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 an Analysis of Adequate Water Supply

This application

This application is to obtain an Analysis of Adequate Water Supply (Analysis). An Analysis can be obtained when land is proposed to be developed that not be served by a designated provider (a current list of designated providers is available on the Department's website or you may request a copy from the Office of Adequate and Adequate Water Supply). The applicant for an Analysis must either be the owner of the land that is the subject of the application or someone that has the written consent of the owner. An Analysis is used generally to prove that water will be physically available for master planned communities but may be used to demonstrate other criteria required for a Water Report. An applicant for an Analysis must demonstrate that one or more of the requirements for a Water Report are met, but need not demonstrate that all have been met. Analyses are issued based on the development plan or plat. If an Analysis is issued for groundwater, it reserves a specific volume of water for 10 years (for purposes of other adequate water supply reviews) only for the specific property that is the subject of the Analysis. If a designated 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 an Analysis or a Water Report. If changes occur subsequent to the issuance of an Analysis, such as a change in the Adequate Water Supply rules, hydrologic conditions, or if additional information becomes available, the applicant may be required to submit additional information pursuant to any changes that occur. For more information regarding the Analysis of Adequate Water supply, please see A.A.C. R12-15-712. http://www.azsos.gov/public_services/Title_12/12-15.htm

The Department strongly encourages a pre-application meeting prior to filing an application for an analysis of adequate water supply. To arrange a pre-application meeting, contact the Assured and Adequate Water Supply Program at (602) 771-8599.

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 outside of active management areas, including those for residential, commercial or industrial uses are subject to the adequate water supply requirements. Please see the definition of a "subdivision" in A. R.S. § 32-2101. http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=32

Time Frames for Review of Your Application

Within one hundred and twenty (120) 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 sixty (60) 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 30 days, which is twenty five (25) percent of the overall time frame as provided in A.R.S. § 41-1075 (B). http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=41 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.

ARIZONA DEPARTMENT OF WATER RESOURCES OFFICE OF ASSURED AND ADEQUATE WATER SUPPLY 3550 NORTH CENTRAL AVENUE, 2nd FLOOR PHOENIX, ARIZONA 85012 (602) 771-8500 Fax: (602) 771-8689 assuredadequate@azwater.gov	DATE RECEIVED:
APPLICATION NO:	

ANALYSIS OF ADEQUATE 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 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 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 Analysis.

_____

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

PART A - GENERAL INFORMATION

1. Has an Analysis of Adequate Water Supply (Analysis) or a Water Report previously been issued for this property? ☐ Yes ☐ No. If "yes," this may not be the appropriate application form. Please contact the Office of Assured and Adequate Water Supply for assistance.

2. Development information:

a. Name of the development: _____

_____ Estimated Number of Residential Lots: _____

b. Location of the development: 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: _____

3. Method of water distribution (if known): ☐ Central distribution system (water provider) or ☐ Dry lot (individual wells)
If there will a be central distribution system, identify the water provider that will be serving the development and the water provider's system name, if applicable. The water provider must be the same entity that will sign the Notice of Intent to Serve. If there will be more than one water provider for the development, please identify both water providers.

Primary Water Provider: _____ System Name: _____

System No. 91-_____ (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. Owner(s) of the property or Developer (if applicable) (attach additional sheets, if necessary):

Owner:_____Phone:_____Fax:_____

Address:_____E-mail:_____

Developer (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 application is

submitted by someone other than the owner, such as a developer, written consent of the owner must be provided in addition to proof of ownership. Reference as attachment(s): _____

6. Please include a copy of the proposed development plan map (reference as attachment):_____

7. Please indicate which assured water supply requirements you intend to prove with this application, pursuant to A.A.C. R12-15-712(E):

I am seeking to prove:

☐ **Physical availability (A.A.C. R12-15-716)**

☐ **Continuous availability (A.A.C. R12-15-717)**

☐ **Legal availability (A.A.C. R12-15-718)**

☐ **Adequate water quality (A.A.C. R12-15-719)**

PART B - DEMAND ESTIMATE AND LAND USES

Please use the Subdivision/Development demand calculator provided by the Department to estimate the development'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 development'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 development plan map referenced in question A.6 above. Account for all the acres within the exterior boundary of the development plan, even if they will not be using water. If an area (or tract) will not be using water, please explain why not (i.e. natural open space, etc.).

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

PART C - CONTINUOUS AVAILABILITY AND LEGAL AVAILABILITY OF SOURCE WATER

☐ **Development will be a dry-lot subdivision**. **NOTE:** The Director will presume that a well will be drilled on each individual lot.

☐ **Water provider is unknown at this time.** If this applies, please answer Question 1., as it applies to the development in general, not a specific water provider, and then skip to Part D.

1. Indicate proposed water sources for water provider(s):

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		
Colorado River 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		

2. Is the subdivision within the providers' CC&N or district boundary (if applicable)? ☐ Yes ☐ No

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

1. 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 or Physical Availability Determination. 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 ☐ Physical Availability Determination

☐ New Hydrologic Study ☐ 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. ☐ Requesting a depth-to-static water level requirement exemption, per R12-15-716(C). **NOTE:** At the time of the Water Adequacy Report application, financial capability to obtain groundwater at the lower depth must be proven.

3. If this application references a Physical Availability Determination (PAD) and groundwater will be withdrawn from well locations different from those reviewed for the PAD application on which the physical availability for this application is based, please provide the legal description (township, range, section, 180, 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.

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

5. 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 development 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 (reference as attachment): _____

2. ☐ Water provider(s) serving the development 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 development 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 development*, 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 (reference as attachment): _____

4. If the development 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 development*, 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 – FEES

The initial fee for an Analysis of Adequate 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 an Analysis of Adequate Water Supply Application are authorized by A.R.S. § 45-113 and R12-15-703.**

INITIAL FEE DUE: **$1,000.00**

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OFFICE OF ASSURED WATER SUPPLY
3550 NORTH CENTRAL AVE. 2ND FLOOR
PHOENIX, ARIZONA 85012
(602) 771-8500

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 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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OFFICE OF ASSURED WATER SUPPLY
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PHOENIX, ARIZONA 85012
(602) 771-8500

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.