

**ARIZONA DEPARTMENT OF WATER RESOURCES
GROUNDWATER PERMITTING AND WELLS UNIT
Mail to: PO BOX 36020, PHOENIX AZ 85067-6020
1110 W. WASHINGTON ST. SUITE 310, Phoenix, AZ 85007-2952
(602) 771-8527**

Late Application for a Irrigation Grandfathered Right
(Form 476.01-IR).

Application No. _____
Filed: _____ at _____
Certificate No. _____
For Departmental Use Only

The fee for a Late Application for an Irrigation Grandfathered Right is \$100.00 per new certificate requested. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Groundwater Permitting and Wells Program at 602-771-8527). Checks should be made payable to the Arizona Department of Water Resources. In addition to the 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 application fee will cause the application to be returned. Fees for a Late Application for an Irrigation Grandfathered Right are authorized by A.R.S. § 45-476.01 and A.A.C. R12-15-104.**

This Application is pursuant to A.R.S. § 45-476.01, which allows for late filings of applications for certificates of grandfathered rights. **If you are claiming the right to irrigate based on substantial capital investment rather than historic irrigation, you must complete and attach the Substantial Capital Investment form (Form 45-452).**

1. _____

Last Name	First Name	Middle Initial	
Last Name	First Name	Middle Initial	
Mailing Address	City	State	Zip
Phone Number	Fax Number	E-mail address	

Note: This form is to be filled out only for the acres which you own. If you lease farm land, make sure that the owner of the leased land or his authorized agent is aware of the requirement to file for that land.

2. Active Management Area: _____

3. Legal description of all land presently owned by applicant in the Active Management Area which was irrigated in whole or in part with groundwater at any time between January 1, 1975 and January 1, 1980. Attach a copy of a deed or other ownership document.

4. Total number of acres in Item 3: _____

5. Describe the location of each well used to irrigate the land. Indicate the well registration number of each well.

____ 1/4, ____ 1/4, ____ 1/4, Section ____ Township ____ Range ____ Reg # ____

____ 1/4, ____ 1/4, ____ 1/4, Section ____ Township ____ Range ____ Reg # ____

____ 1/4, ____ 1/4, ____ 1/4, Section ____ Township ____ Range ____ Reg # ____

6. Was the land served by an irrigation district? ____ Yes ____ No
If so, give the name of the district and the account number:

_____ (District/Account Number)

7. Was groundwater the sole source of water? ____ Yes ____ No

8. Indicate the crops grown, the number of acres planted in each crop and the total number of acres planted in each year. **DO NOT COUNT DOUBLE CROPPED ACRES TWICE IN THE LAST COLUMN.** Indicate irrigation methods used for each crop for 1979 only.

Year	Crops Grown	Number of acres in crop	Irrigation method	Total Planted acres
1979				
1978				
1977				
1976				
1975				

If additional space is needed, attach an additional sheet of paper.

9. Indicate the amount of water used from each source in each of the five years (acre-feet).

	1975	1976	1977	1978	1979
Groundwater					
Surface water					
Sewage Effluent					

The above amounts are: measured estimated

Comments: _____

10. Did you make use of any of the following during 1975-80?

	Yes	No		
Lined ditches or pipes	<input type="checkbox"/>	<input type="checkbox"/>	Percentage of ditches lined	_____
Pump-back system	<input type="checkbox"/>	<input type="checkbox"/>	Number of acres served	_____
Land leveling	<input type="checkbox"/>	<input type="checkbox"/>	Number of acres leveled	_____
Other	<input type="checkbox"/>	<input type="checkbox"/>	Number of acres affected	_____

Comments: _____

11. Indicate the source of the data included in this application.
(All sources must be available for inspection by the Department).

- Agricultural Stabilization and Conservation Service Cases
- Farm Records
- Irrigation District Records
- Other

If other is checked, please identify the source of the data.

I, (We), _____ the applicant(s), do hereby certify under the penalty of perjury, that the information contained, and the statements made herein are to the best of my (our) knowledge and belief, are accurate and complete.

DATED this _____ day of _____, 20__.

Signature

Signature

Subscribed and sworn to before me this _____ Day of _____, 20__.

Notary

Notary Public

Seal

or

My Commission Expires:

Authorized Personnel of ADWR

IRRIGATION GRANDFATHERED RIGHTS
Instructions for Completing Application

- Item 1. Type or print the name of the applicant as it appears on the land ownership documents.
- Item 2. Type or print the name of the active management area in which the land the application is being made for is located.
- Item 3. The legal description must include all land for which a right is being claimed on this application. You may claim a right only for land which you own. Attach a copy of a duly recorded deed or other ownership documents that substantiates Item 1 and describes the legal description in Item 2.
- Item 4. Enter the total number of acres in Item 2 that were irrigated for agricultural purposes from January 1, 1975 through December 31, 1979. The number of acres should not exceed your total owned acres.
- NOTE:** If you own or irrigate less than 2 acres of land you may continue to irrigate your land without an Irrigation Grandfathered Right. Claims of less than 2 acres do not require and are not eligible to receive an Irrigation Grandfathered Right.
- NOTE:** If you are claiming a right to irrigate based on substantial capital investment pursuant to A.R.S. 45-452, you must submit the "Substantial Capital Investment" form (Form 45-452) with this application.
- Item 5. Record the location and registration number of each well used to irrigate the land, including wells which you do not own. If your land was served by an irrigation district and it was not served by any wells other than those owned or operated by the district, write N/A after Item 4 and do not fill out.
- Item 6. Indicate whether or not your land received water from an Irrigation District. If so, indicate the name of the district and the account number and name(s).
- Item 7. Indicate if groundwater was the sole source of water.
- Item 8. This information is needed to assist in the determination of the maximum amount of groundwater which may be used on the farm. Indicate the method of irrigation used for each crop in 1979; for example, flood, sprinkler, furrow, drip, basin or other method. If you need additional space to be specific on cropping patterns and irrigation methods, attach additional sheets of paper.
- Item 9. The amount of groundwater you will be allowed to use by your grandfathered right will be determined on the basis of the amount of water reasonably required to irrigate crops historically grown, as well as on the basis of the number of acres irrigated in past years. If the amount of water use was measured, indicate the method of measurement. If estimates are made, attach supporting computations including data, coefficients used, and

assumptions. If part of your water supply is recycled return flow or another recycled source and you wish to provide more information about it, do so in the space for comments.

Item 10. Indicate the types of conservation techniques that were being used in the irrigation of your land.

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.