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Water Act 1989

BULK ENTITLEMENT (RIVER MURRAY – LOWER MURRAY URBAN AND RURAL WATER – IRRIGATION) AMENDMENT ORDER 2014

I, Peter Walsh, as Minister administering the **Water Act 1989**, grant the following Amendment Order –

1 Title

This Order is called the Bulk Entitlement (River Murray – Lower Murray Urban and Rural Water – Irrigation) Amendment Order 2014.

2 Purpose

The purpose of this Order is to –

- (a) repeal the Bulk Entitlement (River Murray – First Mildura Irrigation Trust) Conversion Order 1999 and incorporate the provisions for supply to the First Mildura Irrigation District in the Bulk Entitlement (River Murray – Lower Murray Urban and Rural Water – Irrigation) Conversion Order 1999 (the Bulk Entitlement) in order to simply administration of the entitlements;
- (b) amend the Bulk Entitlement to adjust the loss allowances for Lower Murray Urban and Rural Water’s irrigation districts to reflect the transfer of the first instalment of water savings from the Sunraysia Irrigation Modernisation Project to the Commonwealth Environmental Water Holder;
- (c) make other related changes and minor corrections to the Bulk Entitlement.

3 Authorising provision

This Order is made in accordance with section 44 of the **Water Act 1989** and section 27 of the **Interpretation of Legislation Act 1984**.

4 Commencement

This Order comes into effect on the day it is published in the Government Gazette.

5 Repeal of former First Mildura Irrigation Trust bulk entitlement

- (1) The Bulk Entitlement (River Murray – First Mildura Irrigation Trust) Conversion Order 1999 is **repealed**.

6 Change of reference

- (1) For the words ‘environment Minister’ in clauses 6.3, 12(h)(iii), 15.1(e) and 22.1(e) of the Bulk Entitlement, **substitute** ‘Water Holder’.

7 Amendments to clause 13 Allowances for Distribution Losses

- (1) For clause 13.2 (a) (iv) of the Bulk Entitlement **substitute** –
‘(iv) for Lower Murray Urban and Rural Water’s irrigation districts, 9.1 GL;’
- (2) Clause 13.2 (a) (vi) of the Bulk Entitlement is **revoked**.
- (3) For clause 13.2 (a) (iv) of the Bulk Entitlement **substitute** –
‘(iv) for Lower Murray Urban and Rural Water’s irrigation districts, 17.4 GL;’
- (4) Clause 13.2 (c) (vi) of the Bulk Entitlement is **revoked**.

8 Amendment of clause 18 Saving of Distribution Losses

- (1) After clause 18.9 of the Bulk Entitlement **insert** –
‘18.10 Lower Murray Urban and Rural Water must not make changes to the operation of King’s Billabong unless those changes are consistent with an environmental plan for King’s Billabong prepared by Lower Murray Urban and Rural Water and endorsed by the environment Minister.’

SPECIAL

Table 2: Low-reliability Entitlements (GL)

User group	Low Reliability Entitlements (GL)	Off-take commitments for low reliability seasonal determinations of									
		10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Murray Valley	At farm	9,238	18,477	27,715	36,953	46,192	55,430	64,668	73,907	83,145	92,383
	Losses	4,191	8,381	12,572	16,762	20,953	25,143	29,334	33,524	37,715	41,905
		13,429	26,858	40,287	53,715	67,145	80,573	94,002	107,431	120,860	134,288
Torrumbarry	At farm	13,966	27,932	41,898	55,864	69,830	83,796	97,762	111,728	125,694	139,660
	Losses	5,853	11,706	17,559	23,412	29,265	35,118	40,971	46,824	52,677	58,530
		19,819	39,638	59,457	79,276	99,095	118,914	138,733	158,552	178,371	198,190
Goulburn-Murray Water		1,217	2,434	3,651	4,868	6,085	7,302	8,520	9,737	10,954	12,171
	Murray diverters	0,477	0,953	1,430	1,906	2,383	2,859	3,336	3,812	4,289	4,765
	Mitta diverters	1,694	3,387	5,081	6,774	8,468	10,162	11,855	13,549	15,243	16,936
	Not associated with land	3,882	7,716	10,765	14,353	17,941	21,529	25,117	28,705	32,294	35,882
Lower Murray Water	Irrigation districts	0,030	0,060	0,091	0,121	0,151	0,181	0,211	0,242	0,272	0,302
	Diverters, Nyah-S.A.	0,560	1,121	1,681	2,242	2,802	3,363	3,923	4,483	5,044	5,604
	Not associated with land	0,002	0,004	0,006	0,009	0,011	0,013	0,015	0,017	0,019	0,022
Water Holder - Living Murray		9,884	19,767	29,651	39,534	49,418	59,301	69,185	79,068	88,952	98,835
Total		49,006	98,012	147,018	196,024	245,030	294,035	343,042	392,047	441,054	490,059
Offtake commitments for 100% high reliability entitlements		305,191	441,649	582,788	712,308	848,766	985,223	1,121,681	1,258,139	1,394,597	1,530,949
Total off-take commitments		354,197	539,661	729,806	908,332	1,093,796	1,279,259	1,464,723	1,650,187	1,835,651	2,021,008

Notes on Tables 1 and 2:

- Seasonal determinations may be made in intervals of 1% by interpolation between the values shown or extrapolation below 10% (or above 100% for the losses), not just in the 10% intervals shown.
- Murray Valley and Torrumbarry have fixed losses of 775,339 GL and 70,446 GL (including 0.352 GL for Tresco) respectively, plus two variable loss components as follows:
 - for high-reliability rights, variable loss varies from zero at zero allocation, increasing linearly to 12,432 GL for Murray Valley and to 22,565 GL for Torrumbarry at an allocation of 100%;
 - for low-reliability rights, variable loss varies from zero at zero low allocation, increasing linearly to 41,905 GL for Murray Valley and to 58,530 GL for Torrumbarry at an allocation of 100% to low-reliability entitlements; and
 these losses may be allocated as required to deliver water carried over in these irrigation areas based on the equivalent maximum allocation in each area (calculated as the seasonal determination + carryover)
- Allocations against the 22.1 GL of high-reliability entitlement added to Table 1 in November 2009 for Snowy EWR commenced when the Lake Boga-Lake Kangaroo-Lake Chaim component of the Victorian Mid-Murray Storages was first deemed by the Resource Manager to have been operated in accordance with clause 8A (which occurred on 1 April 2010).
- Broken Creek entitlements, including town supplies for Numurkah and Nathalia and relevant environmental entitlements, are not included in Tables 1 and 2, but receive Murray allocation regardless of whether they are supplied from the Murray or Goulburn Systems.
- The allocation to the Murray Valley and Torrumbarry losses shown may be increased up to the maximum accumulated unused loss volume available for each in order to allow for delivery of allocation carried over in these districts from the previous year.
- These tables do not show changes in water share volumes as a result of trade since 1 July 2013, or entitlements to unregulated flows in the River Murray or River Murray Increased Flows.

10 Amendment of Schedule 4 – Off-take Points and Return Points, with Maximum Rates of Taking Water(1) For Schedule 4 of the Bulk Entitlement **substitute** –**‘SCHEDULE 4: OFF-TAKE POINTS AND RETURN POINTS, WITH MAXIMUM RATES OF TAKING WATER (clause 16)**

Off-take point	Maximum rate (ML/d)	Area supplied
Robinvale pumping station	320	Robinvale irrigation district
Red Cliffs pumping station	450	Red Cliffs irrigation district, and remaining Carwarp area of Carwarp–Yelta waterworks district
Merbein pumping station	420	Merbein irrigation district, and Yelta part of Carwarp–Yelta waterworks district
Millewa river pump	130	Millewa waterworks district and diversion licences
Central Main Pump Station, at King’s Billabong	900	This is counted as the point where water is diverted from the River Murray
Psyche Bend pumps	1,128	Used to replenish King’s Billabong where River Murray flows are at insufficient level to do this (see clause 18.10)
Private diversion points	n/a	Along River Murray between the Nyah pumps and the South Australian border, and Around King’s Billabong

11 Amendment of Schedule 5 – Lower Murray Urban and Rural Water – River Murray Primary Entitlements(1) For the High-reliability entitlements table of clause 1 of Schedule 5 **substitute** –**‘High-reliability entitlements**

DESCRIPTION OF ENTITLEMENT	NOMINAL VOLUME (ML)¹
IRRIGATION DISTRICTS	
First Mildura Irrigation District	
High Reliability Water Shares	54,167.0
Low Reliability Water Shares	153.6
Supply by Agreement	866.1
Merbein Irrigation District	
High Reliability Water Shares	21,337.7
Low Reliability Water Shares	-
Supply by Agreement	399.0
Red Cliffs Irrigation District	
High Reliability Water Shares	31,763.9
Low Reliability Water Shares	-
Supply by Agreement	110.0

DESCRIPTION OF ENTITLEMENT	NOMINAL VOLUME (ML)¹
Robinvale Irrigation District	
High Reliability Water Shares	20,074.0
Low Reliability Water Shares	148.3
Supply by Agreement	15.0
Fixed loss allowance (irrigation districts)	15,392.0
TOTAL	144,426.6
WATERWORKS DISTRICTS	
Millewa Waterworks District	
Entitlement	700.0
Fixed loss allowance	4,800.0
Yelta Wargan Waterworks District²	
Entitlement	14.0
TOTAL	5,514.0
PRIVATE DIVERTERS FROM MURRAY RIVER	
High Reliability Water Shares	207,070.3
Low Reliability Water Shares	5,604.2
TOTAL	212,674.5
WATER SHARES NOT ASSOCIATED WITH LAND	
High Reliability Water Shares	19,156.4
Low Reliability Water Shares	21.6
TOTAL	19,178.0
OTHER³	543.9
TOTAL FOR BULK ENTITLEMENT	381,793.1

Notes to table:

1. These tables do not show changes in water share volumes as a result of trade since 1 July 2013.
2. Supplied via Merbein Irrigation District.
3. Provision for recognition of unrecognised Domestic and Stock/House and Garden supplies. To be reviewed in July 2018.

Dated 23 March 2014

PETER WALSH MLA
Minister for Water

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