

**ARIZONA DEPARTMENT OF WATER RESOURCES
MAIL TO: 1802 W JACKSON ST BOX 79, PHOENIX, AZ 85007
PHOHE: (602) 771-8585**

APPLICATION FOR DEVELOPMENT PLAN APPROVAL TO RETIRE AN IRRIGATION GRANDFATHERED RIGHT FOR A TYPE 1 NON-IRRIGATION GRANDFATHERED RIGHT

The fee for an Application for Development Plan Approval to Retire an Irrigation Grandfathered Right for a Type 1 Non-Irrigation Grandfathered Right is \$500.00. 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). Checks should be made payable to the Arizona Department of Water Resources. **Failure to enclose the application fee will cause the application to be returned.** In addition to the \$500.00 application fee, the applicant must pay the actual cost of mailing or publishing any legal notice of the application or notice of a pre-decision administrative hearing on the application and any mileage expenses for a site visit conducted before issuing a decision on the application. **These fees are authorized by A.R.S. § 45-113 and A.A.C. R12-15-104.**

1. Irrigation grandfathered right certificate number (58-): _____

2. Active Management Area: _____

3. _____
 Last Name First Middle Initial

 Last Name First Middle Initial

 Mailing Address City State Zip

4. Certified acres: _____

5. **Attach a copy of the proposed development plan.**

6. Legal description of land to be retired from irrigation (**attach map**).

Please Note: The land must not be within the exterior boundaries of the service area of a city, town, or private water company at the time this application is filed. For information on whether the land is within the exterior boundaries of a service area of a city, town, or private water company, please call 602-771-8585.

7. Describe the location of each well which was used to irrigate the land.
 _____, Section _____ Township _____ Range _____ Reg No. 55- _____
 _____, Section _____ Township _____ Range _____ Reg No. 55- _____
 _____, Section _____ Township _____ Range _____ Reg No. 55- _____

8. Has the land been sold or taken out of production primarily because it would have been uneconomical to continue to withdraw water for irrigation? ___ Yes ___ No

If “Yes”, the landowner is not eligible for approval of a development plan or a Type 1 Right under A.R.S § 45-469. However, the landowner may be eligible to receive a Type 1 Right under A.R.S. § 45-472

Please call (602) 771-8585, for further information on how to receive a Type 1 Right under A.R.S § 45-472.

If “No”, explain why the land is being retired: _____

9. The intended use of the water is: ___ Expanded animal industry ___ Domestic ___ Golf Course ___ Industrial ___
Electrical Energy Generation ___ Mining ___ Park ___ Common Area ___ Other

If “Other”, please describe the intended use of water: _____

SIGNATURE: _____ **DATE:** _____

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.