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11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
12 **IN AND FOR THE COUNTY OF MARICOPA**

13 IN RE THE GENERAL ADJUDICATION  
14 OF ALL RIGHTS TO USE WATER IN  
15 THE GILA RIVER SYSTEM AND  
16 SOURCE

17 W-1 (Salt)  
18 W-2 (Verde)  
19 W-3 (Upper Gila)  
20 W-4 (San Pedro)  
21 (Consolidated)

22 Contested Case Nos. W1-11-0381  
23 W1-11-0384

24 **ARIZONA DEPARTMENT OF**  
25 **WATER RESOURCES' NOTICE OF**  
26 **FILING REPORT**

Special Master Sherri Zendri

27 **CONTESTED CASE NAME:** *In re T.W. Manteufel; In re Ruth M. Ryan*

28 **HSR INVOLVED:** San Pedro River Watershed Hydrographic Survey Report (“HSR”)

29 **DESCRIPTIVE SUMMARY:** The Arizona Department of Water Resources  
30 (“ADWR”) provides notice of filing the report requested in the Court’s Minute Entry  
31 filed on March 6, 2024.

32 **NUMBER OF PAGES:** Eight- and twenty-four-page attachment

33 **DATE OF FILING:** April 5, 2024

1 Pursuant to the Minute Entry filed March 6, 2024, ADWR hereby provides notice  
2 of filing its report, included herein, “[e]stimating the total fee that will be incurred in  
3 reviewing a potential application for each claim” associated with the captioned cases, the  
4 timeframe for any refund of excess fees in the event that a refund is due, and “the extent  
5 of ADWR’s discretion to lower initial fees under R12-15-103.” The original of this  
6 Notice is being filed with the Clerk and is being posted to ADWR’s website at:  
7 <https://www.azwater.gov/adjudications>.

## 8 **I. Summary of Application Process**

### 9 *A. Permit to Appropriate*

10 Pursuant to the Arizona Revised Statutes (“A.R.S.”) § 45-152, “Any person,  
11 including the United States, the state or a municipality, intending to acquire the right to  
12 the beneficial use of water, shall make an application to the director of water resources  
13 for a permit to make an appropriation of the water.” The Surface Water Permitting  
14 Section of ADWR is charged with processing each Application for Permit to Appropriate  
15 Public Water of the State of Arizona or to Construct a Reservoir (“Permit Application”)<sup>1</sup>  
16 in accordance with A.R.S. § 45-153, which sets forth the criteria for approval or rejection  
17 of permit applications. ADWR staff must complete an administrative review of any  
18 Permit Application within 30 days of receipt, after which ADWR notifies the applicant  
19 whether the Permit Application is complete or incomplete.<sup>2</sup>

20 A Permit Application is considered complete if: 1) it includes the applicant’s  
21 name, current mailing address, zip code, and telephone number; 2) it is signed by the  
22 applicant, or if an authorized agent has signed on behalf of an applicant, a letter of  
23 authorization signed by the applicant is included 3) it names the direct source of surface  
24 water, and the type of source pursuant to the categories listed in A.R.S. § 45-141(A); 4) it

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25 <sup>1</sup> ADWR’s current Permit Application is included in this filing as Attachment A.

26 <sup>2</sup> A.A.C. R. 12-15-401(1), Table A, p.13.

1 identifies each of the proposed beneficial uses and provides necessary additional  
2 information to ADWR based on the proposed beneficial uses<sup>3</sup>; 4) specific quantities of  
3 water for each beneficial use are provided using proper measurements<sup>4</sup>; 5) a legal  
4 description of the point of diversion is provided to the ¼ ¼ Section, Township, and  
5 Range and parcel number are provided; 6) a map identifying the point of diversion is  
6 provided; 7) the legal description for the place(s) of use is provided to the ¼ ¼ Section,  
7 Township, and Range and parcel number are provided; 8) a map identifying the place(s)  
8 of use is provided; 9) the landowner at the place of use and point of diversion is identified  
9 and matches the applicant's name or, if the applicant is not the landowner, documentation  
10 establishing legal access to the place of use and/or point of diversion is provided; 10) a  
11 description of how the water source(s) will be developed, conveyed, and put to beneficial  
12 use, and an estimate of construction start and end dates is provided, unless the diversion  
13 works have already been completed the date when the water was put to the stated  
14 beneficial use must be provided.<sup>5</sup>

15       Following the administrative review period, ADWR must complete a substantive  
16 review of the Permit Application within 420 days.<sup>6</sup> During the substantive review period,  
17 ADWR staff assess the Permit Application on whether it satisfies the statutory

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18  
19 <sup>3</sup> For domestic uses, as those claimed in 39-175987, 39-175991, and 39-175992, ADWR  
20 requires the applicant to fill out a demand worksheet that indicates the number of families  
21 and/or the total number of persons using the water. For irrigation uses, as those claimed in  
22 39-175988, ADWR requires the applicant to fill out a demand worksheet that indicates the  
23 number of acres to be irrigated and the type of crop to be irrigated for each legal  
24 description. Any demand worksheets must be completed and attached to the application.

23 <sup>4</sup> Generally, ADWR requires irrigation use to be quantified using acre-feet. For domestic  
24 uses, ADWR assumes a use of 180 gallons/person/day. Irrigation of less than 0.5 acre of  
25 lawn and garden associated with a domicile is considered domestic use.

24 <sup>5</sup> If ADWR determines an application is incomplete, it will be returned to the applicant. If  
25 returned to the applicant, the application is not given a number, does not become subject  
26 to licensing time frame rules, and a priority date is not established.

26 <sup>6</sup> *Id.* at Table A, p.13.

1 requirements found in A.R.S. § 45-152 and that all information provided on the Permit  
2 Application is correct. During the substantive review period, ADWR staff may request  
3 additional information from the applicant should it be necessary to move the application  
4 forward to issuance.

5         Once an application has satisfied the requirements found in A.R.S. § 45-152, the  
6 application is considered ready for public noticing. ADWR requires that all Permit  
7 Applications are publicly noticed. The applicant must post the notice<sup>7</sup> at the point of  
8 diversion<sup>8</sup> and in one or more newspaper in the region of the proposed place(s) of use  
9 listed in the Permit Application. The notice must be posted within twenty days of  
10 issuance, and it must be posted for three consecutive weeks (twenty-one days). The  
11 applicant is responsible for the costs of posting notice and is required to provide an  
12 Affidavit of Posting and Publication<sup>9</sup> to ADWR once notice is properly posted and  
13 published. Within sixty days after the date of issuance of the Notice, any person who  
14 alleges that the proposed appropriation conflicts with vested water rights, is a menace to  
15 public safety, or is against the interests and welfare of the public may file a protest with  
16 ADWR.

17         If a Permit Application receives no protests within the sixty-day period, ADWR  
18 issues a Permit to Appropriate. If a Permit Application receives one or more protests,  
19 ADWR notifies the applicant, and requires applicants to attempt to resolve the protests  
20 with the protestors. The Permit Application remains neither granted nor denied until all  
21 protests are resolved or dismissed.

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24 <sup>7</sup> ADWR staff drafts the notice the applicant must post.

25 <sup>8</sup> ADWR has also accepted notice posted at a local post office when the Point of Diversion  
is not accessible or viewable to other persons.

26 <sup>9</sup> See Attachment B for the current affidavit used by ADWR.

1 *B. Proof of Appropriation/Certificate of Water Right*

2 Pursuant to A.R.S. § 45-160 after a Permit Application is approved, “Actual  
3 construction [of diversion works]...shall begin within two years after approval...and  
4 shall be prosecuted with reasonable diligence and completed within a reasonable  
5 time...not to exceed five years from the date of approval.” An Application for Certificate  
6 of Water Right (Proof of Appropriation) (hereinafter, “Certificate Application”)<sup>10</sup>  
7 requires much of the same information as the Permit Application, and the information  
8 included on the Certificate Application must match the information included in the  
9 granted Permit. The Administrative Review period for a Certificate Application is 20  
10 days, and the Substantive Review period is 100 days, resulting in an overall Licensing  
11 Time Frame of 120 days. Certificate Applications are not subject to the same noticing  
12 requirements as Permit Applications. Instead, at the end of ADWR’s substantive review  
13 of the Certificate Application, ADWR sends a written notice granting or denying the  
14 Certificate Application. If ADWR denies the Certificate Application, the notice includes  
15 an explanation of the applicant’s right to appeal the decision.

16 **II. Estimation of Fees**

17 The applicant must pay the associated application fee for Permit and Certificate  
18 Applications to be accepted by ADWR. Both applications have an initial filing fee of  
19 \$1,000.00. ADWR staff tracks time spent reviewing the application at a rate of \$118.00  
20 per hour, which is subtracted from the \$1,000.00 filing fee. Should the time to review an  
21 application result in costs above the \$1,000.00 initial filing fee, ADWR will charge the  
22 applicant for that time. Should the time to review an application total less than the  
23 \$1,000.00 initial filing fee, a refund will be provided to the applicant. Any refunds due  
24 are typically issued within thirty days of approving a Permit or Certificate Application,  
25

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26 <sup>10</sup> See Attachment C for the most current version of the Certificate Application.

1 though there are no statutory or rules-based requirements for how quickly ADWR must  
2 refund an applicant when the actual cost of processing a Permit or Certificate Application  
3 is less than the initial fee.

4 In estimating the fees for filing Permit and Certificate Applications for Statement  
5 of Claimants 39-175987, 39-175988, 39-175991, and 39-175992 (collectively,  
6 “Statements of Claimant”), the Surface Water Permitting Section’s Water Resource  
7 Manager assessed the likely fees that would be incurred by the applicants based on  
8 similar applications recently processed by the Surface Water Permitting Section. The  
9 similar Permit and Certificate Applications were filed by the Bureau of Land  
10 Management (“BLM”) in 2022 and 2023,<sup>11</sup> for appropriations where the works were  
11 already completed, just like the wells used as the points of diversion for the Statements of  
12 Claimant here. They also involved appropriations in Cochise County, just as the  
13 Statements of Claimant involved here. For both BLM Permit Applications assessed, the  
14 processing time was six months, twenty-four days. During this time period, the staff  
15 logged eight hours of total work on each application. This time included reading and  
16 reviewing the application, written correspondence with the applicant to correct  
17 deficiencies and receive necessary additional information in order to approve the  
18 application, and drafting the notice and permit. This resulted in a charge of \$944.00 to  
19 BLM for each Permit Application and \$56 being returned to BLM.

20 In addition to the fee paid to ADWR, BLM also covered noticing fees as required  
21 by ADWR. The current (2023-2024) rate to post notice in the Cochise County  
22 Herald/Review is \$9.10-\$10.92 per column inch and \$26.75/25 words published. Since  
23 the applicant pays for and posts notice, we do not have access to the exact cost to publish  
24

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25 <sup>11</sup> ADWR received BLM’s Permit Application Nos. 33-97048 and 33-97049 on  
26 02/01/2022 and Certificate Application No. 33-97027 on 03/13/2023.

1 notice for these Permit Applications. However, three recent publications of notice in the  
2 Cochise County Herald/Review have ranged in cost from \$178.60 to \$622.71.

3 For BLM's Certificate Application, ADWR staff spent five hours reviewing and  
4 corresponding with BLM, as there were deficiencies BLM needed to correct prior to  
5 ADWR issuing a Certificate. This resulted in a charge of \$590, with \$410 being returned  
6 to BLM.

7 While it is possible that the Permit and Certificate Applications could cost less to  
8 process than those analyzed by the Surface Water Permitting Section for the purposes of  
9 this filing, this is ADWR's best estimate given its experience in processing applications.  
10 This is particularly true because the time spent corresponding with BLM on these  
11 applications is typical of all application processing. Even experienced applicants, like  
12 BLM, regularly need to correct deficiencies and respond to ADWR inquiries prior to  
13 ADWR issuing a Permit or Certificate. Because the claimants here are not experienced  
14 applicants, the Surface Water Permitting Section estimates that its staff persons will  
15 spend at least as much time writing and reviewing correspondence prior to being able to  
16 issue a Permit or Certificate.


### 17 **III. ADWR's Discretion to Lower Fees**

18 ADWR may only lower fees in accordance with R12-15-103(C) which sets the  
19 initial application fee for Permit and Certificate Applications at \$1,000.00 and allows  
20 ADWR "[i]f requested by the applicant" to "set a lower initial fee if the Department  
21 estimates that the total application fee will be less than the initial fee specified in this  
22 subsection." ADWR considers an applicant expressing their concern about their inability  
23 to pay the standard initial fee of \$1,000.00 as a request to lower the initial fee, should the  
24 estimated total application fee be less than \$1,000.00. However, ADWR does not find it  
25 appropriate to lower the initial fee to anything less than the total fee estimate. So, for the  
26

1 example of fees associated with the Statements of Claimant here, ADWR would not be  
2 able to set an initial fee of less than \$944.00 for a Permit Application and less than  
3 \$590.00 for a Certificate Application.

4 **DATED** this 5th day of April, 2024.

5 ARIZONA DEPARTMENT OF WATER  
6 RESOURCES

7   
8 \_\_\_\_\_  
9 Karen J. Nielsen, Deputy Counsel  
Kimberly R. Parks, Deputy Counsel

10 **ORIGINAL** of the foregoing notice and attachment  
11 sent by first-class mail on April 5, 2024, to:

12 Clerk of the Maricopa Superior Court  
13 Attn: Water Case  
14 601 W. Jackson Street  
Phoenix, Arizona 85003

15 **COPY** of the foregoing notice and attachment  
16 sent by first-class mail on April 5, 2024, to:

17 Special Master Sherri Zendri  
18 Maricopa County Superior Court  
19 Central Court Building  
20 201 West Jefferson Street, Suite 3A  
Phoenix, AZ 85003-2205

21 **COPIES** of the foregoing notice and attachment  
22 sent by first-class mail on April 5, 2024, to all  
23 parties on the court-approved mailing list  
for Contested Case Nos. W1-11-0381 and W1-11-0384.

24   
25 \_\_\_\_\_  
26



# **ATTACHMENT A**

## APPLICATION GUIDELINES

### PERMIT TO APPROPRIATE PUBLIC WATER OF THE STATE OF ARIZONA OR TO CONSTRUCT A RESERVOIR

In accordance with Arizona Revised Statutes ("A.R.S.") §§ 41-1008 and 41-1079, the Arizona Department of Water Resources ("Department"), Surface Water Permitting Section, provides the following information regarding the application review process to assist applicants with a Permit to Appropriate Public Water of the State of Arizona or to Construct a Reservoir.

#### I. FEES

The initial application fee for an **APPLICATION FOR PERMIT TO APPROPRIATE PUBLIC WATER OF THE STATE OF ARIZONA OR TO CONSTRUCT A RESERVOIR** is **\$1,000.00**. Total fees for this application are based upon an hourly billable rate, which can be found on the Department's website located at [www.new.azwater.gov](http://www.new.azwater.gov). If the costs of reviewing your application exceed **\$1,000.00**, you will be invoiced for the difference, up to a maximum total fee of **\$10,000.00**. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Surface Water Permitting Section at 602-771-8621). Checks should be made payable to the Arizona Department of Water Resources. In addition to the hourly application fee, the applicant shall pay: (1) mileage expenses for traveling to and from a site inspection calculated at the rate set by the Arizona Department of Administration for state travel by motor vehicle and (2) the actual cost of mailing or publishing any legal notice of the application. **Failure to enclose the initial application fee will cause the application to be returned. Fees for an APPLICATION FOR PERMIT TO APPROPRIATE PUBLIC WATER OF THE STATE OF ARIZONA OR TO CONSTRUCT A RESERVOIR are authorized by Arizona Administrative Code ("A.A.C.") R12-15-103.**

#### II. STEPS FOR PROCESSING YOUR APPLICATION AND OBTAINING APPROVAL

Before filing your application, the Department encourages you to contact Department personnel indicated at the end of these guidelines to discuss the application process and review criteria. If you wish, a meeting may be scheduled to facilitate this process. To assist you in understanding the substantive requirements for this application, copies of A.R.S. §§ 45-152 and 45-153 are provided for your information.

It is imperative that you complete the application form in its entirety. An incomplete or incorrect application may result in a delay in processing your application. Please send the application to the address indicated on the form along with any required initial application fees and supporting documentation. The Department suggests that you retain a copy of all documents that are submitted for review. The first step in perfecting a water right is to obtain a Permit to Appropriate. The licensing time frame associated with this process is 450 days. The second step in perfecting a water right is to obtain a Certificate of Water Right. This is initiated by filing an **APPLICATION FOR CERTIFICATE OF WATER RIGHT (PROOF OF APPROPRIATION)** with the initial application fees authorized by A.A.C. R12-15-103.

### **III. TIME FRAMES FOR REVIEW OF YOUR APPLICATION AND ISSUANCE OF A PERMIT**

Within 450 days after receipt of your application, the Department will determine whether your application should be granted or denied, unless this time 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 as the overall time frame.

#### **A. Administrative Completeness Review Time Frame**

Within 30 days after receipt of your application, the Department will determine whether your application is complete and will issue a written notice of administrative completeness or deficiencies. After your application is complete, the Department will proceed with substantive review.

If the Department sends you a Notice of Deficiency, the Department will include 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 60 days, the Department may deem your application withdrawn and close the file.

#### **B. Substantive Review Time Frame**

Within 420 days after 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 112 days. In cases where a hearing is necessary prior to a decision, the substantive review time frame will be increased by 120 days.

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 include the justification for the denial and an explanation of your right to appeal the denial.

### **AGENCY CONTACT**

Please direct any questions, comments, or requests for further assistance to the Surface Water Permitting Section at (602) 771-8621.

**ARIZONA REVISED STATUTES (A.R.S.) §§ 45-152 and 45-153**

**A.R.S. § 45-152 - Application for Permit to Appropriate Water**

- A. Any person, including the United States, the state, or a municipality, intending to acquire the right to the beneficial use of water, shall make an application to the director of water resources for a permit to make an appropriation of the water. The application shall state:
  - 1. The name and address of the applicant.
  - 2. The water supply from which the appropriation is applied for.
  - 3. The nature and amount of the proposed use.
  - 4. The location, point of diversion, and description of the proposed works by which the water is to be put to beneficial use.
  - 5. The time within which it is proposed to begin construction of such works, the time required for completion of the construction, and the application of the water to the proposed use.
  
- B. The application also shall set forth:
  - 1. If for agricultural purposes, the legal subdivisions of the land and the acreage to be irrigated.
  - 2. If for power purposes, the nature of the works by which power is to be developed, the pressure head and amount of water to be utilized, the points of diversion and release of the water, and the uses to which the power is to be applied.
  - 3. If for the construction of a reservoir, the dimensions and description of the dam, the capacity of the reservoir for each foot in depth, the description of the land to be submerged, and the uses to be made of the impounded waters.
  - 4. If for municipal uses, the population to be served and an estimate of the future population requirements.
  - 5. If for mining purposes, the location and character of the mines to be served and the methods of supplying and utilizing the waters.
  - 6. If for recreation or wildlife, including fish, the location and the character of the area to be used and the specific purposes for which such area shall be used.
  
- C. The application shall be accompanied by maps, drawings, and data prescribed by the director.

**A.R.S. § 45-153 - Criteria for Approval or Rejection of Applications; Restrictions on Approval**

- A. The director shall approve applications made in proper form for the appropriation of water for a beneficial use, but when the application or the proposed use conflicts with vested rights, is a menace to public safety, or is against the interests and welfare of the public the application shall be rejected. An administrative hearing may be held before the director's decision on the application if the director deems a hearing necessary
  
- B. An application may be approved for less water than applied for if substantial reasons exist, but shall not be approved for more water than may be put to a beneficial use. Applications for municipal uses may be approved to the exclusion of all subsequent appropriations if the estimated needs of the municipality so demand after consideration by and upon order of the director.
  
- C. If the director approves an application for the appropriation of water for use on land owned by the State of Arizona, a permit or certificate shall be issued as prescribed by section 37-321.01.
  
- D. Section 45-114, subsections A and B govern administrative proceedings, rehearing, review, and judicial review of final decisions of the director under this section.

<b>(For office use only)</b>
Registry No: _____
Date Filed: _____

**APPLICATION FOR PERMIT TO APPROPRIATE PUBLIC WATER OF THE STATE OF ARIZONA  
OR TO CONSTRUCT A RESERVOIR**

1. Applicant \_\_\_\_\_ Telephone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. Type of water source and name \_\_\_\_\_  
a tributary to \_\_\_\_\_ within the \_\_\_\_\_ watershed  
(for office use only)

3. Please circle proposed beneficial use(s) of water requested (see #13 for required attachments):
- |             |               |               |                         |          |
|-------------|---------------|---------------|-------------------------|----------|
| A. Domestic | B. Municipal  | C. Irrigation | D. Stockwatering        | E. Power |
| F. Mining   | G. Recreation | H. Wildlife   | I. Groundwater Recharge |          |

4. Amount of proposed beneficial water use (from worksheet or attachment):

Proposed Beneficial Use(s)	Amount & Measure (from worksheet)	Specific Months of Use (if not for entire year)

5. Location of proposed point of water diversion (see #13 for required attachment): County \_\_\_\_\_  
Parcel I.D. No. \_\_\_\_\_ and/or Lot No. \_\_\_\_\_ and \_\_\_\_\_<sup>1</sup>/<sub>4</sub> \_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Section \_\_\_\_\_, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W

6. Location of proposed place(s) of water use and/or water storage: County \_\_\_\_\_  
Parcel I.D. No(s). \_\_\_\_\_ and/or Lot No(s). \_\_\_\_\_

1/4	1/4	1/4	Section	Township N/S	Range E/W	# of Acres Irrigated**

\*\*This column must be completed for each place of use if irrigation is indicated as a use in Nos. 3 and 4 above.

7. Landowner at location of place of use (see #13 for required attachments)

Private \_\_\_\_\_ State \_\_\_\_\_ BLM \_\_\_\_\_ National Forest \_\_\_\_\_ Other \_\_\_\_\_

Lessee and/or Permittee name and address (if applicable)

Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Does the applicant have legal access to both the proposed diversion point and place(s) of use? Yes \_\_\_\_\_ No \_\_\_\_\_  
If "No", explain in item 12 below.

8. Describe the works to be developed to put the water to the stated beneficial use

9. Storage of water (see Instructions for more detailed information):

Reservoir name \_\_\_\_\_ Vertical dam height at downstream face \_\_\_\_\_ feet

Storage capacity at spillway crest \_\_\_\_\_ acre-feet Capacity for each foot in depth \_\_\_\_\_ cubic feet

(For office use only)

Primary Storage

Secondary Use

Both

10. Construction of facility or diversion works and beneficial use of water:

Estimated start date \_\_\_\_\_ Estimated completion date \_\_\_\_\_

For completed works, give the date of completion of the facility and first date of beneficial use; \_\_\_\_\_

11. Is the water to be used supplementally with other water(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ If "Yes" explain

12. Additional comments or explanations

13. **REQUIRED ATTACHMENTS:**

- Initial Application Fee** of \$1,000.00 as authorized by Arizona Administrative Code R12-15-103.
- U.S.G.S. Topographical Quadrangle map** or equivalent, or copy thereof, clearly showing the proposed point of diversion, any conveyance system, and the place(s) of use. Any land to be irrigated should be depicted by cross hatching.
- Copy of recorded deed** showing land ownership. If owned by other than applicant, provide copies of all pertinent leases, grazing permits, allotments, or a letter from the landowner authorizing the proposed appropriation.
- Worksheet** for determining quantities of use if the requested use(s) include domestic, irrigation, stockwatering, recreation, or wildlife. If the requested uses include municipal, power, mining, or groundwater recharge, provide the required information on a separate attachment.

14. **NOTICE:**

**Arizona Revised Statute § 41-1030(B), (E), (F) and (G) 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.

E. 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.

F. 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.

G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

**Submit the completed application with the initial application fee, required attachments and supporting documents to: Arizona Department of Water Resources, Surface Water Permitting Section, 1110 W. Washington Street, Suite 310, Phoenix, Arizona 85007.**

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Signature of Applicant/Representative (if representative, include authorization)

Date

## INSTRUCTIONS FOR APPLICATION FOR A PERMIT TO APPROPRIATE PUBLIC WATERS OF THE STATE OF ARIZONA

Appropriable public water, or “surface water,” is defined as “the water of all sources, flowing in streams, canyons, or other natural channels, or in definite underground channels, whether perennial or intermittent, flood, waste, or surplus water, and of lakes, ponds, and springs on the surface. Water that is obtained through a well is presumed to be groundwater, however, an application for permit to appropriate may be submitted to the Arizona Department of Water Resources (“Department”). The initial burden of proving that water obtained through a well is surface water is borne by the applicant.

The following instructions are referenced by number to the questions on the application form. Review the questions on the application as they apply to your individual case. Answer only those questions that apply to the proposed appropriation being requested.

1. Complete name of applicant, current mailing address with zip code, and telephone number. If the applicant is a corporation or business, give the name of the authorizing agent.
2. List the name of the direct source of surface water and the type of source. Give the name of the drainage, creek, etc. to which the source is a tributary.
3. Indicate each of the proposed beneficial uses you are requesting:
  - A. **DOMESTIC** - On the attached worksheet, give the number of families and/or the total number of persons that would use the water from the source. ***Must complete attached worksheet.***
  - B. **MUNICIPAL** - Give the population to be served as well as an estimate of future population and water use requirements on a separate attachment. Exhibits may also be attached as evidence.
  - C. **IRRIGATION** - On the attached worksheet, give the number of acres to be irrigated and the type of crop to be irrigated for each legal description. ***Must complete attached worksheet.***
  - D. **STOCKWATERING** - On the attached worksheet, describe the type and number of stock to be watered. ***Must complete attached worksheet.***
  - E. **POWER** - Describe the nature of the works by which power is to be developed, the pressure head and amount of water to be utilized, point of diversion and release of the water, and the uses to which the power would be applied. ***Submit this information on a separate attachment.***
  - F. **MINING** - Describe the methods of developing, supplying, and using the water. If some water is to be returned to the source, give an estimate as to what percentage would be returned. If the proposed use is on federal or state land, a copy of the accepted plan of operation must also be submitted. ***Submit this information on a separate attachment.***
  - G. **RECREATION** - On the attached worksheet, describe the character of the area to be served and the specific water uses. ***Must complete attached worksheet.***
  - H. **WILDLIFE** (including fish) - On the attached worksheet, describe the type and number of wildlife, the character of the area to be served, and the specific purpose of the water use. ***Must complete attached worksheet.***
  - I. **GROUNDWATER RECHARGE** - Describe the proposed project in general terms and provide any application or permit numbers acquired. Additional information on the requirements for a Recharge Project is available upon request from the Department. ***Submit this information on a separate attachment.***



4. Specify quantities separately for each proposed beneficial use. Give the type of use, the amount and measure to be used, and the specific months of the year that the use would occur. The measure of use for irrigation should be listed in acre-feet; the measure of use for a flow rate should be given as cubic-feet per second (cfs); and use total gallons per annum (year) for stockwatering and wildlife.
5. List the legal land description for the location of the proposed point of diversion from the claimed source.
6. List the legal land description for the location(s) of the proposed place(s) of use of the water.
7. If the proposed point of diversion and/or place(s) of use are located on lands leased from either a state or federal agency, provide the name of the agency, and, if applicable, the Lessee or Permittee name and address. Answer the question as to legal access and explain, if applicable.
8. Describe how the water source is to be developed, the water conveyed, and the water put to the proposed beneficial use.
9.
  - A. Write “unnamed” if the reservoir is not named.
  - B. Dam height is defined by Arizona Revised Statute § 45-1201(2) as the vertical distance between the downstream toe of the dam and the spillway crest. Dam height is not defined as the total height of the dam (i.e., to the crest).
  - C. Small metal or masonry storage tanks that are not permanent structures do not need to be described.
10. Estimate the construction start and end dates. If the appropriation of water has already occurred and the project is already completed, give the date of completion and the date when the water was put to the stated beneficial use.
11. Identify supplemental water sources and describe the method of supplementing the proposed appropriation as required.

The applicant, or a representative of the applicant, must sign and date the application form. ***The initial application fee must be paid for the application to be accepted by the Arizona Department of Water Resources and establish a date of priority. Fees are authorized by Arizona Administrative Code R12-15-103.***

## WORKSHEET FOR DETERMINING QUANTITIES OF USE

For Domestic, Irrigation, Stockwatering, Recreation, or Wildlife Beneficial Uses

Application No. \_\_\_\_\_  
(for office use only)

This worksheet must be completed and attached to your application if you are requesting any of the above listed beneficial uses. Please use the attached Standard Water Use Quantities to calculate the amount of water needed for each proposed beneficial use. Complete only those sections that apply to the proposed use(s) being requested. If more space is needed to describe your beneficial use(s), an attachment is acceptable. Enter each total from this worksheet in section #4 of the application.

### A. DOMESTIC

Household Use(number of people using water)	X Standard quantity	= Amount & measure
		GPA
Non-household Use: (lawns, gardens and landscape not exceeding one-half an acre)	X Description of non-household use: (i.e.: type and number of trees, crops growing)	GPA
		GPA
<b>Total annual amount for domestic</b>		GPA

### C. IRRIGATION

Crop	Number of acres	X Standard quantity per acre for this crop	= Amount & measure
			AFA
			AFA
			AFA
<b>Total annual amount for all irrigated acres</b>			AFA*

### D. STOCKWATERING

Number & type of head	X Standard quantity per head per day	X Number of days per year water is used	= Amount & measure
			GPA
			GPA
<b>Total annual amount for stockwatering</b>			GPA*

G. **RECREATION** - Describe the character of the area to be served and the specific water uses:

**Total annual amount for recreation:** \_\_\_\_\_\*

H. **WILDLIFE** (including fish) - Describe the type and number of wildlife, the character of the area to be served, and the specific water uses:

**Total annual amount for wildlife:** \_\_\_\_\_\*

\*Enter each total on a separate line in Section #4 of this application.

## STANDARD WATER USE QUANTITIES

As provided by Arizona Revised Statute § 45-153 (B), an application shall not be approved for more water than may be put to beneficial use. Although appropriations are considered on a case by case basis, the following information is provided to assist you in determining the quantity of water to be appropriated. These are quantities of water that the Arizona Department of Water Resources ("Department") considers reasonable for the listed beneficial uses in most cases. Additional water may be approved by the Department if supporting justification is provided.

**DOMESTIC USE:** 180 gallons/person/day

Domestic use can include irrigation of less than 0.5 acres of lawn and garden associated with a domicile.

### STOCKWATERING USE:

Cattle/Horses	12 gallons/animal/day
Hogs	2.5 gallons/animal/day
Sheep	1.5 gallons/animal/day
Poultry	0.25 gallons/animal/day

### WILDLIFE USE:

Elk	3 gallons/animal/day
Antelope/Deer	1 gallon/animal/day
Other	0.5 gallon/animal/day

### IRRIGATION USE:

Irrigation use is site specific and dependent upon crop type, land elevation, soil characteristics, method of irrigation, and conveyance system. Irrigation quantity of water use will be determined on a case by case basis. Contact the Surface Water Permitting Section at (602) 771-8621 or 1-800-352-8488 (within Arizona) when this quantity needs to be determined.

### STORAGE:

Storage of water in an impoundment (stockpond or reservoir) is site specific and dependent upon the topography of the area, height of dam, location of spillway, and slope of watercourse. Water quantities authorized for storage will be determined on a case by case basis.

# **ATTACHMENT B**



# **ATTACHMENT C**

## APPLICATION GUIDELINES

### APPLICATION FOR CERTIFICATE OF WATER RIGHT (PROOF OF APPROPRIATION)

In accordance with Arizona Revised Statute ("A.R.S.") §§ 41-1008 and 41-1079, the Arizona Department of Water Resources ("Department"), Surface Water Permitting Section, provides the following information regarding the application review process to assist applicants with a Proof of Appropriation.

#### I. FEES

The application fee is based on the date the Application to Appropriate Public Water was received by the Department and is as follows:

A. **An Application to Appropriate Public Water filed prior to June 16, 2010:** No application fee. If the application is granted, the Department will request an administrative fee for the issuance of the Certificate of Water Right. The administrative fee for the issuance of the Certificate of Water Right is \$120.00 as authorized by Arizona Administrative Code ("A.A.C.") R12-15-104.

OR

B. **An Application to Appropriate Public Water filed after June 16, 2010:** Initial application fee is \$1,000.00. Total fees are based upon an hourly billable rate, which can be found on the Department's website located at <https://new.azwater.gov>. If the cost of reviewing your application is less than \$1,000.00, you will be refunded the difference. If the cost of reviewing your application exceeds \$1,000.00, you will be invoiced for the difference, up to a maximum total fee of \$10,000.00. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Surface Water Permitting Section at 602-771-8621). Checks should be made payable to the Arizona Department of Water Resources. In addition to the hourly application fee, the applicant shall pay: (1) mileage expenses for traveling to and from a site inspection calculated at the rate set by the Arizona Department of Administration for state travel by motor vehicle and (2) the actual cost of mailing or publishing any legal notice of the application. Failure to enclose the initial application fee will cause the application to be returned. The application fees are authorized by A.A.C. R12-15-103.

#### II. STEPS FOR PROCESSING YOUR APPLICATION AND OBTAINING APPROVAL

Before filing your application, the Department encourages you to contact Department personnel indicated at the end of these guidelines to discuss the application process and review criteria. If you wish, a meeting may be scheduled to facilitate this process. To assist you in understanding the substantive requirements for this application, a copy of A.R.S. § 45-162 is provided for your information.

It is imperative that you complete the application form in its entirety. An incomplete or incorrect application may result in a delay in processing your application. Please send the application to the address indicated on the form along with any required initial application fees and supporting documentation. The Department suggests that you retain a copy of all documents that are submitted for review. The final step in perfecting a water right is to obtain a Certificate of Water Right. The licensing time frame associated with this process is 120 days.

#### III. TIME FRAMES FOR REVIEW OF YOUR APPLICATION AND ISSUANCE OF CERTIFICATE OF WATER RIGHT

Within 120 days after receipt of your Proof of Appropriation, the Department will determine whether your application should be granted or denied, unless this time 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 as the overall time frame.

## **A. Administrative Completeness Review Time Frame**

Within 20 days after receipt of your Proof of Appropriation, the Department will determine whether your application is complete and will issue a written notice of administrative completeness or deficiencies. After your application is complete, the Department will proceed with substantive review.

If the Department sends you a Notice of Deficiency, the Department will include 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 60 days, the Department may deem your application withdrawn and close the file.

## **B. Substantive Review Time Frame**

Within 100 days after 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.

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 include the justification for the denial and an explanation of your right to appeal the denial.

## **AGENCY CONTACT**

Please direct any questions, comments, or requests for further assistance the Surface Water Permitting Section at (602) 771-8621.

## **ARIZONA REVISED STATUTE § 45-162**

### **A.R.S. § 45-162 - Certificate of Water Right; Time Limitation on Use of Water for Power Purposes**

- A. When it appears to the satisfaction of the director that an appropriation has been perfected and a beneficial use completed in accordance with the provisions of this article, the director shall issue to the applicant a certificate signed by the director and attested by the seal of the Department. The certificate shall set forth the name and address of the owner of the right, the priority of date, and the extent and purpose of the right and if the water is for irrigation purposes, a description of the legal subdivisions of land to which the water is appurtenant. On receiving the certificate, the owner may transmit the certificate and the recording fee to the county recorder of the county in which such right is located, who shall record the certificate in a book kept for that purpose and immediately transmit the certificate to the owner.
- B. Certificates for rights to the use of water for power development shall limit the right or franchise to a period of forty years from the date of application, subject to a preferred right of renewal under the laws existing at the date of expiration of the franchise or right. The right acquired by the appropriation shall date from filing the application with the director, and delays in the processing or granting of an application to appropriate or an application for a permit to construct or enlarge a reservoir do not affect the validity of the appropriation or the date of priority assigned to the appropriative right.



**ARIZONA DEPARTMENT OF WATER RESOURCES**  
**SURFACE WATER PERMITTING SECTION**  
**MAIL TO: 1110 W. Washington St., Ste 310**  
**Phoenix, Arizona 85007**  
**Telephone (602) 771-8621**  
**Fax (602) 771-8689**

Permit No: \_\_\_\_\_

<p><b>(For office use only)</b></p> <p>Date Filed: _____</p>
--

**APPLICATION FOR CERTIFICATE OF WATER RIGHT (PROOF OF APPROPRIATION) OF WATER**

1. Applicant \_\_\_\_\_ Telephone \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. Type of water source and name \_\_\_\_\_  
 a tributary to \_\_\_\_\_ within the \_\_\_\_\_ watershed  
(for office use only)

3. State each type of beneficial use and quantity of water used (see # 8 for required attachments):

Beneficial Use(s)	Amount & Measure (from worksheet)	Specific Months of Use (if not for entire year)

4. Location of point of water diversion: County \_\_\_\_\_  
 Parcel I.D. No. \_\_\_\_\_ and/or Lot No. \_\_\_\_\_ and \_\_\_<sup>1</sup>/<sub>4</sub> \_\_\_<sup>1</sup>/<sub>4</sub>, Section \_\_\_\_, Township \_\_\_N/S, Range \_\_\_E/W

5. Location of place(s) of water use and/or water storage: County \_\_\_\_\_  
 Parcel I.D. No(s). \_\_\_\_\_ and/or Lot No(s). \_\_\_\_\_

<sup>1</sup> / <sub>4</sub>	<sup>1</sup> / <sub>4</sub>	<sup>1</sup> / <sub>4</sub>	Section	Township N/S	Range E/W	# of Acres Irrigated**

\*\*This column must be completed for each place of use if irrigation is indicated as a use in Nos. 3 and 4 above. .

6. Owner of the land where the water is used \_\_\_\_\_

Private \_\_\_\_\_ State \_\_\_\_\_ BLM \_\_\_\_\_ National Forest \_\_\_\_\_ Other \_\_\_\_\_

Lessee and/or Permittee name and address (if applicable)

Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Does the applicant have legal access to both the proposed diversion point and place(s) of use? Yes \_\_\_\_ No \_\_\_\_  
If "No", explain:

7. Describe the works developed to put the water to the stated beneficial use(s):

a. Construction of works began on \_\_\_\_\_, and was completed on \_\_\_\_\_

\_\_\_\_\_ Date water was completely applied to the stated beneficial use(s) \_\_\_\_\_

b. Storage of water:

Reservoir name \_\_\_\_\_ Storage capacity \_\_\_\_\_ acre-feet

If a dam has been constructed, give description: height at downstream face \_\_\_\_\_ feet;

length on top \_\_\_\_\_ feet; length on bottom \_\_\_\_\_ feet

Material used and character of the construction \_\_\_\_\_

c. Canal headgate: width on top (at waterline) \_\_\_\_\_ feet; depth \_\_\_\_\_ feet

Material used and character of the construction \_\_\_\_\_

d. Size of canal: width on top (at waterline) \_\_\_\_\_ feet; width on bottom \_\_\_\_\_ feet

depth of water \_\_\_\_\_ feet; length \_\_\_\_\_ feet; grade \_\_\_\_\_ feet fall per 1,000 feet

actual capacity \_\_\_\_\_ cfs;

give general description

e. Pipeline: length \_\_\_\_\_ feet; diameter \_\_\_\_\_ inches

f. Pumping plant: size and type of pump

g. Distribution works

8. **REQUIRED ATTACHMENTS:**

**Initial Application Fee** if applicable (refer to Item I of the Application Guidelines).

**Worksheet** for determining quantities of use if the permitted uses included domestic, irrigation, stockwatering, recreation, or wildlife. If the permitted uses include municipal, power, mining, or groundwater recharge, provide the required information on a separate attachment.

**Copy of recorded deed** showing land ownership. If owned by other than applicant, provide copies of all pertinent leases, grazing permits, allotments, or a letter from the landowner authorizing the proposed appropriation.

9. **NOTICE:**

**Arizona Revised Statute § 41-1030(B), (E), (F) and (G) 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.

E. 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.

F. 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.

G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

**Submit the completed application with the initial application fee, required attachments and supporting documents to: Arizona Department of Water Resources, Surface Water Permitting Section, 1110 W. Washington Street, Suite 310, Phoenix, Arizona 85007.**

## INSTRUCTIONS

### PROOF OF APPROPRIATION OF WATER

This is the final documentation required of a holder of a permit to perfect an appropriative right. A Certificate of Water Right will be issued following Departmental review of this document and submittal of proper fees.

A completed Affidavit of Appropriator/Affidavit of Witness must be submitted with the Proof of Appropriation ("Proof"). There **must** be two witnesses to the affidavit.

The following instructions are referenced by number to the questions on the Proof. Review the questions on the Proof as they apply to your individual case. Answer only those questions that apply to the appropriation(s) listed on the permit for which the Proof is submitted. This form should not be used to make changes to the permit.

1. Complete name of applicant, current mailing address with zip code, and telephone number. If the applicant is a corporation or business, give the name of the authorizing agent.
2. Give the name of the direct source of surface water and the type of source. Give the name of the drainage, creek, etc. to which the source is a tributary.
3. Specify quantities separately for each beneficial use. Give the type of use, the amount and measure used, and the specific months of the year that the use occurred. The measure of use for irrigation should be listed in acre-feet; the measure of use for a flow rate should be given as cubic-feet per second (cfs); and use total gallons per annum (year) for stockwatering and wildlife.
  - A. **DOMESTIC** - On the attached worksheet, give the number of families and/or the total number of persons that used the water from the source. **Must complete attached worksheet.**
  - B. **MUNICIPAL** - Give the population served on a separate attachment. Exhibits may also be attached as evidence.
  - C. **IRRIGATION** - On the attached worksheet, give the legal land description of the location(s) of irrigation use(s). Give the number of acres irrigated and the type of crop irrigated for each legal description. **Must complete attached worksheet.**
  - D. **STOCKWATERING** - On the attached worksheet, describe the type and number of stock watered. **Must complete attached worksheet.**
  - E. **POWER** - Describe the nature of the works by which power was developed, the pressure head and amount of water utilized, point of diversion and release of the water, and the uses to which the power was applied. **Submit this information on a separate attachment.**
  - F. **MINING** - Describe the methods used to develop, supply, and use the water. If some water was returned to the source, give an estimate as to what percentage was returned. If the proposed use is on federal or state land, a copy of the accepted plan of operation must also be submitted. **Submit this information on a separate attachment.**
  - G. **RECREATION** - On the attached worksheet, describe the character of the area served and the specific water uses. **Must complete attached worksheet.**

- H. **WILDLIFE** (including fish) - On the attached worksheet, describe the type and number of wildlife, the character of the area served, and the specific purpose of the water use. ***Must complete attached worksheet.***
- I. **GROUNDWATER RECHARGE** - Describe the project in general terms and provide any application or permit numbers acquired. Additional information on the requirements for a recharge project is available upon request from the Department of Water Resources. ***Submit this information on a separate attachment.***
4. Give the legal land description for the location of the point of diversion from the claimed source.
  5. Give the legal land description for the location(s) of the place(s) of use of the water. Provide a copy of the deed or legal document showing land ownership or letter of authorization from the landowner.
  6. Provide the type of land ownership at the place(s) of use, i.e., state, federal, or private and, if applicable, the lessee or permitted name and address. Answer the question as to legal access and explain, if applicable.
  7. Describe how the water source was developed, the water conveyed, and the water put to the stated beneficial use(s). Provide the dates for construction of works and describe as necessary.
  8. Provide the required attachments.

## WORKSHEET FOR DETERMINING QUANTITIES OF USE

For Domestic, Irrigation, Stockwatering, Recreation or Wildlife Beneficial Uses

Permit to Appropriate Public Water No. \_\_\_\_\_

This worksheet must be completed and attached to your Proof of Appropriation if you are perfecting any of the above listed beneficial uses. Please use the attached Standard Water Use Quantities to calculate the amount of water needed for each beneficial use. Complete only those sections that apply to the use(s) being perfected. Enter each total from this worksheet in section #3 of the Proof of Appropriation.

### A. DOMESTIC

Household Use(number of people using water)	X Standard quantity	= Amount & measure
		GPA
Non-household Use: (lawns, gardens and landscape not exceeding one-half an acre)	X Description of non-household use: (i.e.: type and number of trees, crops growing)	GPA
		GPA
<b>Total annual amount for domestic</b>		GPA

### C. IRRIGATION

Crop	# of acres	X Standard quantity per acre for this crop	= Amount & measure
			AFA
			AFA
			AFA
<b>Total annual amount for all irrigated acres</b>			AFA*

### D. STOCKWATERING

# & type of head	X Standard quantity per head per day	X Number of days per year water is used	= Amount & measure
			GPA
			GPA
<b>Total annual amount for stockwatering</b>			GPA*

G. **RECREATION** - Describe the character of the area to be served and the specific water uses:

**Total annual amount for recreation:** \_\_\_\_\_ \*

H. **WILDLIFE** (including fish) - Describe the type and number of wildlife, the character of the area to be served, and the specific water uses:

**Total annual amount for wildlife:** \_\_\_\_\_ \*

\*\*Enter each total on a separate line in Section #3 of Proof.

## STANDARD WATER USE QUANTITIES

Although appropriations are considered on a case by case basis, the following information is provided to assist you in determining the quantity of water used. These are quantities of water that the Department considers reasonable for the listed beneficial uses in most cases. Additional water may be approved by the Department if supporting justification is provided.

**DOMESTIC USE:** 180 gallons/person/day

Domestic use can include irrigation of less than 0.5 acres of lawn and garden associated with a domicile.

### STOCKWATERING USE:

Cattle/Horses	12 gallons/animal/day
Hogs	2.5 gallons/animal/day
Sheep	1.5 gallons/animal/day
Poultry	0.25 gallon/animal/day

### WILDLIFE USE:

Elk	3 gallons/animal/day
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Other	0.5 gallon/animal/day

### IRRIGATION USE:

Irrigation use is site specific and dependent upon crop type, land elevation, soil characteristics, method of irrigation, and conveyance system. Irrigation quantity of water use will be determined on a case by case basis. Contact the Surface Water Permitting Section at (602) 771-8621 or 1-800-352-8488 for assistance when this quantity needs to be determined.

### STORAGE:

Storage of water in an impoundment (stockpond or reservoir) is site specific and dependent upon the topography of the area, height of dam, location of spillway, and slope of watercourse. Water quantities authorized for storage will be determined on a case by case basis.

**AFFIDAVIT OF APPROPRIATOR**

STATE OF ARIZONA }  
 }ss.  
County of \_\_\_\_\_ }

I, \_\_\_\_\_, being first duly sworn, state that I have read the attached proof of appropriation of water, that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Appropriator

\_\_\_\_\_  
Signature of Appropriator

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**AFFIDAVIT OF WITNESS  
(Two Witnesses Required)**

STATE OF ARIZONA }  
 }ss.  
County of \_\_\_\_\_ }

We, \_\_\_\_\_ and \_\_\_\_\_ of

\_\_\_\_\_, being first duly sworn, state that we are acquainted with the facts and conditions set forth in the attached statement relative to proof of appropriation of water under Permit to Appropriate Public Water No. \_\_\_\_\_, that we have inspected each tract described therein, and from such personal inspection have knowledge that all necessary ditches, dams, and other diversions and distributing works have been constructed and water used as stated therein; that we have carefully read the proof of appropriation and that the statements contained therein are true to the best of our knowledge and belief.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Witness

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_