

ARIZONA DEPARTMENT OF WATER RESOURCES
ACTIVE MANAGEMENT AREA
MAIL TO: 1802 W JACKSON ST BOX 79, PHOENIX, AZ 85007
Phone: (602) 771-8585 · www.azwater.gov

**APPLICATION TO SUBSTITUTE FLOOD DAMAGED
ACRES WITHIN AN ACTIVE MANAGEMENT AREA
PURSUANT TO A.R.S. § 45-465.01**

Original Certificate No. _____
New Certificate No. _____
New Certificate Issued On: _____

The initial fee for an Application to Substitute Flood Damages Acres 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. 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 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 for an Application to Substitute Flood Damages Acres are authorized by A.R.S. § 45-113 and A.A.C. R12-15-103.

1. Name and address of person filing this application (applicant must be the owner of the Irrigation Grandfathered Right identified in item No. 2).

Last Name	First	Middle Initial	
Last Name	First	Middle Initial	
Mailing Address	City	State	Zip
() _____	() _____		
Home Telephone number (with area code)		Work Telephone number (with area code)	

2. Irrigation Grandfathered Right Certificate No.: 58-_____
3. Active Management Area: _____
4. Number of acres to be retired: _____ Irrigation District affiliation : _____
5. Number of acres to be substituted: _____ Irrigation District affiliation : _____
6. Describe the location of the acres to be retired. (Attach map showing acres and any structures or roads located on the acres).
- | | | | | | |
|-------------|-------------|--------------|---------------|----------------|-------------|
| <u>10ac</u> | <u>40ac</u> | <u>160ac</u> | Section _____ | Township _____ | Range _____ |
| <u>10ac</u> | <u>40ac</u> | <u>160ac</u> | Section _____ | Township _____ | Range _____ |
7. Describe the location of the acres you seek to substitute. (Attach Map)
- | | | | | | |
|-------------|-------------|--------------|---------------|----------------|-------------|
| <u>10ac</u> | <u>40ac</u> | <u>160ac</u> | Section _____ | Township _____ | Range _____ |
| <u>10ac</u> | <u>40ac</u> | <u>160ac</u> | Section _____ | Township _____ | Range _____ |
8. When did the flood damage occur? _____

9. Please describe how it is not economically feasible to restore the flood damaged acres to irrigation use (attach a separate page if you need additional space): _____

10. Please attach an estimate of the cost of restoring the flood damaged acres to irrigation use and an estimate of the cost of bringing the new acres into cultivation. In the restoration costs, indicate the cost of protection the flood damaged acres from a flood of the magnitude of the flood that caused the damage.

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

Dated this _____ day of _____, 20 _____.

Signature of Owner or Authorized Agent Printed Name

Corporation/Company Name Title

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

Notary Public

My Commission Expires:

Or

Authorized Personnel of the Department of Water Resources

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.