

**ARIZONA DEPARTMENT OF WATER RESOURCES**  
**ACTIVE MANAGEMENT AREA**  
**Mail to: P. O. Box 36020, Phoenix, Arizona 85067-6020**  
**1110 W. Washington St. Suite 310, Phoenix, Arizona 85007-2952**  
**(602) 771-8585 · [www.new.azwater.gov](http://www.new.azwater.gov) ·**

**Application to Retire an Irrigation  
Grandfathered Right for a Non-Irrigation  
(Type I) Use**

**Original Certificate No. 58-** \_\_\_\_\_  
**New Certificate No. 58-** \_\_\_\_\_  
**Issue on Date** \_\_\_\_\_

The initial fee for an Application to Retire an Irrigation Grandfathered Right for a Non-Irrigation (Type 1) Use is \$1,000. Total fees for this application are based upon an hourly billable rate, which can be found on the ADWR web site at [www.new.azwater.gov](http://www.new.azwater.gov). If the costs of reviewing your application exceed \$1,000, you will be invoiced for the difference, up to a maximum total fee of \$10,000. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Active Management Area at 602-771-8585). Checks should be made payable to the Arizona Department of Water Resources. In addition to the hourly application fee, the applicant must pay any review-related costs associated with the application and the actual cost of mailing or publishing any legal notice of the application or any notice of a pre-decision administrative hearing on the application. Review-related costs are: (1) costs associated with a pre-decision hearing on the application, such as court reporter services and facility rentals for the hearing, and (2) mileage expenses for a site visit conducted before issuing a decision on the application. Failure to enclose the initial application fee will cause the application to be returned. Fees to Retire an Irrigation Grandfathered Right for a Non-Irrigation (Type 1) Use are authorized by A.R.S. § 45-113 and A.A.C. R12-15-103.

1. 

Last Name	First	Middle Initial	
Last Name	First	Middle Initial	
Mailing Address	City	State	Zip
2. Active Management Area \_\_\_\_\_
3. Attach a copy of the proposed development plan.
4. Legal description of land covered by certificate of irrigation grandfathered right:  
\_\_\_\_\_
5. Legal description of land to be retired from irrigation (**attach map**).  
\_\_\_\_\_
6. Total number of acres to be retired \_\_\_\_\_
7. Describe the location of each well which was used to irrigate the land.  
\_\_\_\_\_, Section\_\_\_\_ Township\_\_\_\_ Range\_\_\_\_ Reg. No. 55-\_\_\_\_\_  
\_\_\_\_\_, Section\_\_\_\_ Township\_\_\_\_ Range\_\_\_\_ Reg. No. 55-\_\_\_\_\_
8. When was the land last irrigated? \_\_\_\_\_
9. Has the land been held under the same ownership since it was last irrigated? \_\_\_Yes \_\_\_No  
If no, did the applicant purchase the land from the last irrigator? \_\_\_Yes \_\_\_No

**Enclose copy of deed or other evidence to show date of purchase.**

10. Has the land been sold or taken out of production primarily because it would have been uneconomical to continue to withdraw for irrigation?  Yes  No  
If "No", explain why the land was retired. \_\_\_\_\_  
\_\_\_\_\_

11. The intended use of the water is:  Expanded animal industry  Domestic  
 Industrial  Electrical Energy Generation  Mining  Other

12. Is the land to be retired within the exterior boundaries of a service area of a city, town or private water company?  Yes  No

If "Yes", indicate name of city, town or private water company \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**NOTICE**

A.R.S. § 41-1030(B), (D), (E) and (F) provide as follows:

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

E. A state employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy.

F. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.