

jackson smith

SOLICITORS

8 Key Things Your Clients Need to Know about Water Rights. >>

1. The Department often decreases water allocations without having any right to do so.
2. The Department sometimes wrongly refuses to grant licences.
3. Under most proposed Water Management Plans, soon to come into law, water allocations are to be decreased by as much as 40%.
4. An application can be made to the Court to stop the Water Management Plans.
5. The New South Wales Upper House is interested in hearing submissions on the Water Management Plans...we suggest that a lobbying effort be started immediately.
6. Ownership of water may be a personal right and not part of the land...this could mean that the profit on a sale of water rights stays with your client and doesn't go to the bank for debt reduction.
7. Most mortgages require that water rights are part of the security...so that the effect is that there can be no transfer without bank approval.
8. Most mortgages require that any water rights acquired in the future be part of the security package...so that if, for example, your client acquires future water rights he cannot sell or trade them or he could be committing a potentially disastrous breach of the conditions of his security.

I hope that this is of interest and value to you.

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