



MEMORANDUM

TO: Frank Barrios, Tom Carr, Phil Foster, Kathy Jacobs,
Dick Gessner, Compliance Committee

FROM: Herb Dishlip, Deputy Director

DATE: October 2, 1990

SUBJECT: Policy Guidelines for the Consolidation of Irrigation
Grandfathered Right Certificates

ARIZONA
DEPARTMENT
OF WATER
RESOURCES

Rose Mofford, Governor
N. W. Plummer
Director

Pinal Active Management Area
901 E. Cottonwood Lane
Suite 8
Casa Grande, Arizona 85222
(602) 836-4857

The following are policy guidelines to be used when consolidating two or more Irrigation Grandfathered Right Certificates. This policy was established from the definition of "farm" and "farm unit" in the Groundwater Code, and a survey taken of the irrigation districts in the State to determine their policy regarding the sharing of water between accounts. Each consolidation should be reviewed to see if it meets the following criteria before proceeding with the consolidation.

Ownership - (A.R.S. 45-402.9) Each certificate involved in a consolidation must be under identical ownerships. Completed conveyance forms and copies of recorded documents which verify that each certificate is in identical ownership must be submitted with the consolidation request.

Common Water Distribution System - (A.R.S. 45-402.9) When the certificates involved in a consolidation are not in an irrigation district, they must be served groundwater from a well, or wells, which are linked together by common pipelines or canals. The exception to this linking requirement would be contiguous parcels with unlinked wells. Parcels that are separated by a road, highway, easement or right-of-way are deemed to be contiguous. Those certificates in an irrigation district would be considered as being served by a common water distribution system, unless the proposed consolidation is found to be inconsistent with district accounts or operating criteria. Whenever a proposed consolidation is within district boundaries, the district will be contacted to verify if the certificates involved are under the same district account.

Contiguity - (A.R.S. 45-402.10) The parcels being consolidated must be contiguous, separated only by a road, highway, easement or right-of-way. The exception to this requirement would be non-contiguous parcels that are served by a common water distribution system as defined above.

Similar Crops and Soils - (A.R.S. 45-402.10) The consolidation of certificates of orchard crops (including pecans, citrus, vineyards, and deciduous crops as described in each AMA's Second Management Plan) and certificates of all other types of crops is not allowed, unless the Maximum Amount of Water Appurtenant (MAWA) to each irrigation acre for each of the certificates are within 15% of each other.

Oversight Review - If the consolidation involves non-contiguous lands, the consolidation must have the approval of the Deputy Director of Water Management.