

**ARIZONA DEPARTMENT OF WATER RESOURCES
WATER PLANNING AND PERMITTING DIVISION
MAIL TO: P.O. BOX 36020, PHOENIX, ARIZONA 85067-6020
1110 W. Washington St. Suite 310, Phoenix, Arizona 85007
Phone: (602) 771-8585 Fax (602) 771-8690**

NOTICE OF WATER EXCHANGE CONTRACT (A.R.S. § 45-1051)

The initial fee for a Notice of Water Exchange Contract is \$1,000. Total fees for this application are based upon an hourly billable rate, which can be found on the ADWR web site @www.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 Statewide AMAs Section at 602-771-8585). Checks should be made payable to the Arizona

FOR DEPARTMENT USE ONLY	
DWR # _____	_____
DATE RECEIVED _____	_____
Input _____	By _____
AMA/INA _____	_____

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 any 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 a Notice of Water Exchange Contract are authorized by A.R.S. § 45-1051 and A.A.C. R12-15-103.

EACH PARTY WHO SEEKS TO ENGAGE IN THE WATER EXCHANGE CONTRACT MUST PROVIDE THE INFORMATION REQUESTED IN THIS APPLICATION AND MUST SIGN THIS APPLICATION.

- New Notice of Exchange Amended Notice of Exchange No. _____

1. Parties to the Exchange:

Party (A)

Name _____ Telephone _____

Mailing address _____
City State Zip

Contact Person _____ Telephone _____

Party (B)

Name _____ Telephone _____

Mailing Address _____
City State Zip

Contact Person _____ Telephone _____

Party (C)

Name _____ Telephone _____

Mailing Address _____
City State Zip

Contact Person _____ Telephone _____

2. Name of *Active Management Area, Irrigation Non-Expansion Area, groundwater basin or sub-basin* where the project will be operated. (If additional parties are required, attach a separate page).

Party (A) _____

Party (B) _____

Party (C) _____

3. Legal basis for acquiring and using water subject to the exchange contract (cite right number, lay court decree, contract or other basis). If additional parties are required, attach separate page.

Party (A) _____

Party (B) _____

Party (C) _____

4. Source(s) of water to be exchanged:

Party (A) Type of water _____ Amount _____ afa To Party _____

Party (B) Type of water _____ Amount _____ afa To Party _____

Party (C) Type of water _____ Amount _____ afa To Party _____

5. If the water exchange involves water pumped from wells, provide well registration numbers and point(s) of diversion pursuant to the exchange for each party. (Attach separate page if necessary)

	Well Registration Number	Township	Range	Section	160 ac ^{1/4}	40 ac ^{1/4}	10 ac ^{1/4}
Party (A)	55-_____	_____	_____	_____	_____	_____	_____
Party (B)	55-_____	_____	_____	_____	_____	_____	_____
Party (C)	55-_____	_____	_____	_____	_____	_____	_____

6. Point(s) of Diversion if Surface Water:

Party (A)	Township_____	Range_____	Section_____	$\frac{\quad}{160 \text{ ac}}$ ^{1/4}	$\frac{\quad}{40 \text{ ac}}$ ^{1/4}	$\frac{\quad}{10 \text{ ac}}$ ^{1/4}
Party (B)	Township_____	Range_____	Section_____	$\frac{\quad}{160 \text{ ac}}$ ^{1/4}	$\frac{\quad}{40 \text{ ac}}$ ^{1/4}	$\frac{\quad}{10 \text{ ac}}$ ^{1/4}
Party (C)	Township_____	Range_____	Section_____	$\frac{\quad}{160 \text{ ac}}$ ^{1/4}	$\frac{\quad}{40 \text{ ac}}$ ^{1/4}	$\frac{\quad}{10 \text{ ac}}$ ^{1/4}

7. Legal description of the location of the land on which water will be used. (If additional parties are required (attach separate page).

Party (A) Township_____ Range_____ Section_____ $\frac{\quad}{160 \text{ ac}}$ ^{1/4} $\frac{\quad}{40 \text{ ac}}$ ^{1/4} $\frac{\quad}{10 \text{ ac}}$ ^{1/4}

Party (B) Township_____ Range_____ Section_____ $\frac{\quad}{160 \text{ ac}}$ ^{1/4} $\frac{\quad}{40 \text{ ac}}$ ^{1/4} $\frac{\quad}{10 \text{ ac}}$ ^{1/4}

Party (C) Township_____ Range_____ Section_____ $\frac{\quad}{160 \text{ ac}}$ ^{1/4} $\frac{\quad}{40 \text{ ac}}$ ^{1/4} $\frac{\quad}{10 \text{ ac}}$ ^{1/4}

8. Duration of the water exchange contract is from _____ to _____
 month/day/year month/day/year

9. For each participant in the water exchange that is not a city, town, private water company, irrigation district, is any new or increased pumping by that participant from a well within an active management area anticipated pursuant to the water exchange? ___ Yes ___ No. If so, attach a hydrologic report demonstrating that such new or increased pumping will not unreasonably increase damage to surrounding land or other water users.
10. For each participant that is a city, town, private water company or irrigation district with a service area located partly or wholly in an active management area, is it anticipated that any new increased pumping by that participant from wells within its service area will occur pursuant to the water exchange? ___ Yes ___ No. If so, attach a separate page(s) demonstrating that such new or increased pumping is consistent with the management plan and achievement of the management goal for the active management area.
11. Each participant in the water exchange receives at least: (check one) 90% 50% of the water that participant gives in the exchange. If less than 90%, attach a separate page demonstrating why the Director should determine that the water exchange is beneficial to water management in Arizona.

I (we) _____ the applicant(s) named in this notification, do hereby certify that under 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.

Signature of Owner or Authorized Agent

Title

Telephone

email

Mailing Address

City

State

Zip

STATE OF ARIZONA)
)
County of _____)

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

Notary Public

My commission expires:

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.