

RECEIVED



ARIZONA DEPARTMENT OF WATER RESOURCES
Water Planning & Permitting Division
1802 West Jackson Street, Box #79
Phoenix, Arizona 85007
Phone: (602) 771-8737
Email: recharge@azwater.gov

ADWR RECHARGE
April 08 2024

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. If the costs of reviewing your application exceed \$2,000, you will be invoiced for the difference, up to a maximum total fee of \$25,000.

FOR OFFICE USE ONLY
Application No.: 71-227650.0004
Date Received: 04-08-2024

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.

FACILITY DESIGN: (check one)

- Constructed
Managed

APPLICATION FOR: (check one)

- New Underground Storage Facility (USF) permit
Modification of USF permit no.: 71-227650.0003
Renewal of USF permit no.: 71-227650.0003

GENERAL INFORMATION

- Name of Applicant: Gila River Indian Community
525 Gu u Ki Road Sacaton AZ 85147
Mailing Address City State Zip
Contact Person: Peter Mock, Consultant Telephone: (602) 522-0884 Email: pmock@pmgc.net
Brian Westfall, Consultant (435) 753-0388 bw@kelbi.com
Facility name: Olberg Dam Underground Storage Facility
(This will be the name used on the permit and in all ADWR correspondence)
Is this a State Demonstration Project? Yes X No
(Name of Active Management Area or Irrigation Non-Expansion Area where the facility will be located: Phoenix AMA)
Name of the groundwater basin and subbasin where the facility will be located: East Salt River Valley

6. Legal description of the location of the facility: Portions of the river bed in: Sections 3-16 of Township 4 South, Range 6 East, and Section 31 of Township 3 South, Range 6 East.  
*(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: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

7. The total design capacity of the facility: 400,000 acre-feet over 10 years  
*(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: 40,000 acre-feet per year  
*(acre-feet per year)*

9. Proposed duration of permit: ten (10)  
*(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 **Not applicable**

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:

1) increase the storage capacity from its current 20,000 AF/yr to 40,000 AF/yr, and

2) renew the Permit duration for the next ten (10) years (currently ends 2/21/2028)

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**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:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Site Characteristics     | <input checked="" type="checkbox"/> Geology      |
| <input checked="" type="checkbox"/> Facility Characteristics | <input checked="" type="checkbox"/> Hydrogeology |

15. Unreasonable Harm and Hydrologic Feasibility Analysis:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Procedures and Results for Calculating Maximum Area of Impact and Mounding Analysis |  |   |
| <input checked="" type="checkbox"/> Land and Water Use Inventory  | <input checked="" type="checkbox"/> Unreasonable Harm Analysis         | <input checked="" type="checkbox"/> Monitoring Plan           |
| <input checked="" type="checkbox"/> Water Quality   | <input checked="" type="checkbox"/> Hydrologic Feasibility Conclusions | <input checked="" type="checkbox"/> Operation and Maintenance |

16. Legal Requirements:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Technical Capability | <input type="checkbox"/> Financial Capability | <input type="checkbox"/> Certification of Legal Access to Facility Form |
|---|---|---|

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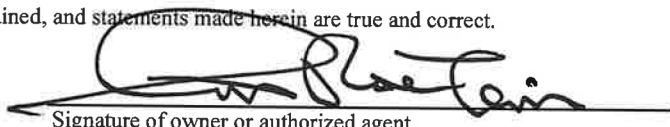
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**SIGNATURE**

I (We), the Gila River Indian Community, 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.

(520) 562-9760 (Office of General Counsel)

Telephone

  
Signature of owner or authorized agent

Governor, Gila River Indian Community

Title

2-9-2024  
Date of signature

525 E Gu u KI Road

Sacaton

AZ

85147

Mailing Address

City

State

Zip

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**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.