

APPLICATION GUIDELINES

Conveyance of Withdrawal Permit

In accordance with A.R.S. §§ 41-1008 and 1079, the Department of Water Resources (Department) provides the following information regarding the application review process to assist applicants in CONVEYING A GROUNDWATER WITHDRAWAL PERMIT TO A NEW OWNER.

Steps for Processing Your Application and Obtaining Approval

Before filing your application, the Department encourages you to contact one of the Department personnel indicated at the end of these guidelines to discuss the application process and review criteria. If you wish, a meeting may be scheduled to facilitate this process. To assist you in understanding the substantive requirements for this application, a copy of A.R.S. § 45-520.B is attached. Additionally, in completing the conveyance form, please note the following:

Indicate the type of withdrawal permit being conveyed:

- Dewatering permit, pursuant to A.R.S. § 45-513;
- Mineral extraction and metallurgical processing permit, pursuant to A.R.S. § 45-514;
- General industrial use permit, pursuant to A.R.S. § 45-515;
- Poor quality groundwater permit, pursuant to A.R.S. § 45-516;
- Drainage water permit, pursuant to A.R.S. § 45-519.

NOTE that the following types of withdrawal permits MAY NOT be conveyed to a new owner:

- Temporary and emergency dewatering permits, pursuant to A.R.S. §§ 45-517 and 45-518;
- Hydrologic testing permit, pursuant to A.R.S. § 45-519.01.

If new wells are to be constructed, contact the Department for further instruction on proper forms to be submitted.

Indicate the place of use of water withdrawn pursuant to this permit. Note that in accordance with A.R.S. § 45-520.A, a permit holder may change his location of use only with the approval of the director and by applying for a modification of this permit pursuant to A.R.S. § 45-527.

Indicate the intended non-irrigation uses pursuant to this permit. In accordance with A.R.S. § 45-520.B, a groundwater withdrawal permit may be conveyed only for the same use.

It is imperative that you complete the application form in its entirety. An incomplete or incorrect application may result in a delay in processing your application. Please send the application to the address indicated on the form, along with any required fees and supporting documentation. The Department suggests that you retain a copy of all documents, which are submitted for review. The fee for a Notification of Change of Ownership of A Groundwater Withdrawal Permit is \$500.00. 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. Failure to enclose the fee will cause the notification to be returned. Fees for a Notification of Change of Ownership of a Groundwater Withdrawal Permit are authorized by A.R.S. § 45-113 and A.A.C. R12-15-104.

Time Frames for Review of Your Application.

Within sixty days after receipt of your application, the Department will determine whether your application should be granted or denied, unless this time is extended as described below. In processing your application, the Department will first determine whether the application is administratively complete (administrative completeness review), and then whether the application meets the substantive criteria established by statute or rule (substantive review). Each of these reviews will be completed within the times stated below. The time for the administrative completeness review plus the time for the substantive review is referred to as the overall time frame.

1) Administrative Completeness Review Time Frame

Within thirty (30) days after receipt of your application, the Department will determine whether your application is complete, and will issue a written notice of administrative completeness or deficiencies. After your application is complete, the Department will proceed with substantive review.

If the Department sends you a letter that your application is incomplete, the Department will include a comprehensive list of specific deficiencies. Until the missing information is received, both the administrative completeness review and the overall time frames will be suspended. When the Department receives the missing information, the administrative completeness review and overall time frames will resume. Your application will not be complete until all of the requested information is received. If you do not supply the missing information within sixty (60) days, your application may be denied.

2) Substantive Review Time Frame

Within thirty (30) days after the application is complete, the Department will review your application to determine whether it meets the substantive criteria required by statute or rule. By mutual written agreement between you and the Department, the time for substantive review may be extended by up to fifteen days. In cases where a hearing is necessary prior to a decision, the substantive review time frame will be increased by 120 days.

During the substantive review, the Department may make one written request for additional information. You may also agree in writing to allow the Department to submit supplemental requests for additional information. If the Department requests additional information, both the substantive review and overall time frames will be suspended. When the additional information is received, the substantive review and overall time frames will resume.

At the end of the Department's substantive review, the Department will send you a written notice either granting or denying your application. If your application is denied, the notice will include the justification for the denial and an explanation of your right to appeal the denial.

Agency Contact

Please direct any questions, comments or requests for further assistance to Groundwater Permitting & Wells at 602-771-8527.