



Water Conservation Plan Notice

Pursuant to Arizona Revised Statute ("A.R.S.") § 45-189.01, "a person who is entitled to the use of [surface] water may file with the director [of the Arizona Department of Water Resources ("Department")] a water conservation plan notice." Pursuant to A.R.S. § 45-189.01(B), Upon "filing a water conservation plan notice, the conservation of water pursuant to the plan does not constitute an abandonment and forfeiture of the water conserved." However, "a person may not accrue long-term storage credits for any water that is conserved in a Water Conservation Plan."

What is a Water Conservation Plan Notice ("Notice") and why is it important?

In Arizona, surface water is subject to appropriation and beneficial use. If a person who is entitled to use surface water has not put the water to beneficial use, as required by statute, for five or more consecutive years, the water right reverts back to the state.

As of September 29, 2021, filing a Notice with the Department allows a person who is entitled to use surface water to: (1) conserve their water, (2) deem the conservation of their water in a filed Notice as a sufficient cause for non-use of the water, and (3) stipulates that water included in a conservation plan does not constitute abandonment or forfeiture of the water. Water conserved via this method will allow you to be able to resume usage at the end of the notice period, without the chance of the water right being lost.

This conservation tool can help give farmers, ranchers, and other surface water users the flexibility they need to implement practical water conservation measures, while aiming to protect their water rights. Reducing overuse of the entitled water right can help prevent long term erosion of soil conditions on the right owner's land. This can also improve the water quality for downstream users, habitats, and wildlife.

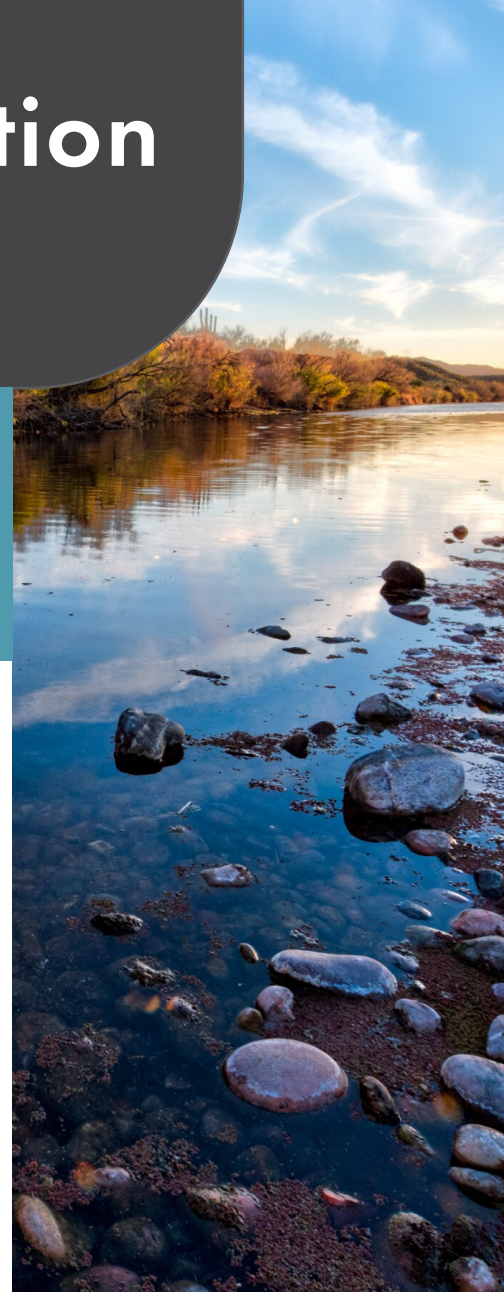
What is the benefit of filing a Notice?

- The conservation of water, without the possibility of abandonment or forfeiture of the surface water right.
- The Notice is voluntary and temporary in nature, and acts as a protection for surface water right holders.
- Can be in effect for a period of up to 10 years, at the filer's choice.
- Can file a subsequent Notice before expiration of the designated time and may file subsequent Notices for one or more periods of up to 10 years each to continue conserving water.
- No cost to file.

What level of proof of a surface water right or claim is needed?

- Provide any documents that are available regarding your surface water right or claim that include your registry number.
- Provide proof of ownership of the land the water right or claim is for.
- Provide the legal description of the land.
- Make sure that your records and information are up to date with the Department before filing.

Please be advised that the Department does not review Water Conservation Plan Notices to determine whether the information provided is accurate, and the Department does not provide legal advice. However, if you have any questions, comments or requests for assistance concerning filing procedures you may contact the Department's Surface Water Permitting Section at surfacewater@azwater.gov, or (602) 771-8621.



Am I eligible?

Anyone who is a current holder of a surface water right or claim, may file a Notice.

If you are unsure if you are eligible, please contact the Department's Surface Water Permitting Section at surfacewater@azwater.gov or (602) 771-8621.

How do I file a Notice?

The Notice can be found on ADWR's website [azwater.gov/surface-water/conservation-irrigation-notices](https://www.azwater.gov/surface-water/conservation-irrigation-notices)

Mail a completed and signed Notice to the Department at:

**Arizona Department of Water Resources
Surface Water Permitting Section
1110 W. Washington St., Suite 310
Phoenix, Arizona 85007**

Common Q&A

1. What is water right forfeiture or abandonment?

Water right forfeiture is when a person entitled to the use of water has not beneficially used the water for a period of five or more consecutive years, the right to the use shall cease, and the water shall revert to the public and shall again be subject to appropriation. Abandonment is a common law concept that requires evidence of intent to abandon the water right.

2. Can I accrue long-term storage credits for any water that's conserved as a part of this conservation plan?

No, water conserved through conservation plan notices is not eligible for long-term storage credits.

3. How long can conservation plan notices be in effect?

Conservation plan notices can last up to 10 years, based on the applicant's choice. The time period starts as soon as the Notice is received and approved by the Department.

4. Can I end my conservation notice if I decide to resume water usage?

Yes, you may end your conservation plan notice at any time when you want to resume usage of your surface water. Notifying the Department by letter of your intent to terminate your Notice is all that is required.

5. When a conservation plan notice expires, will I need to refile to continue the conservation plan?

Yes, you may file a subsequent notice for some or all of the water rights and/or claims before or after the expiration of the designated time.

6. When can conservation plan notices be accepted?

Conservation notices are accepted year-round and take effect the moment they are received and approved by the Department.

Complete Your Water Conservation Plan Notice Form

azwater.gov/surface-water/conservation-irrigation-notices



ARIZONA DEPARTMENT OF WATER RESOURCES
SURFACE WATER PERMITTING SECTION
MAIL TO: 1110 W. Washington St., Suite 310
Phoenix, Arizona 85007
Telephone (602) 771-8621
Fax (602) 771-8699

(For office use only)
Notice No: _____
Date Filed: _____

WATER CONSERVATION PLAN NOTICE

1. Name: _____ Telephone: _____
Address: _____ City: _____ State: _____ Zip: _____

2. Describe each water right and/or claim in the Water Conservation Plan by completing Attachment A and providing the information indicated. Please file Attachment A with this form.

3. Description of any water conservation measures that will be implemented (attach any supporting documentation):

4. Duration of Water Conservation Plan (up to 10 years): _____

5. I affirm that the Water Conservation Plan is voluntary and temporary in nature. Yes _____

6. I affirm that the Water Conservation Plan is intended to result in the temporary reduction in the use of water or a reduction in the diversion of water. Yes _____

7. I affirm that the activities described in the Water Conservation Plan will contribute to the practical and economical management, conservation and use of surface water in the watershed of this state. Yes _____

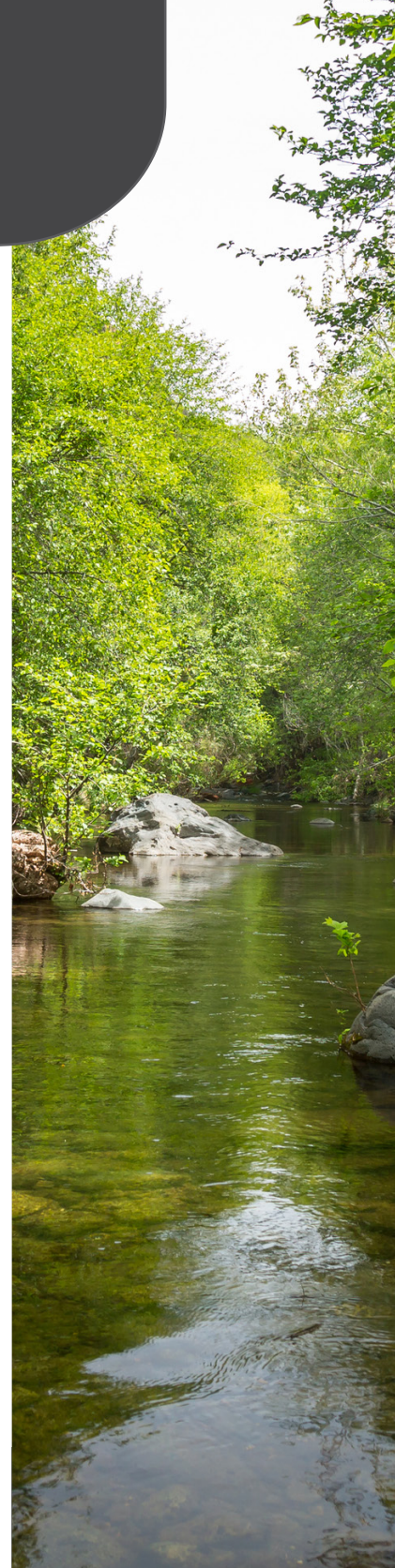
8. I affirm that it is not my intent to abandon the surface water right(s) included in the Water Conservation Plan during the terms of the Water Conservation Plan. Yes _____

The undersigned hereby represents and affirms that the information contained herein (including any attachments) is true and accurate to the best of my knowledge and belief at the time of filing.

Signature _____ Date _____

Please mail the completed form and attachments to the address listed above.

Revised 10/2022



For More Information

Contact the Arizona Department of Water Resources Surface Water Permitting Section at surfacewater@azwater.gov or (602) 771-8621