



ADWR RECHARGE
June 16 2023

ARIZONA DEPARTMENT OF WATER RESOURCES
Water Planning & Permitting Division
1110 West Washington St., Suite 310
Phoenix, Arizona 85007
Phone (602) 771-8737 Fax (602) 771-8689

JUN 16 2023

ADWR
RECHARGE

APPLICATION FOR UNDERGROUND STORAGE FACILITY PERMIT (A.R.S. § 45-811.01)

The initial fee for an Underground Storage Facility Permit Application is \$2,000. Total fees for this application are based upon an hourly billable rate, which can be found on the ADWR web site at new.azwater.gov. If the costs of reviewing your application exceed \$2,000, you will be invoiced for the differenced, up to a maximum total fee of \$25,000. Payment may be made by cash, check, or credit card, (if you wish to pay by credit card, please contact the Recharge Program at 602-771-8737). Checks should be made payable to the Arizona Department of Water Resources. In addition to the initial application fee and hourly review costs, 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 Underground Storage Facility Permit Application are authorized by A.R.S. § 45-871.01 and A.A.C. R12-15-103.

FOR OFFICE USE ONLY
Application No.: 71-237451.0000
Date Received: 06-16-2023

FACILITY DESIGN: (check one)

- Constructed
- Managed

APPLICATION FOR: (check one)

- New Underground Storage Facility (USF) permit
- Modification of USF permit no.:
71-_____
- Renewal of USF permit no.:
71-_____

GENERAL INFORMATION

1. Name of Applicant: City of Buckeye Water Resources Department
21749 W. Yuma Road Suite 107 Buckeye Arizona 85326
Mailing Address City State Zip
Contact Person: Terry Lowe Telephone: 623-349-6102 Email: tlowe@buckeyeaz.gov
2. Facility name: Wagner Wash Underground Storage Facility
(This will be the name used on the permit and in all ADWR correspondence)
3. Is this a State Demonstration Project? _____ Yes No
(NOTE: Pursuant to A.R.S. § 45-893.01, only Conservation Districts qualify to participate in the State Demonstration Project program.)
4. Name of Active Management Area or Irrigation Non-Expansion Area where the facility will be located:
Phoenix Active Management Area
(If the facility is NOT located within an AMA or INA, please indicate "NONE.")
5. Name of the groundwater basin and subbasin where the facility will be located: Hassayampa

6. Legal description of the location of the facility: SE¹/₄ SE¹/₄ NE¹/₄ of Section 22 , SW¹/₄ SW¹/₄ NW¹/₄ of Section 23 Township 4 North, Range 4 West, Gila and Salt River Baseline and Meridian
(10-acre ¹/₄, 40-acre ¹/₄, 160-acre ¹/₄, Section, Township and Range -- see Appendix E of USF Application Guide)

Does the applicant have legal access to the land where the facility and all associated components are located for the duration of the permit?

YES

If yes, please attach a signed Certification of Legal Access to Facility form (Appendix C of USF Application Guide)

NO

If no, please note that the applicant must submit a signed Certification of Legal Access to Facility form (Appendix C of USF Application Guide) before the USF permit will be issued.

In addition, please provide the name, mailing address and email address of the entity who owns the land.

Name: Pulte Home Corporation

Mailing Address: 16767 N Perimeter Drive Suite 100 Scottsdale Arizona 85260

Email: laura.meyers@pulte.com

7. The total design capacity of the facility: 74,000
(acre-feet to be stored over the duration of the USF permit)

8. The maximum annual amount of water proposed for storage at this facility: 3,700 acre-feet per year
(acre-feet per year)

9. Proposed duration of permit: 20
(years)

10. Type of source water to be stored:

CAP Water

Effluent

Decreed and Appropriative Surface Water

If Decreed and Appropriative Surface Water, list river(s): _____

11. I agree under penalty of law to obtain any required floodplain use permit from the county flood control district before beginning any construction activities, as required by A.R.S. § 45-811.01(C)(4). Agree Disagree

12. **For managed USFs where effluent will be stored only:** Are you requesting that this facility be designated as a facility that could add value to a national park, national monument, or state park, as described in A.R.S. § 45-811.01(D)?

Yes No

If yes, please submit a completed USF Permit Application Supplement to designate a Managed Underground Storage Facility as one that could add value to a national park, national monument, or state park and all additional information as described on the USF Permit Application Supplement.

13. **For permit modifications only,** give a brief description of the modification(s) requested by this application:

SUPPORTING EVIDENCE

Check the following items that have been included with this submittal. For a new USF application, all items **must** be submitted prior to receiving a complete and correct determination by the Department. For a modification to an existing USF permit, submit only those items that apply to the modification. For a full description of these requirements refer to the USF Application Report in the USF Application Guide.

14. USF Site and Facility Characteristics:

- Site Characteristics Geology
- Facility Characteristics Hydrogeology

15. Unreasonable Harm and Hydrologic Feasibility Analysis:

- Procedures and Results for Calculating Maximum Area of Impact and Mounding Analysis
- Land and Water Use Inventory Unreasonable Harm Analysis Monitoring Plan
- Water Quality Hydrologic Feasibility Conclusions Operation and Maintenance

16. Legal Requirements:

- Technical Capability Financial Capability Certification of Legal Access to Facility Form

SIGNATURE

I (We), Terry Lowe, for the City of Buckeye, the applicant(s) named in this application, do hereby certify under the penalty of perjury, that the information contained, and statements made herein are true and correct.

623-349-6102

Telephone

Terry Lowe

Signature of owner or authorized agent

6/8/2023

Date of signature

Water Resources Director

Title

21749 W. Yuma Road Suite 107

Mailing Address

Buckeye

City

Arizona

State

852326

Zip

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.