

Frequently Asked Questions Regarding Notice from MVIDD and Drilling Authority

1. Can Mohave Valley Irrigation & Drainage District (MVIDD) prevent customers from having water for their house?

MVIDD is a special taxing district organized pursuant to A.R.S. § 48-2901, et seq. It is a political subdivision of the state and governed by an elected board. MVIDD receives, pumps and distributes waters to irrigated lands within its service area. It is treated as a municipal corporation for all purposes. A.R.S. § 48-2901. Please contact MVIDD regarding their specific authorities.

2. I received my approval to have a well drilled on my parcel. Does that mean I can still drill my well regardless of what MVIDD says?

The issuance of a drill card/approval from the Arizona Department of Water Resources (ADWR) means that the application satisfies all ADWR's rules and statutes. However, ADWR cannot provide advice or guidance regarding the requirements imposed by MVIDD.

3. If MVIDD denies the authority to drill a well, but also does not provide water service to the property, what are my options?

Depending on the location of your property, you may be located within the service area boundaries of MVIDD. If this is the case, you may receive water from MVIDD. Additionally, it is possible that other water providers are located in proximity to your property that could provide water.

4. Shouldn't the property owner have the right to develop their property as zoned/planned, etc.?

Being a property owner does not provide an absolute right to drill a domestic well. ADWR has multiple statutes and rules that set forth the requirements needed to file an application to drill a well. The acceptance of such application by ADWR and issuance of a drill card only means that the applicant has met the requirements of ADWR. Other municipal corporations and political subdivisions may impose additional requirements for development.

5. How do I contact MVIDD?

The contact information for MVIDD is:
1460 Commercial Street
Mohave Valley, AZ 86440
(928) 768-3325
<https://mvidd.net>

6. Under which statute does MVIDD have authority to regulate access to water for domestic use?

MVIDD is a special taxing district created under Title 48 of the Arizona Revised Statutes. Please contact MVIDD for more discussion of their authorities. See also No. 1, above.

7. When I bought my property, there were no disclosures or documentation filed against my deed indicating there were any restrictions of water usage. How is this allowed? Who becomes responsible for the appropriate disclosure?

ADWR only governs whether an application to drill a well meets its rules and statutes. It is not privy to the requirements set forth by MVIDD and any related restrictions and disclosures concerning same.

8. Would a well on my property (located quite a distance and/or higher in elevation of the actual Colorado River) actually pump Colorado River water? Wouldn't the water under my property be coming from the mountains to the east?

Pursuant to MVIDD's contract with Reclamation, all water pumped from wells within its contract service area is treated as Colorado River water and accounted for as being used by MVIDD.

9. I have a building permit (or recently built my residence) and need water – why are they just contacting me now, when I have owned the property for years?

MVIDD may have contacted you now because the Notice of Intent was recently filed, or due to MVIDD Board decisions and/or resolutions. We recommend contacting MVIDD for more information.

10. What about A.R.S. section 45-596.01, which requires anyone drilling a well that will pump Colorado River water to provide proof of the legal right to use Colorado River water?

This section does not take effect until the Secretary of the Interior adopts regulations regarding the use of Colorado River water. If the Secretary adopts such regulations, the Director of ADWR is required to provide formal notice to the Arizona Secretary of State and the Arizona legislative council.