



# Water Wellsite Lease Application

The State Land Department encourages you to contact the Department's Water Rights Section at (602) 542-2678 prior to submittal of your application. The Department may be able to address questions or concerns prior to your expenditure of the non-refundable filing fee. Completion of this application does not in any way obligate the Arizona State Land Department to approve the application.

**NON-REFUNDABLE FILING FEE** must be submitted with your application.

Failure to complete the entire application and/or failure to provide adequate information as requested, may result in a returned application.

- This application combines the Water Agreement and its associated Commercial Lease into one application
- An auction is required to withdraw and use groundwater off State Trust Land
- Each application can include only one section of land
- If access to the wellsite does not exist, a Right of Way (ROW) application may also be required
- The maximum term for a Water Wellsite Lease is ten years (non-renewable)
- Well Watersite Lease Agreements are non-renewable and an application can be filed six months prior to a current Water Wellsite Lease Agreement expiring
- A map with the following items must accompany this application:
  - Site Boundary
  - Location of existing or proposed wells
  - Existing or proposed water storage tanks and pipelines
  - Access roads
  - Utilities and any other project information
- Relevant hydrologic reports must accompany this application and if applicable, pump test information

## **EXPENSES BORNE BY THE APPLICANT**

- Application Filing Fee - \$500 (non-refundable)
- Cost of preparing required due diligence, which may include a Phase 1 ESA, archaeological survey, and/or a certified land survey or ALTA survey
- Cost of the appraisals (water and land)
- Cost of legal advertising
- Cost of hydrological study
- Administrative fee of 3% of royalty value
- If acting as an "Attorney in Fact", both a notarized copy of Power of Attorney and a non-refundable \$50.00 filing fee are required

## **APPLICATION PROCESS**

Your application requires adequate processing time. You will be contacted when your application has been approved, denied, or returned. Depending on the complexity of the lease, a water wellsite lease must go to public auction and may take as long as 12 or more months to process.

## **LEGAL DESCRIPTION**

For a new application, you must select the Township, Range, and Section on the map provided. Once you have selected the requested area, the description and acreage are required fields. If the requested area is irregular in shape or has a curved side, a certified land survey by a registered Arizona land surveyor may be requested, as part of the application process.



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## **IMPROVEMENTS**

Approval of this application does not constitute approval of any improvement(s). The application 'Place Improvement' must be submitted to the Department after a lease is obtained and prior to any grading or construction of the improvement(s) (unless such approval is specifically contained in the executed lease.)

Pursuant to A.R.S. § 37-321, lessee is not entitled to reimbursement for improvements not authorized by prior written approval from the Department. Temporary or removable structures are not considered improvements under any circumstances.

## **APPRAISAL**

All Trust land transactions must be in accordance with the State's responsibility to receive appropriate return for the Trust beneficiaries. The Department will require prepayment for the estimated cost of an appraisal, which establishes fair market rental value, upon which annual rental rates are based.

## **ADDITIONAL INFORMATION**

In order to properly evaluate the application, additional information may be required. This information may include, but is not limited to: registered land survey information, environmental assessments, hydrologic studies, and archaeological surveys.

If a lease is offered to the applicant, but not accepted without reasonable cause, the applicant may be assessed the costs incurred by the State Land Department for appraisals and processing expenses.

**For Assistance contact: Natural Resources Division at (602) 542-1133**



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Return application and filing fee:

**Arizona State Land Department**  
**1616 West Adams**  
**Phoenix, AZ 85007**

No accompanying filing fee will result in the application being returned

Departmental Use Only	
Accounting	Title & Contracts
Fee: \$500	Account Rolodex#: _____ Contact Rolodex#: _____ KE Lease #: 21 - _____ -00 - 100
Pymnt Rcvd: <input type="checkbox"/> Yes <input type="checkbox"/> No Payment #:	Initial & Date
	Entered into Salesforce

Complete all questions, sign the certification page, and submit the application with the **NON-REFUNDABLE FILING FEE**

## 1. Who is the applicant?

a. Lessee: \_\_\_\_\_

b. Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Email: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

d. Contact Person: \_\_\_\_\_

e. Email: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

## 2. What area of State Trust Land are you applying to lease?

(if applicable, please attach a separate piece of paper for more land)

Township (e.g., 4N)	Range (e.g., 3E)	Section (1-36)	Legal Description	Acres

3. Do you have an existing or previous commercial lease?  No  Yes  Unknown

a. If yes, please provide the commercial lease number: 03-\_\_\_\_\_



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4. Do you have an existing or previous water agreement number?  No  Yes  Unknown

a. If yes, please provide the water agreement number: 21-\_\_\_\_\_

5. Do you have an existing or previous Right of Way?  No  Yes  Unknown

a. If yes, please provide the Right of Way number: \_\_\_\_ - \_\_\_\_\_

6. Do you have legal access to the wellsite?  No  Yes  Unknown

a. If yes, please state your legal access: \_\_\_\_\_

b. If no or unknown, please contact the Water Rights Section at 602-542-2678

7. If you are the current lessee of the land, you must surrender your commercial wellsite lease on the date of the sale, if you are not the successful bidder.  I agree

8. Do you own or control other land which will be used in connection with the requested land?

No  Yes

a. If yes, list the legal descriptions of the property you own or control: \_\_\_\_\_

*NOTE: A map of the land you own or control that will be used must be submitted with this application*

9. Please select the proposed use of water associated with this application:

- Commercial     
  Domestic     
  Industrial     
  Mining and Materials  
 Municipal     
  Private Utility     
  Other \_\_\_\_\_

10. How many acre-feet per year (AFY) are you requesting? \_\_\_\_\_ AFY

11. Where is the proposed location of water use?

Township (e.g., 4N)	Range (e.g., 3E)	Section (1-36)	¼ (160 acre) (e.g., NE)	¼ (40 acre) (e.g., SE)	¼ (10 acre) (e.g., SW)	Acres



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**12. Groundwater shall not be transported across groundwater sub-basin/basin boundaries except for as provided under A.R.S. § 45-551 et. Seq. Will the proposed use of groundwater cross groundwater sub-basin boundaries?**  No  Yes

a. If yes: please explain: \_\_\_\_\_

**13. Will withdrawn water be transported across State Trust lands?**  No  Yes

a. If yes: please contact the Water Rights Section at 602-542-2678

**14. Will any of the proposed wells described be drilled and used as a replacement for any other well?**  No  Yes

a. If yes: please list the well registration number: 55 - \_\_\_\_\_

Please explain the reason for replacement: \_\_\_\_\_

**15. Are the requested lands located within an Active Management Area (AMA) or Irrigation Non-Expansion Area (INA)?**  No  Yes  Unknown

a. If yes, please select your AMA or INA:

- Douglas       Harquahala     Phoenix       Pinal           Prescott
- Santa Cruz     Tucson         Other \_\_\_\_\_

**16. Are the lands described above located within the service area of, or served by, any public or private water company or utility?**  No  Yes

a. If yes, what is the name of the public or private provider? \_\_\_\_\_

**17. Is there a grandfathered water right associated with the land upon which the water is proposed to be used?**  No  Yes

a. If yes, please provide the type and amount of grandfathered groundwater right:

Type: 1 or 2      Right Number: 58 - \_\_\_\_\_      Acre-feet (AF) of Right: \_\_\_\_\_  
*(Circle the Type #)*



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18. Are the lands where the water will be used located within the service area of, or served by, any public or private water company or utility?  No  Yes
19. Do you hold a subcontract for Central Arizona Project (CAP) water?  No  Yes
20. Are there any extraordinary issues affecting the requested land that you are aware of, such as the existence of endangered species, cultural resources, topographical constraints, etc.?  
 No  Yes
- a. If yes, explain these issues: \_\_\_\_\_
21. If this application is approved and an auction is held, any resulting access route will be subject to the laws of the State of Arizona, the rules of the State Land Department, the provisions and conditions contained in the Water Agreement, and the provisions and conditions contained in the appropriate surface lease, easement, or permit which buyer must acquire from the Arizona State Land Department. The signature of the applicant acknowledges and recognizes that neither the making of this application nor the acceptance by the Arizona State Land Department of this application nor the filing fee submitted herewith in any way gives to or vests in the applicant any right or entitlement to any water or use of State Trust land for which this application is made, nor does this application grant any surface lease, easement, permit for withdrawal or transportation of the water purchases, or suggest an access route over any Private, Federal, Indian, or other lands  
 I have read and understand this notice



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ARIZONA STATE LAND DEPARTMENT ENVIRONMENTAL DISCLOSURE QUESTIONNAIRE  
These two pages are part of the application - **DO NOT DETACH.**

The purpose of this questionnaire is to give the Department an opportunity to detect proposed land uses that may have potential environmental impacts and risks, and to consider these impacts and risks in the processing of the application.

If you have questions regarding this questionnaire, please contact the State Land Department, Environmental Section at (602) 542-2119. Other Federal, State, County and local agencies may also need to be contacted regarding environmental regulations.

PLEASE INDICATE BELOW THE TYPE(S) OF POTENTIAL ENVIRONMENTAL IMPACTS FROM YOUR CURRENT OR PROPOSED USE:

<u>YES</u>	<u>NO</u>	<u>WILL YOUR USE INVOLVE:</u>
<input type="checkbox"/>	<input type="checkbox"/>	The collection of waste tires? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	The sale and disposal of lead acid batteries? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Generating a discharge that may potentially impact groundwater? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Pesticides? If yes, explain use: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Dry Wells? If yes, ADEQ Registration #(s): _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Potable Water (Drinking Water) Systems? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Wastewater collection and/or treatment? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Air contaminant emissions? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Solid waste generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Medical waste generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Sewage sludge/septage generation, transportation, treatment, storage, use or disposal? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Used oil generation, transportation, storage, recycling, use, disposal, marketing or burning? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Recycling Activities? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Special waste (asbestos, motor vehicle shredding waste) generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Generating hazardous waste? If yes, explain: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Hazardous Waste Treatment, Storage, or Disposal? If yes, explain: _____ _____

(OVER)



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**YES**      **NO**

**WILL YOUR USE INVOLVE:**

**Hazardous Waste Transportation?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Underground Storage Tank (UST)?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Aboveground Storage Tank (AST)?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**HAZARDOUS SUBSTANCES?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Will your use involve currently unclassified waste containing the following? (A.R.S. §49-854).** If yes, check appropriate waste category:

- |  |  |
|--|--|
| <input type="checkbox"/> Polychlorinated biphenyls (PCBs)                                    | <input type="checkbox"/> Oil & Gas Exploration Drilling Muds |
| <input type="checkbox"/> Petroleum Contaminated Soil   | <input type="checkbox"/> Incinerator Ash                     |
| <input type="checkbox"/> Categorical industrial pretreatment sludge                          | <input type="checkbox"/> Commercial/industrial septage       |
| <input type="checkbox"/> Petroleum refining waste  | <input type="checkbox"/> Radioactive Waste                   |
| <input type="checkbox"/> Used Antifreeze   | <input type="checkbox"/> Slag and refractory material        |
| <input type="checkbox"/> Uranium Ore Tailings  | <input type="checkbox"/> Contaminated process equipment      |
| <input type="checkbox"/> Precious Metals Recycling   | <input type="checkbox"/> Industrial Catalyst                 |
| <input type="checkbox"/> Industrial Sludges  | <input type="checkbox"/> Aluminum Dross                      |
| <input type="checkbox"/> Industrial sands (excluding mining or mineral processing operation) |  |

If checked, explain waste generation process: \_\_\_\_\_  
\_\_\_\_\_

**Is the State Trust land located in a National Priority List (NPL, Federal Superfund) area or in a Water Quality Assurance Revolving Fund (WQARF, State Superfund) study area?** If yes, NPor WQARF area name: \_\_\_\_\_  
\_\_\_\_\_

**Will land disturbance occur? Will it be on previously undisturbed land?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Are there open and/or abandoned water wells on the property?** If yes, submit a site diagram showing location(s) and use(s): \_\_\_\_\_  
\_\_\_\_\_

**To the best of your knowledge, are adjacent lands subject to any of the above-referenced environmental impacts?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**To the best of your knowledge, has an on-site inspection and/or an environmental site assessment been performed at this location?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**To the best of your knowledge, has any environmental impact been reported previously to ADEQ?** If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_



