

## Form 6

### **Guide to the Application** **Terminate Delivery Entitlement and / or Cancel Shares**

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This application is used to apply to Coleambally Irrigation Co-operative Limited to terminate delivery entitlements and / or cancel shares.

If you wish to terminate all or some of your water delivery rights, known as Delivery Entitlements, please contact us for a Termination Information Statement.

Coleambally Irrigation allows the permanent trade of rights of access, known as Delivery Entitlement. The rules that apply to the trade of those rights are available at [www.colyirr.com.au](http://www.colyirr.com.au).

This application can be lodged at anytime to Coleambally Irrigation Co-operation Limited and once approved will involve the termination of the applicants delivery right and its associated charges, or the cancellation of Shares and its associated benefits.

#### **1 Checklist**

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The following is a list of documentation required for processing of this application:

- Termination Information Statement
- Form 6 duly completed
- Consent or Discharge of Mortgage by encumbrancee
- Original Share / Water Entitlements / Delivery Entitlement Certificates
- Payment of any charges in arrears
- Payment of the termination fee
- A Liability Statement has been produced by this office
- Payment of the prescribed fee as per the Schedule of Charges can be found at [www.colyirr.com.au](http://www.colyirr.com.au) under Fees and Pricing

#### **2 General Notes**

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- 1) Where an encumbrance is noted on the titles of any of landholding, shares, delivery entitlement or water entitlement, Consent by Encumbrancee is required. A certified copy of a Discharge of Mortgage may be provided in lieu of Consent.
- 2) All original certificates (i.e. shares, water entitlements and delivery entitlements) relevant to the Transferor must be submitted.
- 3) Forms or pages not dated where indicated or otherwise incomplete may be returned.

- 4) Information relative to water entitlements on the CICL Register is provided to the National Irrigation Corporation Water Entitlement Register (NICWER) uploading daily.
- 5) A Casual Usage Charge will be levied for any metered use exceeding 110% of the permanent delivery entitlement held on a landholding.
- 6) If applying to cancel Shares, the cost of these Shares will be remitted to the Transferor(s) at their current address, upon settlement, unless otherwise indicated.

### **3 Security**

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- 1) Security for the recovery of ongoing access fees may be requested in relation to an application for transformation or the application for the internal permanent transfer of delivery entitlement that leaves the number of delivery entitlements exceeding five (5) times the number of water entitlements remaining– refer CICL Rule 117.
- 2) Security may be in the form of a cash deposit, bank guarantee, or another acceptable form of security, including a registered caveat and lodged with and accepted by CICL prior to settlement.
- 3) The quantum or value of security will be equal to the termination fee that would apply to all delivery entitlements, for the current water year.
- 4) If security is required, the applicant will receive a notice from CICL confirming the security required and the relevant form to be completed.

### **5 Completing the Application**

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- 1) All handwriting should be in BLOCK letters in blue or black ink.
- 2) If there is insufficient space on any part of the form, please attach an annexure, labelled beginning at the letter "A", and refer to the annexure at the relevant position on the form.
- 3) The application must be executed by ALL registered proprietors. If executing as attorney, please make note of the power of attorney and provide evidence.
- 4) Follow any other instructions provided with the relevant forms / pages.
- 5) Submit completed applications to:

The Company Secretary  
Coleambally Irrigation Co-operative Limited  
PO Box 103  
COLEAMBALLY NSW 2707

### **6 Enquiries**

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For all enquiries or further information regarding this application, please contact Coleambally Irrigation on:

Telephone: 02 6954 4003    Email: [cosec@colyirr.com.au](mailto:cosec@colyirr.com.au)

**Form 6**  
**Transferor's Application**  
**Terminate Delivery Entitlement and / or Cancel Shares**

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**Transferor Details**

Name

Address

Farm No.

**Particulars to be terminated and /or cancelled**

units of General Security Delivery Entitlements to be terminated.

units of High Security Delivery Entitlements to be terminated.

Shares to be cancelled

**The Transferor(s), by their signatures below:**

- a) I/We confirm that if we have received a Termination Information Statement and are proceeding with the termination to the expiry of the Termination Information Statement.
- b) I/We the Transferor(s) hereby advise Coleambally Irrigation Co-operative Limited that I/we apply to have the above delivery entitlements terminated and / or shares cancelled, as specified in this application.
- c) I/We the Transferor(s) agree to pay the Termination Fee as set out in current the Schedule of Charges as at settlement.

**Transferor:** Signed by the Transferor on in the presence of: DATED \_\_\_\_\_

\_\_\_\_\_  
*Signature of witness*

\_\_\_\_\_  
*Signature of Transferor or Director*

\_\_\_\_\_  
*Name of Transferor or Director (BLOCK letters)*

\_\_\_\_\_  
*Name of witness (BLOCK letters)*

\_\_\_\_\_  
*Signature of additional Transferor or  
 Director/Company Secretary*

\_\_\_\_\_  
*Name of additional Transferor or  
 Director/Company Secretary (BLOCK letters)*

**Form 6  
Transferor's Statutory Declaration:  
Terminate Delivery Entitlement and / or Cancel Shares**

I/We  *Name(s)*

of  *(Address)*

Solemnly and sincerely declare that:

- 1. I/We are the Transferor(s) in the attached application and wish to terminate delivery entitlements and / or cancel the nominated shares.
- 2. I/We declare that:
  - a. The following parties hold the specified interests in the \* land / shares/ delivery entitlements / water entitlements
  - b. I/We have procured the agreement in writing of the mortgagee/s who hold an interest in the Landholding and or entitlements the subject of this application.

*(Mortgagee)*

and I/We make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900 (NSW).

MADE and declared at  in the state of

on  in the presence of:

\_\_\_\_\_  
*Signature of Justice of the Peace / Solicitor*

\_\_\_\_\_  
*Signature of Declarant*

\_\_\_\_\_  
*Name of Justice of Peace / Solicitor*

\_\_\_\_\_  
*Signature of additional Declarant (if more than one)*

\* *delete inapplicable reference*