

ARIZONA DEPARTMENT OF WATER RESOURCES
ACTIVE MANAGEMENT AREA
MAIL TO: 1802 W JACKSON ST BOX 79, PHOENIX, AZ 85007
PHONE: (602) 771-8585

**NOTIFICATION OF CHANGE OF OWNERSHIP AND/OR CHANGE IN POINT OF WITHDRAWAL
FOR A TYPE 2 NON-IRRIGATION GRANDFATHERED RIGHT**

INSTRUCTIONS AND REQUIRED ATTACHMENTS

- COMPLETE PART I AND PART IV OF THIS FORM. IF YOU ARE REPORTING AN OWNERSHIP CHANGE, PART II MUST BE COMPLETED ALSO. IF YOU ARE REQUESTING A CHANGE IN POINT OF WITHDRAWAL, PART III MUST BE COMPLETED ALSO. OBTAIN ALL REQUIRED SIGNATURES. MAIL THE COMPLETED FORM TO THE ABOVE ADDRESS OR HAND DELIVER IT TO ADWR AT 1110 W. WASHINGTON ST., SUITE 310 IN PHOENIX, AZ 85007.
- ENCLOSE THE ORIGINAL CERTIFICATE OF GRANDFATHERED GROUNDWATER RIGHT. THIS DOCUMENT IS AVAILABLE FROM THE SELLER/GRANTOR OR CURRENT OWNER. IF THE ORIGINAL CERTIFICATE HAS BEEN LOST, A NOTARIZED STATEMENT TO THIS EFFECT MUST BE SUBMITTED.
- THE FILING FEE FOR A NOTIFICATION OF CHANGE OF OWNERSHIP FOR A TYPE 2 NON-IRRIGATION GRANDFATHERED RIGHT IS \$500.00.
- THE FILING FEE FOR A NOTIFICATION OF CHANGE IN POINT OF WITHDRAWAL FOR A TYPE 2 NON-IRRIGATION GRANDFATHERED RIGHT IS \$250.00
- THE FILING FEE FOR RE-ISSUANCE OF A CERTIFICATE TO REFLECT A CHANGE IN FAMILY CIRCUMSTANCE OR TRANSFER OF THE RIGHT TO OR FROM A TRUST IN WHICH THE RIGHTHOLDER IS A BENEFICIARY OR FROM A TRUST TO A BENEFICIARY OF THE TRUST IS \$120.00.
- 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. FAILURE TO ENCLOSE THE FILING FEE WILL CAUSE THE NOTIFICATION TO BE RETURNED. FEES FOR THIS NOTIFICATION ARE AUTHORIZED BY A.R.S. § 45-113 AND A.A.C. R12-15-103.
- IF THE TYPE 2 RIGHT WILL BE LEASED IN FULL OR IN PART, A NOTIFICATION OF LEASE OF A TYPE 2 NON-IRRIGATION GRANDFATHERED RIGHT (FORM 58-800) MUST BE FILED ALSO.
- PURSUANT TO A.A.C. R12-15-401, IF YOU REQUEST A REVISED CERTIFICATE TO REFLECT NEW OR ADDITIONAL POINTS OF WITHDRAWAL, THE DEPARTMENT WILL ISSUE A WRITTEN NOTICE GRANTING OR DENYING YOUR APPLICATION WITHIN 180 DAYS AFTER RECEIPT OF THE APPLICATION. THE DEPARTMENT WILL FIRST DETERMINE WHETHER THE APPLICATION IS ADMINISTRATIVELY COMPLETE (ADMINISTRATIVE REVIEW PERIOD) AND THEN WHETHER THE APPLICATION MEETS THE SUBSTANTIVE CRITERIA ESTABLISHED BY STATUTE OR RULE (SUBSTANTIVE REVIEW PERIOD). THE TIME FRAME FOR ADMINISTRATIVE COMPLETENESS REVIEW IS 45 DAYS. THE TIME FRAME FOR SUBSTANTIVE REVIEW IS 135 DAYS. THE OVERALL TIME FRAME OF 180 DAYS ENCOMPASSES BOTH THE ADMINISTRATIVE REVIEW AND THE SUBSTANTIVE REVIEW TIME FRAMES. THESE TIME FRAMES MAY BE SUSPENDED IF THE DEPARTMENT DETERMINES THAT THE APPLICATION IS NOT COMPLETE AND REQUESTS ADDITIONAL INFORMATION IN WRITING.
- IF YOU NEED ASSISTANCE PLEASE CONTACT THE ACTIVE MANAGEMENT AREA AT 602-771-8585. THE ADWR WEB SITE ADDRESS IS www.new.azwater.gov.

**NOTIFICATION OF CHANGE OF OWNERSHIP AND/OR CHANGE IN POINT OF WITHDRAWAL
FOR A TYPE 2 NON-IRRIGATION GRANDFATHERED RIGHT**

PART I. GENERAL INFORMATION

1. Certificate of Grandfathered Groundwater Right number: 58 - _____ . _____
2. Amount of right indicated on certificate: _____ acre-feet annually.
3. Active Management Area: _____
4. Describe the intended non-irrigation use(s). (Note: In accordance with A.R.S. § 45-474(A), the owner of a Type 2 Non-Irrigation Grandfathered Right that is issued for purposes of mineral extraction or processing, or for purposes of electrical energy generation, may not convey the right for any other purpose.)

PART II. NOTIFICATION OF CHANGE OF OWNERSHIP

In accordance with A.R.S. § 45-482(B), the undersigned parties hereby notify the Arizona Department of Water Resources of the conveyance of this Type 2 Non-Irrigation Grandfathered Right:

1. Please specify the effective date of this ownership change ____/____/____ and the quantity of groundwater withdrawn between January 1 of that calendar year and the effective date: _____ acre-feet.

PART III. REQUEST FOR CHANGE IN POINT OF WITHDRAWAL

In accordance with A.R.S. § 45-471(C), the undersigned parties hereby request the Arizona Department of Water Resources to issue a revised certificate of Type 2 Non-irrigation Grandfathered Right to reflect different points of withdrawal or to remove all wells from this certificate:

1. Wells to be added to certificate (list by ADWR registration number; non-exempt wells only). If no new wells are to be added, write "None":

	Twp	Rng	Sec	Quarters	Owner Name	Proposed Type 2 Withdrawals
			160	40	10	
55 - _____	_____	_____	_____	_____	_____	_____ acre-feet annually
55 - _____	_____	_____	_____	_____	_____	_____ acre-feet annually
55 - _____	_____	_____	_____	_____	_____	_____ acre-feet annually

2. Wells to be removed from certificate (list by ADWR registration number) and status of removed wells. If no wells are to be removed, write "None":

55 - _____	_____ not in use	_____ capped	_____ abandoned	_____ exempt	pump cap: _____ gpm
55 - _____	_____ not in use	_____ capped	_____ abandoned	_____ exempt	pump cap: _____ gpm
55 - _____	_____ not in use	_____ capped	_____ abandoned	_____ exempt	pump cap: _____ gpm

PART IV. GRANTOR AND GRANTEE OR CURRENT OWNER INFORMATION

SELLER/GRANTOR
OR CURRENT OWNER
(Print or Type)

BUYER/GRANTEE
OR OTHER OWNERS
OF NEW POINTS OF WITHDRAWAL
(Print or Type)

NAME _____

NAME _____

ADDRESS _____

ADDRESS _____

TELEPHONE (____) _____

TELEPHONE (____) _____

SIGNATURE

DATE

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.