

INFORMATION SHEET: DEALING WITH WATER ALLOCATIONS IN THE ETON IRRIGATION SCHEME

Water Allocations in the Eton Irrigation Scheme

If you hold a supplemented water allocation, your water allocation is distributed to you by Eton Irrigation Cooperative Ltd (**Eton**). Eton owns and operates the Eton Irrigation Scheme and is the Distribution Operations Licence (**DOL**) holder for the Scheme.

Sunwater is the bulk water supplier and is the Resource Operations Licence (**ROL**) holder for the area.

If you take water from the Eton Irrigation Scheme, you must have a water allocation or have entered a temporary arrangement to use another person's water allocation. Water allocations are a standalone legal right registered under the Water Act and are separate from the land you own.

The supplemented water allocations are subject to Eton's [Customer Contract](#). If you hold a supplemented water allocation in the scheme, you are a party to this contract by virtue of the provisions of the Water Act (see section 738I).

If you want to move, sell, sub-divide or lease your allocation you must let us know and there are various steps that must be taken to complete the change. If you are selling your land, your water allocation does not automatically transfer to the new owner. You should tell your solicitor that you have a right to take water from the Eton Irrigation Scheme so that the water allocation can be dealt with on the sale of your land.

How do I know if my water allocation is in the Eton Irrigation Scheme?

You will know if your water allocation is an allocation in the Eton Irrigation Scheme if the title search for the allocation, obtained from the Water Registrar, is marked with an administrative advice noting the allocation is subject to a Distribution Operations Licence. If you do not know the details of your water allocation you can contact Eton and we may be able to assist.

Do I also need to contact Sunwater if I am transferring, leasing or sub-dividing my water allocation?

Yes, you must also contact Sunwater as it has certain steps to follow before a transfer of the allocation can be registered. Please visit their website for further information on the steps and processes involved - <https://www.sunwater.com.au/water-for-sale/process-overview/>

How do I transfer or lease a supplemented water allocation in the Scheme?

To permanently transfer or lease a supplemented water allocation within the Eton Irrigation Scheme, the process is as follows:

1. The seller/lessor must:

- complete Eton’s [Disclosure Statement](#) and provide this form to the buyer/lessee so the buyer/lessee understands the obligations associated with the water allocation,
- at the same time provide the buyer/lessee with an “Acknowledgement notice for water allocation to which distribution operations licence applies” (DNRME Form No. [W2F164](#)).

Under the Water Act, the above Disclosure Statement and Acknowledgement Notice **must be provided to the buyer/lessee before** entering a contract for the transfer or lease of a water allocation (see section 155 of the Water Act).

2. If the location from which the water allocation is to be taken changes on the sale or lease, Eton’s consent is required to that change. Note that permanently moving water allocation out of the Eton Irrigation Scheme or surrendering it cannot be done without the approval of the Eton Irrigation Board (see the Customer Contract and Water Act for details).
3. The buyer/lessee must provide Eton with details of the proposed transfer or lease before it occurs and be given:
 - a copy of the completed Disclosure Statement and Acknowledgement Form,
 - a current title search for the relevant water allocation, and
 - if the buyer or lessee is a company, a current company extract from ASIC showing details of the company.

The documents can be emailed to accounts@etonirrigation.com.au

4. The seller/lessor must ensure that all amounts owing to Eton are paid on the transfer or lease of the water allocation.
5. There is a \$320 Administration and Transfer Fee as per Eton Irrigation Fees and Charges <https://etonirrigation.com.au/wp-content/uploads/2022/07/Fees-Charges-Schedule-2022-2023.pdf>
6. Supplemented water allocation’s taken from the Eton Irrigation Scheme are subject to the standard Eton Customer Contract. The contract is a deemed contract and will automatically apply to the buyer or lessee on registration of the transfer or lease of the water allocation.
7. Before the transfer or lease can be registered by the Water Registrar, the following documents are required by the Registrar:
 - “Acknowledgement notice for water allocation to which distribution operations licence applies” (DNRME Form No. [W2F164](#)) signed by the buyer or lessee, and

- “Notice to registrar of water allocations of existence of supply contract” (DNRME Form No. W2F152) signed by Sunwater (as the ROL holder).

What do I do if I need or want to subdivide or amalgamate my water allocation?

Under Eton’s Customer Distribution Contract, you must advise Eton of the proposed change to your allocation and consent from Eton Irrigation is required if the location within the Scheme for subdivided allocations is intended to change.

You should also contact SunWater as the ROL holder.

What do I do once the transfer, lease or subdivision is registered?

Once the transfer is registered by the Water Registrar, the Registration Confirmation Statement **must be emailed to Eton within 7 days** of issue. The registration date will be the start date for the new contract. You must also keep Eton notified of your contact and billing details.

Can I become a member of Eton?

If you are the owner of a water allocation registered for the Eton DOL area you are eligible to become a member of the Eton Irrigation Cooperative.

If you want to become a member contact 07 49 775 850 or email accounts@etonirrigation.com.au

Does Eton charge an administrative fee for the above?

Eton does currently charge customers any administration fee for the transfer or lease of an allocation within the scheme which is \$320 per transfer. We understand SunWater does charge for these transfers and their fees can be found on their website.

Where can I find the DNRME Forms?

The DNRME forms can be found [here](#).