

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

APPLICATION FOR CERTIFICATE OF TYPE 1 NON-IRRIGATION GRANDFATHERED RIGHT IN AN ACTIVE MANAGEMENT AREA PURSUANT TO A.R.S. § 45-476
Douglas AMA

FOR DEPARTMENT USE ONLY

Notice No. 58- _____
Registry No. _____
Filed _____
Certificate No. _____

The initial fee for an Application for Certificate of a Type 1 Non-Irrigation in an Active Management Area is \$1,000.

Total fees for this application are based upon an hourly billable rate, which can be found on the ADWR website, www.new.azwater.gov. If costs of reviewing your application exceed the initial fee, 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). Check should be made payable to the Arizona Department of Water Resources.

Applications must be submitted no later than 15 months past the designation of the Douglas AMA per A.R.S. § 45-475

1. OWNER NAME(s)

Attach a copy of the recorded deed and list the name(s) of legal owner(s) as they appear on the appropriate deed:

Name _____

Mailing Address _____

City _____ State _____ Zip _____ Telephone _____

2. Indicate the Assessor's Parcel Number, parcel acreage and legal description of the retired irrigated land.

Assessor's Parcel number _____ - _____ - _____ Parcel Acres: _____

Legal Description: _____

Assessor's Parcel number _____ - _____ - _____ Parcel Acres: _____

Legal Description: _____

(Use additional sheet if necessary.)

- a. Include GIS coordinates of the listed parcels. (decimal/degrees)

GIS coordinates: _____

3. Location of water use, if not the parcel indicated in Item No. 2

Assessor's Parcel number _____ - _____ - _____ Parcel Acres: _____

Legal Description: _____

Assessor's Parcel number _____ - _____ - _____ Parcel Acres: _____

Legal Description: _____

(Use additional sheet if necessary.)

- a. Include GIS coordinates of the listed parcels. (decimal/degrees)

GIS coordinates: _____

4. Attach a county map of the land described above in Item No. 2

5. Provide the date when the irrigated land was retired. _____

6. Attach deed records indicating that ownership has not changed since land was retired.

7. Attach a copy of the development plan for the proposed non-irrigation use and evidence that the development plan existed at the time the land was retired. A development plan should include details regarding the type of non-irrigation use and expected demand at build-out.

8. Provide the amount of groundwater used per acre for each year during the five years preceding the date the land was retired.

Year	Groundwater Withdrawn (acre-feet)

9. List each private well used to withdraw groundwater associated with the retired land during the five years preceding the date the land was retired. Indicate the well registration number and as accurately as possible the year the well was drilled. In addition, please indicate whether or not you own the well(s), if an approved measuring device has been installed and if so, list the measuring device type.

DWR Well Regist. No	Year Drilled	Owned by you? (Y/N)	Approved measuring device installed? (Y/N)	Measuring device type
55-				
55-				
55-				
55-				
55-				

YOUR FUTURE USE OF GROUNDWATER DEPENDS ON WHETHER THE INFORMATION IN THIS FORM IS COMPETE AND CORRECT

I (we), _____ the applicant(s) or authorized agent(s) of the applicant(s)
(Print Name)

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.

If owner is an individual, sign here:

Signature of Applicant(s) **Date**

If owner is a corporation, partnership, association, etc., sign here:

Signature of Authorized Agent of Applicant(s) **Date**

Title _____

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

APPLICATION INSTRUCTIONS

NOTICE OF TYPE 1 NON-IRRIGATION GRANDFATHERED RIGHT IN AN ACTIVE MANAGEMENT AREA PURSUANT TO A.R.S § 45-476

Please refer to this instructions sheet when filling out the application

1. Ownership

- Attach a copy of the recorded deed and list the Name(s) of the legal owners as they appear on the deed. This information will be written on the certificate as the legal owners of the designated groundwater right.

2. Location

- Indicate the Assessor's Parcel Number, parcel acreage and legal description of the retired irrigated land. This information can be found on the Cochise County Assessors webpage, www.cochise.az.gov/178/Assessor
- Include GIS coordinates of the listed parcels.

3. Location of Use

- If the location of use is different than the location of the water withdrawal, provide location information.

4. Map

- Provide a map of the land listed above. The County Assessor's map can be found on the Cochise County Assessor's webpage, www.cochise.az.gov/178/Assessor

5. Retired Date

- Provide the date when the previously irrigated land was last irrigated.

6. Original Ownership

- Attach deed records indicating that ownership has not changed since land was retired. Deed records can be found on the Cochise County Assessor's webpage, www.cochise.az.gov/178/Assessor

7. Copy of Development Plan

- Attach a copy of the development plan for the proposed non-irrigation use.
- *The development plan requirements of this section are deemed fulfilled if the land retired from irrigation has been described in an application for a certificate of*

exemption or if the land retired from irrigation is owned in conjunction with non-irrigation uses existing for which substantial capital commitments have been incurred for the non-irrigation development of such land as of the date of the designation of the active management area (A.R.S § 45-463)

- Attach evidence that the development plan existed at the time the land was retired.
- Evidence can be in the form of an affidavit.

8. Groundwater Withdrawn

- Provide the amount of groundwater used per acre for each year during the five years preceding the date the land was retired in acre feet

9. Well Information

- List each private well used to withdraw groundwater during the period August 30, 2017 to August 30, 2022 using the well registration number (55-XXXXXX). Well information can be found on the ADWR website www.new.az.water.gov under Wells and Permitting.
- Indicate the year the well was drilled. In addition, please indicate whether or not you own the well(s), if an approved measuring device has been installed and if so, list the measuring device type.
- A list of approved measuring devices can be found here https://apps.azsos.gov/public_services/Title_12/12-15.pdf under R12-15-903