



Transfer of Water Entitlement Factsheet and Declaration

This document outlines the requirements of Water Entitlement transfers, it must be read and signed before proceeding with any Water Entitlement transfer. Please refer to the Trust's Transfer Rules Policy for other important information relating to the transfer of Water Entitlement.

1. Water Entitlement

Water Entitlement (also called Irrigation Right) is a share of the Renmark Irrigation Trust's (the Trust) Water Entitlement held on its Water Licence which has been assigned to a specific individual or legal entity.

2. Transfer of Water Entitlement

Transfer of Water Entitlement allows for the transfer of rights between holders within the Trust's customer base, and the transfer of Water Entitlement off or onto the Trust's Water Licence. Water entitlements on other water licences are sometimes referred to as Water Access Entitlements or Irrigation Rights.

Transfers must comply with all requirements of the *Renmark Irrigation Trust Act 2009*, *Landscapes Act 2019*, *Water Act 2007* and any other associated legislation or regulatory policy.

Approval for the transfer of Water Entitlement is subject to compliance with the following requirements:

1. An application to the Trust for the transfer of Water Entitlement is required for all transfers and must be on the relevant Trust form: **FORM RIT1**.
2. All Applications must be accompanied by the relevant application fee(s):
2022-23 Internal Trades: \$37 incl GST; 2022-23 External Trades: \$335 incl GST.
3. Written consent to the transfer must be provided by any party who has a registered interest in the Water Entitlement: **FORM RIT4, or approval letter from the Interest Holder.**
4. Conveyance Water:
 - a. Where Water Entitlement is transferred off the Trust licence (as an external trade) **the equivalent of 3% of the transferred Water Entitlement volume must be transferred to the Trust to meet conveyance loss requirements.**
 - b. Water Entitlement that is purchased internally (from another RIT customer) that is later transferred off licence will be required to **transfer 3% of the transferred volume to the Trust to meet conveyance loss requirements.**
5. **Any remaining Water Levy for Entitlement, paid by the Trust, recouped quarterly, is payable at settlement.**
6. Where all Water Entitlement on a Trust Account is being transferred (including a property sale) and there is also a Trust domestic water supply associated with that account, for which 1 ML of Water Entitlement has not been previously supplied to the Trust, you have the following choices to retain your domestic supply and ensure deliverability of water:
 - a. Leave 1 ML of existing Water Entitlement on each title that has a domestic outlet;
 - b. Purchase 1 ML of Water Entitlement and transfer to each title that has a domestic outlet; or
 - c. Request the Trust to purchase at your cost 1 ML of Water Entitlement for each existing domestic outlet.

If you do not wish to retain a Trust domestic connection you must arrange for the Trust to disconnect and remove any existing domestic outlet(s) including payment of the disconnection fee.

Landholders with more than one title may also choose to provide for future domestic water supply on any other title by transferring Water Entitlement per title to the Trust – please refer to the Trust's Connection Policy for further information on new domestic outlet installations.

3. Selling Water Entitlement

1. The sale of Water Entitlement can be negotiated privately, through a water broker, or as part of a State or Commonwealth Government purchase program.
2. As there can be significant monetary value involved in the sale of Water Entitlements and the process may be complex, the Trust recommends that anyone selling their Water Entitlement consider seeking professional advice and/or representation to protect all parties.

4. Water Delivery Rights and Security

1. There is no requirement for any actions to be taken with Water Delivery Rights when undertaking a Water Entitlement transfer and you can retain all your Water Delivery Rights ensuring ongoing delivery access.
2. You can also seek to transfer some or all of the Delivery Rights, subject to Trust approval, to another person; or to pay a termination fee to terminate some or all of your Water Delivery Rights. This may occur at the same time as the Water Entitlement transfer or can occur at a later date.
3. If the total volume of Water Entitlement held by you is less than 20% of your total Water Delivery Rights then you are required to provide alternative security to protect the Trust’s interest in the payment of fees and charges for the delivery of water.
4. Security can be provided to the Trust in one or more of the following forms:
 - a. A charge over Water Entitlement that the applicant continues to hold within the Trust district
 - b. A charge over Water Entitlement held under different ownership within the Trust district;
 - c. A charge over a Water Access Entitlement with the same or different ownership on a private licence;
 - d. a guarantee given by an authorised deposit-taking institution within the meaning of the Banking Act 1959 (Commonwealth);
 - e. an encumbrance registered under the Real Property Act 1886 (SA) over the Certificate of Title(s) of the land parcel(s) which the Water Delivery Right allows water to be delivered to;
 - f. a deposit lodged with the Trust;
 - g. any other form of security agreed upon by the Trust and the applicant.

5. Further Information

If you require further information please contact the Trust’s Main Office on (08) 8586 6911. Please also refer to the Trust’s Transfer Rules Policy for further information regarding the processing of Water Entitlement Transfers. An ‘Information Statement’ detailing your holding information can be requested from the Trust.

6. Declaration

I declare that I have read and understood the information outlined in this document, including the volume of Water Entitlement and wish to proceed with the sale/purchase of my Water Entitlement held on the Trust’s Water Licence.

Account Name: _____ Account No: _____

Sale/Purchase Volume: _____ (ML) Conveyance Volume:* _____ (ML)
*3% of Sale Volume - refer to item 2.4

Name	Signature	Date
Name	Signature	Date