

Email: _____

Telephone: (A/H): _____ (B/H): Mobile: _____

Applicant 2 Details

Mr/Mrs/Ms _____ Given name: _____ Surname: _____

Company name (if applicable) _____

ACN (if applicable) _____

Position held (if applicable) _____

Address: _____

Email: _____

Telephone: (A/H): _____ (B/H): Mobile: _____

Note: Copy this page if there are more than 2 applicants

Initials of all Applicants:

POMONA IRRIGATION TRUST

Irrigation Right Share Certificate No: _____

(A) Volume of Irrigation Shares on the Irrigation Share Certificate? _____ ML **(A)**

Lot and DP number of transforming landholding/s: _____

Note: Only one landholding per application

3. Amount of Irrigation Rights to be Transformed?

(B) Please specify the volume and type of units to be transformed (only one type per application):

Volume: (ML) _____ **(B)**

Type: **High Security / General Security** (delete whichever is not applicable)

What will be the volume of remaining Irrigation Rights after this transformation? :

(C) Volume: (ML) _____ **(C= A-B)**

4. Amount of Delivery Rights to be Terminated? (Please complete even if not terminating)

(D) Volume of Delivery Rights on Water Rates Notice? _____ **(D)**

(E) Please specify the volume of Delivery Rights to be terminated:

Volume: (ML) _____ **(E)**

What will be the volume of Delivery Rights after this application?

(F) Volume: (ML) _____ **(F= D-E)**

(Annual Charges for all Water Delivery Rights will still apply to F)

Initials of all Applicants:

POMONA IRRIGATION TRUST

5. Legal and equitable interests in Irrigation Right

Is any security interest held over the Irrigation Rights? Yes / No _____

Does any other person have any other legal or equitable interest in the whole or any part of the Irrigation Rights (including mortgages)? Yes / No _____

If any answer in Section 5 is 'yes', please provide the names of those persons and describe the nature of their interests in the table in Section 6.

Written consent must be obtained from a person with a legal or equitable interest in the Irrigation Rights by signing this form at the space provided under Section 6.

Where there is any security interest held over the Irrigation Rights the person or financial institution holding that security must complete the Affirmation and Consent by Encumbrancee. Where any person or company has any other legal or equitable interest in the Irrigation Rights they must sign the consent contained in Section 6.

6. Additional legal or equitable interests in Irrigation Right

Name	Nature of interest	Contact details

Any person having a legal or equitable interest must give consent to the transformation of the irrigation right by signing the form below in the presence of a witness. If additional persons are required to sign, attach a schedule to this form.

Name

Signature

Witness name

Witness signature

Date

Initials of all Applicants:

POMONA IRRIGATION TRUST

7. Details of licence or authority to which Irrigation Right is to be transferred

Will the transformed Irrigation Rights be transferred to an existing licence (WAL) under the Water Management Act 2000 (NSW)? Yes / No _____

If 'yes', please complete Section 8.

If 'no', please complete Section 9.

8. Details of the Water Access Licence to which the transformed Irrigation Right will be transferred

Name of licence holder _____

WAL or authority number _____

Licence category (if applicable) _____

Water source/zone (if applicable) _____

9. Details of the licence holder under the Water Management Act 2000 (NSW)

If the answer to Section 7 is 'no' and the relevant source is subject to the Water Management Act 2000 (NSW), please submit an application to the NSW Office of Water for Water Access Licence with a zero share component and provide a copy of the receipt with this application and provide the following details.

What is the proposed category for the new WAL? _____

What is the proposed water source/zone? _____

I/We the applicant(s) identified above apply to Pomona Irrigation Trust for the following:

- To apply to the Ministerial Corporation under Section 71Q of the *Water Management Act 2000* (NSW) for the Minister's consent to the assignment of share component from the Pomona Irrigation Trust's relevant Water Access Licence (WAL) to a WAL obtained by the transferee; and
- To transfer the irrigation rights from the Pomona Irrigation Trust Water Access Licence identified in this application; and

I/We the applicant(s) identified above consent to Pomona Irrigation Trust for the following:

- I/We give permission for the Pomona Irrigation Trust, representatives and employees to make necessary and relevant enquiries to third parties pertaining to this application for Transformation of Irrigation Rights.

Initials of all Applicants:

POMONA IRRIGATION TRUST

10. Execution by applicant/s

Name of applicant 1 _____

Signature _____

Witness name* _____

Signature _____

Date _____

Name of applicant 2 _____

Signature _____

Witness name* _____

Signature _____

Date _____

Name of applicant 3 _____

Signature _____

Witness name* _____

Signature _____

Date _____

Where the Applicant is a company:

Executed by the Applicant in accordance with Section 127 of the *Corporations Act 2001*:

Signature of Director/Company Secretary _____

Name of Director/Secretary (BLOCK LETTERS) _____

Signature of Director _____

Name of Director (BLOCK LETTERS) _____

Date _____

* - Eligibility of witnesses - a witness must be over the age of 18 years and not be a member of the immediate family (including defacto partners). An applicant is not eligible to witness another applicant's signature

All applicants must provide Proof of Identity in the form of Drivers Licence, Passport or Birth Certificates or any other combination of documents deemed appropriate by the Pomona Irrigation Trust. Applicants must provide either original documents or certified copies to the Pomona Irrigation Trust with this application.