DOUGLAS A. DUCEY
Governor

Thomas Buschatzke
Director

ARIZONA DEPARTMENT OF WATER RESOURCES

3550 North Central Avenue, Second Floor
PHOENIX, ARIZONA 85012-2105

(602) 771-8500

Application for a Certificate of Assured Water Supply

This application

This application is to obtain a Certificate of Assured Water Supply (Certificate). A Certificate must be obtained when land is subdivided within an active management area and is not served by a designated water provider. A current list of designated providers is available on the Department's website or you may request a copy from the Office of Assured and Adequate Water Supply. If a designated water provider serves the area of the subdivision, and the developer has obtained a written commitment of service from that provider, the subdivision does not need a Certificate. Certificates are issued based on the subdivision's plat and in the names of the property owner(s). For more information, please see A.A.C. R12-15-704. **NOTE: The issued Certificate is valid only for the specific property owner(s) listed on the certificate and the plat on which the application was based and is not automatically transferable. If the plat changes after the Certificate is issued, you may apply for a Material Plat Change Review under A.A.C. R12-15-708 to determine if changes to the plat are material. If there is a new property owner, you may qualify to assign the current Certificate to a new owner. If you do not qualify for an Assignment of a Type A or Assignment of a Type B Certificate, and there have not been material changes to the subdivision's plat, you may apply for a Re-Issuance of a Certificate if the ownership has changed. Contact the Office of Assured and Adequate Water Supply for assistance.**

The Department strongly encourages a pre-application meeting if you have not previously been through the application process. Please contact the Office of Assured and Adequate Water Supply to schedule a pre-application meeting.

Please submit one copy of all application materials. If there is not enough room provided on this form for answers to any questions, please attach separate sheets as necessary.

Technical Registration Requirements

The Arizona Department of Water Resources requires hydrologic and engineering reports, studies, drawings and maps, specifications, analyses or related data submitted to support the evaluation of this application to be signed and sealed by a professional geologist or qualified professional engineer who is registered in the State of Arizona under the authority of A.R.S. Title 32, Chapter 1. For additional details regarding this requirement please refer to "Notification of Professional Registration Requirements for Persons Submitting Hydrologic Reports and Related Data to the Arizona Department of Water Resources to Support Applications for Permits or Approvals". This notice is on the Department's website in the category "Permits, Forms and Applications" and can be found under the heading "Professional registration requirements for persons filing hydrogeologic and engineering studies".

What is a subdivision?

All subdivisions within active management areas, including those for residential, commercial or industrial uses are subject to the assured water supply requirements. Please see the definition of a "subdivision" in A.R.S. § 32-2101.

Exemptions
Plats recorded prior to 1980, or for which a Certificate was issued, where water service is available to each lot may not be required to obtain a Certificate. Please see A.A.C. R12-15-704.J or K and contact the Office of Assured and Adequate Water Supply for assistance.

Time Frames for Review of Your Application
Within two hundred and ten (210) days after receipt of your application, the Department will determine whether your application should be granted or denied, unless this time frame 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 the overall time frame.

1) Administrative Completeness Review Time Frame

Within one hundred and fifty (150) days after receipt of your application, the Department will determine whether your application is complete. After your application is complete, the Department will proceed with substantive review. If the Department determines that your application is incomplete, the Department will provide a written notice, including 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 of receiving the written notice, your application may be denied.

2) Substantive Review Time Frame

Within sixty (60) days after the Department determines that 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 52 days, which is twenty five (25) percent of the overall time frame as provided in A.R.S. § 41-1075 (B). 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 additional information is requested by the Department, 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 included the justification for the denial and an explanation of your right to appeal the denial.

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.

If you have any questions or require additional information, please contact:

Office of Assured & Adequate Water Supply
3550 North Central Avenue, 2nd Floor, Phoenix, Arizona 85012
Telephone number: 602-771-8599
Fax number: 602-771-8689
Email address: assuredadequate@azwater.gov

Revised 2-12-2014

ARIZONA DEPARTMENT OF WATER RESOURCES OFFICE OF ASSURED AND ADEQUATE WATER SUPPLY 3550 NORTH CENTRAL AVENUE, 2nd FLOOR PHOENIX, ARIZONA 85012 (602) 771-8599 Fax: (602) 771-8689 assuredadequate@azwater.gov	DATE RECEIVED:
APPLICATION NO:	

CERTIFICATE OF ASSURED WATER SUPPLY APPLICATION

I DO HEREBY certify that the information contained in **this application and all information accompanying it is true and correct to the best of my knowledge and belief. NOTE:** All owners and buyers, if applicable, must sign (attach additional sheets, if necessary). **NOTE:** You may use the Department's Letter of Authorization for Signature form to give another person the authority to sign this application and related documents on your behalf, or you may submit a letter signed by you and dated within 90 days of the date this application is submitted, authorizing your representative to submit applications for permits regarding the land to be included in this Certificate.

_____

Please print the name and title of the owner or the owner's authorized agent (if signator is someone other than the owner)

_____

Signature of Owner or Owner's Authorized Agent Date

_____

Please print the name and title of the buyer or the buyer's authorized agent (if signator is someone other than the buyer)

_____

Signature of Buyer or Buyer's Authorized Agent Date

PART A - GENERAL INFORMATION

1. Has a Certificate of Assured Water Supply (Certificate) previously been issued for this property? ☐ Yes ☐ No.

If you answered "yes" to this question, this may not be the appropriate application form. Please contact the Office of Assured and Adequate Water Supply for assistance.

2. Subdivision information:

a. Name of subdivision **as it will appear on submittals to the platting entity and the Department of Real Estate**:
_____ Number of Lots: _____

b. Location of the subdivision: Township _____ Range _____ Section(s) _____
If there is more than one township and range, please list them on a separate page and reference as an attachment.
See attachment _____
City:_____ County: _____ AMA: _____

3. Subdivision method of water distribution: ☐ Central distribution system (water provider) or ☐ Dry lot (individual wells)
If there will be a central distribution system, identify the water provider and the water provider's system name, if it operates more than one, that will be serving the subdivision. The water provider must be the same entity that signs the Notice of Intent to Serve. If there will be more than one water provider for the subdivision, please identify both water providers.
Primary Water Provider: _____ System Name: _____
System No. 56-_____ (Contact the Office of Assured and Adequate Water Supply)

Secondary Water Provider (if applicable): _____ System Name: _____

4. Contact person for questions regarding this application:

Name:_____

Company: _____ E-Mail: _____

Address: _____ Phone: _____ Fax: _____

5. List the names of the entities or individuals who own the property on which the subdivision will be built and the names of buyers or optionees. List each owner's name exactly as it appears on the title report or deed (attach additional sheets, if necessary). If the owner or buyer is a trust, please list the beneficiaries of the trust as well as the name of the trust itself. For assistance, contact the Office of Assured and Adequate Water Supply:

Owner:_____Phone:_____Fax:_____

Address:_____E-mail:_____

Buyer (if applicable):_____Phone:_____Fax:_____

Address:_____E-mail:_____

NOTE: Please attach proof of ownership in the form of a title report, condition of title report, limited search title report, or recorded deed, dated within 90 days of the date this application is submitted to the Department. If the buyers will participate in the application process, provide evidence of (a) purchase agreement(s). Reference these documents as attachments. Attachment(s):_____

6. Please include a copy of the preliminary or final plat (reference as attachment):_____.

PART B - DEMAND ESTIMATE

Please use the Subdivision/Development demand calculator provided by the Department to estimate the subdivision's demand. See the Department's website at http://www.azwater.gov and click on Permits, Forms and Applications to download a copy of the demand calculator **OR** provide a detailed explanation of the assumptions used in estimating the subdivision's water demand and reference the demand calculator and/or the assumptions used as an attachment. Attachment:_____.

NOTE: Acreages used in the demand estimate should correspond to the plat map referenced in question A.6 above.

ESTIMATE OF ANNUAL WATER DEMAND: _____ acre-feet per year

PART C – CONTINUOUS AVAILABILITY AND LEGAL AVAILABILITY OF SOURCE WATER

☐ **Subdivision is a dry-lot subdivision.**

1. If the proposed subdivision is not a dry-lot subdivision, please attach a signed copy of the Notice of Intent to Serve Form included in this application. Please reference attachment:_____

2. Indicate proposed water sources:

To complete the table below, multiply the Total Annual Demand computed in Part B by 100 to obtain the 100-year demand and enter at the bottom of the chart. Enter the appropriate 100-year demands for each type of water delivered to the subdivision for each category:

Source of Supply	**100 Year Volume (ac-ft)**	
	Primary Provider	**Secondary Provider**
Groundwater		
Central Arizona Project Water: Direct treatment and delivery		
Stored and Recovered water		
Surface Water: Direct treatment and delivery		
Stored and Recovered water		
Effluent: Direct treatment and delivery		
Stored and Recovered water		
Other		
Total 100-yr Volume		

3. See A.A.C. R12-15-717 and R12-15-718 for documentation that should be submitted as evidence of continuous availability and legal availability (respectively) for each source of supply. Please reference attachment(s): _____

PART D - PHYSICAL AVAILABILITY OF SOURCE WATER

☐ **Subdivision has 20 lots or less.** If this applies, independent proof of physical availability may not be required. Contact the Department's Hydrology Division to find out what information, if any, is required.

1. If the development consists of more than 20 lots, a comprehensive hydrologic study must be submitted with this application, unless the Department has previously reviewed the hydrologic conditions for this area and has issued a valid Letter of Water Availability, Physical Availability Determination or Analysis of Assured Water Supply. The Department has adopted a substantive policy statement to provide guidelines for preparing a new hydrologic study. The policy statement is available on the Department's website at http://www.azwater.gov under the Permits, Forms and Applications page.

Please indicate the evidence of physical availability and reference as an attachment: _____

☐ Water Availability Letter
☐ New Hydrologic Study
☐ Analysis of Assured Water Supply
☐ Physical Availability Determination
☐ Other, please specify: _____

Technical Registration Requirements

The Arizona Department of Water Resources requires hydrologic and engineering reports, studies, drawings and maps, specifications, analyses or related data submitted to support the evaluation of this application to be signed and sealed by a professional geologist or qualified professional engineer who is registered in the State of Arizona under the authority of A.R.S. Title 32, Chapter 1.

2. If this application references a Physical Availability Determination (PAD) or Analysis of Assured Water Supply (AAWS) and groundwater will be withdrawn from well locations different from those reviewed for the PAD or AAWS application on which the physical availability for this application is based, please provide the legal description (township, range, section, 160, 40, 10 quarter sections) of each proposed well that will be used to meet the estimate of annual water

demand for this application and include the actual or anticipated pump capacity of each well in gallons per minute.

3. If you had a pre-application meeting with the Department, please indicate the date of that meeting: _____.

4. If you submitted a hydrologic study proposal to the Department's Hydrology Division for their review prior to submitting this application, please indicate the date of submittal of the hydrologic study proposal: _____.

PART E - WATER QUALITY

1. Are the well or wells from which water will be withdrawn for the subdivision within one mile of a Water Quality Assurance Revolving Fund (WQARF) or Superfund site? ☐ Yes ☐ No.

If "Yes", please submit a contaminant migration and mitigation analysis demonstrating that the water supply will continue to meet the water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment: _____

2. ☐ Water provider(s) serving the subdivision will be regulated by the Arizona Department of Environmental Quality (ADEQ) or another governmental entity with equivalent jurisdiction. If this applies, independent proof of adequate water quality is not required, please skip to Part F. **NOTE:** If there is more than one water provider, and one or more of the providers are not regulated as indicated above, please answer question 4 for each of the unregulated providers.

3. If the subdivision will be a dry-lot subdivision, please provide current (within the last 60 days) analytical results on water samples taken from a well or wells constructed *within the subdivision*, or near where the wells will be drilled, demonstrating that the water meets the water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment: _____

4. If the subdivision will be served by a central provider that serves 15 customers or less, provide current (within the last 60 days) analytical results on water samples taken from a well or wells constructed *within the service area serving the subdivision*, demonstrating that the water meets the water quality requirements in A.A.C. Title 18, Chapter 4, and reference as attachment: _____

NOTE: Information on the required water quality analyses may be found at the ADEQ website http://www.adeq.gov.

PART F - CONSISTENCY WITH MANAGEMENT GOAL

☐ **Subdivision is a dry-lot subdivision (see question A.3) AND has 20 lots or less.** If this applies, the subdivision is exempt from proving consistency with the management goal, please skip to Part G. If the dry-lot subdivision has more than 20 lots, or the subdivision will be served by a municipal provider and if groundwater is a proposed source of water for this subdivision, indicate how the groundwater use will meet the "consistency with management goal" requirement. Please check all that apply below:

☐ Enrollment of the subdivision lands in the Central Arizona Groundwater Replenishment District (Phoenix, Tucson and Pinal AMAs **ONLY**).

A separate application for membership must be filed with the Central Arizona Water Conservation District, and the membership documents **must be executed and recorded before** a Certificate will be issued.

☐ Extinguishment of grandfathered groundwater rights dedicated to this subdivision.

Provide evidence and reference the attachment: _____

☐ Other. Please specify:_____

PART G - CONSISTENCY WITH MANAGEMENT PLAN

☐ **Subdivision has 50 lots or less.** If this applies, the subdivision is exempt from meeting the Consistency with Management Plan, you may skip to Part H. However, if implementation of conservation requirements are planned for this subdivision, please answer the relevant questions below.

1. For the municipal or county jurisdiction within which the subdivision is located, list any water conservation ordinances and briefly describe the sections that apply to the subdivision. If they will serve as evidence of your demand projections, please reference as attachment: _____

_____

_____

2. Will the subdivision incorporate Conditions, Covenants and Restrictions (CC&Rs) or other conditions that will limit exterior water demand? ☐ Yes ☐No. If "Yes", please reference as attachment:_____

3. Will landscaping in public rights of way conform to the Department's Low Water Use Plant List? ☐ Yes ☐ No

4. Generally describe any other current or proposed conservation practices, rates, fees, restrictions, policies and devices to be utilized within the subdivision to meet the conservation requirements of the Management Plan: _____

_____

NOTE: If demand estimates rely on these conservation requirements, please reference attachment: _____

PART H - FINANCIAL CAPABILITY

☐ **Subdivision is a dry-lot subdivision (see question Part A.3).** If this applies, proof of financial capability is not required, please skip to Part I.

Please check one of the following and include attachments as necessary:

☐ The final plat will be submitted to a **qualified platting authority**. The Department maintains a list of **qualified platting authorities**. Contact the Office of Assured and Adequate Water Supply for assistance or visit the Department's website at http://www.azwater.gov and go to the Permits, Forms and Applications page.

The platting authority is: _____

☐ Adequate delivery, storage, and treatment works have been constructed, and water service is available to each lot. Attach a letter from the water provider verifying that all delivery lines are installed and that water service is available to each lot. Attachment: _____

☐ A performance bond has been posted with the platting authority for the entire cost of adequate delivery, storage, and treatment works (reference as attachment): _____

PART I – FEES

The initial fee for a Certificate of Assured Water Supply Application 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 Office of Assured and Adequate Water Supply at 602-771-8599). Checks should be made payable to the Arizona 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 Certificate of Assured Water Supply Application are authorized by A.R.S. § 45-113 and A.A.C. R12-15-103**

INITIAL APPLICATION FEE: $1000.00

DID YOU REMEMBER?

To completely fill out the application form?

To include copies of plat?

To include a signed Notice of Intent to Serve?

To include a hydrologic study, if required?

To include all documents referenced in the application?

To include correctly calculated fees?

To have application signed by **each applicant** or an authorized agent **for each applicant** and include proof of the authorization?

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
3550 NORTH CENTRAL AVE. 2ND FLOOR
PHOENIX, ARIZONA 85012
(602) 771-8599

NOTICE OF INTENT TO SERVE

Subdivision/Development Name ("Subdivision"):_____

Subdivision Owner ("Owner"):_____

Municipal Provider:_____
If the Municipal Provider has several divisions, please specify service area in which the Subdivision is located

ADEQ Public Water System Number:_____ *Please indicate the number valid for this Subdivision*

Municipal Provider Type:
_____City or Town;
_____Irrigation District;
_____Water Improvement District;
_____Private Water Company Regulated by the Arizona Corporation Commission ("PWC"):
Is the Subdivision within the PWC's existing Certificate of Convenience and Necessity ("CC&N")? ☐ **Yes** ☐ **No**
If "No", has an application for an extension of the CC&N been filed? ☐ Yes ☐ No
If "Yes" date of submittal: _____
Please include a copy of the application for extension and reference as an attachment.
If the Subdivision is not within the PWC's CC&N, a Certificate of Assured Water Supply will not be issued until the CC&N has been extended to include the Subdivision.
_____Homeowners' Association ("HOA")
If HOA, please provide the documents that establish the HOA and evidence that the Arizona Corporation Commission ("ACC") has adjudicated the HOA "not for public service," and therefore not subject to regulation by the ACC.

COMPLETE THIS SECTION IF SUBDIVISION IS LOCATED WITHIN AN ACTIVE MANAGEMENT AREA:
ADWR Service Area Right or Irrigation District Number: _____*Number can be found on ADWR Annual Reports*
Is the Subdivision located within the Municipal Provider's existing operating distribution system? ☐ Yes ☐ No
If no, will the Municipal Provider be establishing a new service area right to serve the Subdivision? ☐ Yes ☐ No
If yes, what type of right will be used to establish the service area right? _____
If the Subdivision is not within the Municipal Provider's operating distribution system, the Municipal Provider must begin the process to establish a new or satellite service area right or enter into an agreement with the undersigned Owner to extend water lines to the subdivision before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

The undersigned Owner and Municipal Provider certify that: (1) They have entered into an agreement whereby the Municipal Provider agrees to provide the Subdivision sufficient water to satisfy the __ **potable** __ **non-potable (please check one)** water demands of the Subdivision; (2) The aforementioned agreement is binding upon the present and future agents, servants, representatives, successors in interest and assigns of the Municipal Provider and the Owner; and (check which of the following applies):

☐ (a) the Subdivision is within 660' of the Municipal Provider's operating distribution system or,

☐ (b) the undersigned Owner and Municipal Provider have entered into an agreement binding upon the present and future agents, servants, representatives, successors in interest and assigns of the Municipal Provider and the Owner to extend water lines to the subdivision, or

☐ (c) a new service area right will be established to serve the Subdivision (if subdivision is located within an active management area). This Notice of Intent to Serve is conditioned upon the Municipal Provider's receipt of necessary approvals from the relevant regulatory agencies and the Municipal Provider's receipt of all necessary payments.

If the Municipal Provider is a PWC, then the Municipal Provider further certifies that the Subdivision is within the boundaries of its CC&N, or that a formal request has been filed with the ACC to extend the boundaries to include the Subdivision.

_____
Print the name of the Authorized Agent of the Water Provider

_____ _____ _____
Signature of Authorized Agent of Water Provider Title Date

_____
Print the name of the Owner or the Owner's Authorized Agent

_____ _____ _____
Signature of Owner or the Owner's Authorized Agent Title Date

NOTE: If there are multiple owners, you may use the attached signature page.

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(602) 771-8599

NOTICE OF INTENT TO SERVE

SIGNATURE PAGE FOR:

Subdivision/Development Name ("Subdivision"):_____

Water Provider Name:_____

_____
Printed Name of Water Provider's Authorized Agent

_____
Signature of Authorized Agent:

_____ _____
Title Date

Owner Name:_____

_____
Printed Name of Owner or Owner's Authorized Agent

_____
Signature of Owner or Owner's Authorized Agent:

_____ _____
Title Date

Owner Name:_____

_____
Printed Name of Owner or Owner's Authorized Agent

_____
Signature of Owner or Owner's Authorized Agent:

_____ _____
Title Date

Owner Name:_____

_____
Printed Name of Owner or Owner's Authorized Agent

_____
Signature of Owner or Owner's Authorized Agent:

_____ _____
Title Date

This form must be signed by each owner or an authorized agent for each owner. If the signator is someone other than the owner, please provide proof of legal authority to sign on each owner's behalf that is dated within 90 days of the date this application is submitted to the Department.