



WATER BALLOT FACT SHEET

An opportunity for Sunraysia Irrigators (affected by the 4% Trade out limit) to trade Water Shares outside the Pumped Districts via a Ballot.

Important Information about the Water Share Ballot

The recent announcement by the Minister to amend the Water Trading Rules to allow a joint 4% cap on FMID and Robinvale Red Cliffs and Merbein districts has resulted in an opportunity for pumped district irrigators, previously affected by the rule, to trade water shares out of the combined pumped districts.

As at 29th January 2010 the total headroom available under the new joint 4% limit was **939.8ML**.

The Minister's announcement has now been implemented via a change to the trading rules (which was gazetted on 29th January 2010). Lower Murray Water has decided to run a ballot to provide fair access to the available headroom

The following outlines the arrangements for a ballot of applications received by LMW for the transfer of water shares out of the newly combined irrigation districts. These applications will include variation of water shares to separate the Water Share from land.

The purpose of the ballot is to determine a processing order whereby all applicants have an equal opportunity to access the headroom available. If the combined volume of applications received does not exceed the available headroom, a ballot will not need to occur and the applications will be processed in the normal manner.

It is important that the following information is clearly understood by customers submitting applications into the ballot.

- Applications for the ballot will not be accepted after 4pm on Wednesday 24th February 2010.
- Applications received from Robinvale Red Cliffs and Merbein customers since the Ministers announcement on the 19th January 2010 will be automatically included in the ballot.
- Applications received from FMID customers before 4pm 29th January have been processed ahead of ballot applications, however applications received after that time have been included in the ballot.

- Applications must be lodged at the head office of Lower Murray Water, 741-759 Fourteenth Street, Mildura or by post to PO Box 1438, Mildura VIC 3502.
- Each application must be the original and accompanied by supporting documentation and the relevant application fee.
- Applications will NOT be checked for accuracy or completeness prior to the commencement of the ballot.
- Applicants (and lodging parties) will be notified by letter that their application has been received.
- Multiple applications for the one water share will NOT be eligible for the ballot. If multiple applications are received, only one (chosen randomly) will be included in the ballot.
- The Ballot will be conducted on Monday 1st March 2010 by an independent party.
- After the ballot is conducted, processing of applications will commence. Depending on the number of successful applications, processing may take several weeks to finalise.
- Once the ballot has determined the processing order, applications will be processed subject to the normal rules.
- Applicants (and lodging parties) will receive a letter advising of approval or refusal of their ballot application at the completion of processing. No information will be provided about the ballot order.
- Applications that are not successful in achieving a place in the ballot under the headroom will be returned along with the fee.
- Sellers should note that outstanding tariffs and charges must be paid prior to any transfer being approved
- Once processing of successful ballot applications commences any applications that are not correct or have outstanding tariffs and charges will be placed at status "With Applicant" and returned to applicants with a covering letter. These applications will not retain their place in the processing queue determined by the ballot. When the response is received, processing of the application will recommence as if the application was received on the date of the response (ie after all balloted applications and any others received in the meantime).
- Applicants have two calendar months to respond or the application will lapse requiring a new application to be lodged.
- Customers are reminded that this ballot is limited by the headroom available. Applicants who were unsuccessful in receiving a place in the ballot, whose applications and fee were returned, may elect to retain the application and supporting documentation and resubmit at the beginning of the 2010/11 season.
- Opportunities to transfer water shares out of irrigation districts may occur throughout the year if limits are not exceeded.

For further information please contact Peter Ebner or Louise Hinks on (03) 5051 3400 between 8.30am and 4.30pm