

**INSTRUCTIONS FOR FILING AN
APPLICATION TO AUCTION WATER FROM STATE LAND**

ATTENTION

The State Land Department encourages you to contact the Water Rights Section at (602) 542-2678 prior to submittal of your application. The Water Rights Section 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.

1. A water auction is required to withdraw groundwater originating on State Trust and used off State Trust land.

2. Submit Application with a \$500.00 non-refundable filing fee to:

Arizona State Land Department
Public Counter
1616 W. Adams
Phoenix, AZ 85007

3. Applications that are incomplete or illegible will be returned.

4. You may only apply for one section of land per application.

5. In order to apply for a water agreement, you must also apply or currently hold a commercial lease and/or Right-of-Way (ROW).

6. The maximum term for a water agreement is ten years (non-renewable), unless the State Land Commissioner grants up to twenty years (non-renewable).

7. Attach a map including the following items: site boundary, location of existing or proposed wells, existing or proposed water storage tanks and pipelines, access roads, utilities and any other project information.

8. Along with the application, submit relevant hydrologic reports and if available pump test information.

9. If an agent is filing on behalf of the applicant, a notarized Power of Attorney form must be filed with the State Land Department. The filing fee for a Power of Attorney is \$50.00.

Expenses borne by the Applicant:

1. Application filing fee: \$500.00 (non-refundable)
2. Cost of preparing a certified land survey or ALTA survey, Phase 1 ESA, and other due diligence, if required.
3. Cost of conducting an archaeological survey, if required
4. Appraisal: approximately \$3,700
5. Legal advertising: approximately \$3,500
6. Administrative fee: 3% of royalty value.
7. 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.

Note: Items 2, 3 & 4 listed above are reimbursed to the applicant if another party is the successful bidder.

Application Process:

The State Land Department has the responsibility of reviewing the application and acting in a manner consistent with the highest and best use of State Trust land. Each application is reviewed on its own merits. The water auction can be held after: 1) completion of a comprehensive staff evaluation; 2) a formal appraisal has been prepared and accepted; 3) the State Land Commissioner's approval and all legal advertising requirements have been met.

State Land Department water auctions are governed by Arizona Administrative Code described in Article 20, R12-5-2001 thru R12-5-2008. These rules discuss the requirement to file applications for a commercial lease and right-of-way related to the proposed activity. The State Land Department will review the water auction, commercial lease, and right-of-way applications as a package.

The legal advertising consists of an auction notice being published once a week for ten successive weeks in a newspaper of general circulation, published regularly at the State Capitol, and in a local newspaper published regularly nearest the application location.

The time required to process the water auction application may exceed one year.

If you have any questions, please contact the Water Rights Section of the Arizona State Land Department at (602) 542-2678.

RETURN TO:
 ARIZONA STATE LAND DEPARTMENT
 PUBLIC COUNTER
 1616 WEST ADAMS
 PHOENIX, AZ 85007

SUBMIT FILING FEE: *\$500.00

* Filing fees are non-refundable

DEPARTMENTAL USE ONLY		ROLODEX # _____	
ACCOUNTING	T&C	RECOMMENDATION/INITIAL	DATE
Filing Fee: \$500	Examiner: _____ _____	Approve _____	_____
		Deny _____	_____
		Reject _____	_____
	Re-assign Examiner: _____ _____	Withdraw _____	_____
N(34)			

APPLICATION TO AUCTION WATER FROM STATE LAND

Type or print in ink.

APPLICATION NO. 21-_____

COMPLETE ALL QUESTIONS, SIGN APPLICATION AND ATTACH \$500.00 FILING FEE.

1. APPLICANT(S):

 Name(s)

 Mailing Address

 City State Zip

 Contact Person Phone No

 Email Address (optional)

2. TYPE OF APPLICATION:

- NEW
- REPLACING 21-_____

3. LEGAL DESCRIPTION: List Existing and/or Proposed Well Site(s)

Township _____ Range _____ Section _____

Location			Well Site Acres	Depth of Well	Pump Capacity (gallons per minute)
_____ 1/4	_____ 1/4	_____ 1/4	_____	_____	_____
_____ 1/4	_____ 1/4	_____ 1/4	_____	_____	_____
_____ 1/4	_____ 1/4	_____ 1/4	_____	_____	_____

4. PURPOSE: Proposed water use: _____

5. TERM: How many years are you requesting this groundwater for? _____

6. **QUANTITY:** How many acre-feet per year (AFY) are you requesting? _____

7. **CURRENT LESSEE:**

a. Are you the current lessee of the land? Yes No

If yes, write in your Lease No. and complete questions B and C. Lease No. _____

b. In consideration of favorable action, do you agree to surrender your lease on the date of the sale if you are not the successful bidder? Yes No

c. Are there any improvements on the land? Yes No

If yes, attach a list of the improvements to this application.

8. **PROPOSED LOCATION OF WATER USE:**

The water will be used off State Trust land on the following described lands (place of use):

Location			Township	Range	Section	County
_____ ¼	_____ ¼	_____ ¼	_____	_____	_____	_____
_____ ¼	_____ ¼	_____ ¼	_____	_____	_____	_____
_____ ¼	_____ ¼	_____ ¼	_____	_____	_____	_____
_____ ¼	_____ ¼	_____ ¼	_____	_____	_____	_____

USGS Topographic Map showing location and access must be included with application.

a. Groundwater will be not transported across groundwater sub-basin/basin boundaries except for as provided under A.R.S. § 45-551 et seq. Yes No

If yes, explain:

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

If yes, applicable Right-of-way number _____

c. Will any of the proposed wells described be drilled and used as a replacement for any other well?

Yes No If yes, please explain: _____

d. Are the lands described above located within an AMA or INA? Yes No If yes, indicate which AMA or INA: _____

e. Do you hold a subcontract for Central Arizona Project water? Yes No

f. 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? Yes No If yes, list the name of the water provider: _____

g. If applicable, is there a grandfathered water right associated with the land upon which the water is proposed to be used? Yes No

If yes, what is the type and amount of grandfathered water rights?

Type 1 Acre-feet (AF) of right: _____ Right No. 58_____

Type 2 Acre-feet (AF) of right: _____ Right No. 58_____

9. MINERALS:

Are there any known mineral claims, abandoned workings, minerals, oil, gas, fertilizer, or fossils upon the land?

Yes No If yes, explain: _____

10. OTHER INFORMATION:

a. Is applicant aware of any provisions of the Groundwater Code (Arizona Revised Statutes, Title 45), or use of the groundwater as described in this application, which exists by reason of the Groundwater Code or any other law which may affect the ability to use the water as proposed on this application?

Yes No If yes, please explain: _____

b. Additional information to assist us in processing this request:

NOTICE:

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.

11. APPLICANT:

Attach a Hydrology report which shows that the amount of water applied for is available.

12. APPLICANT, COMPLETE AND SIGN PAGE 5.

CERTIFICATION: Pursuant to A.R.S. Title 37 and the Rules of the Arizona State Land Department, A.A.C. Title 12, Chapter 5, you must complete the following information pertinent to you and/or the organization you represent and sign the certification or your application will not be processed. NOTE: Applicant must complete item #1.

1. Is this application made in the name of: (Applicant must check one) _____ Individual(s) _____ Husband & Wife
 _____ Corporation _____ Partnership _____ Ltd. Partnership _____ Estate _____ Trust _____ Ltd. Liability Co.
 _____ Joint Venture _____ Municipality _____ Political Subdivision _____ Other (specify) _____

2. INDIVIDUAL(S) OR HUSBAND & WIFE: Complete the following for each applicant:

NAME	AGE	MARITAL STATUS
_____	_____	_____
_____	_____	_____

3. CORPORATION: Complete the following:

(A) Do you have authority from the Arizona Corporation Commission to do business in the State of Arizona? Yes ___ No ___

(B) Is the corporation presently in good standing with the Arizona Corporation Commission? Yes ___ No ___

(C) In what state are you incorporated? _____

(D) Is the legal corporate name and Arizona business address the same as stated in this application? Yes ___ No ___

If no, state the Legal Corporate Name: _____

Address: _____

(Street or Box Number) (City) (State) (Zip)

4. LIMITED LIABILITY COMPANY: Complete the following:

(A) If an out-of-state limited liability company: Have you filed for a Certificate of Registration with the Arizona Corporation Commission?
 _____ Yes _____ No

(B) If an Arizona limited liability company: Have you filed Articles of Organization with the Arizona Corporation Commission?
 _____ Yes _____ No

(C) Are you authorized by the Arizona Corporation Commission to transact business in Arizona? _____ Yes _____ No

5. PARTNERSHIP OR JOINT VENTURE: Complete the following for each authorized partner or principal in the partnership or joint venture:

NAME	BUSINESS ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

6. LIMITED PARTNERSHIP: Is this Limited Partnership on file with the Arizona Secretary of State? Yes No

Complete the following for the authorized general partner(s) only:

GENERAL PARTNER(S) NAME	BUSINESS ADDRESS
_____	_____
_____	_____

7. ESTATE: Complete the following and attach a copy of the court or estate document(s):

Name of the court-appointed administrator or personal representative: _____

List the type and date of issuance of the court or Estate document: _____

(Date issued) (Type of Document)

8. TRUST: (A) Complete the following pursuant to A.R.S. § 33-404, for each beneficiary of the Trust:

NAME	ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

or (B) Identify the Trust document by title, document number, and county where document is recorded: _____

REQUEST FOR THE AUCTION OF WATER:

Applicant hereby makes application for the auction of water under the lands described below in accordance with the laws of the State of Arizona, the rules of the State Land Department, the provisions of the surface lease, easement or permit, and the provisions of the Water Agreement.

9. **I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE INFORMATION AND STATEMENTS CONTAINED HEREIN, TOGETHER WITH ALL EXHIBITS AND ATTACHMENTS ARE TRUE, CORRECT AND COMPLETE AND THAT I/WE HAVE AUTHORITY TO SIGN THIS DOCUMENT.**

SIGNATURE(S)

(Name of Corporation, Partnership, etc.)

Date

Signature of Applicant (Individual)

Date

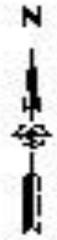
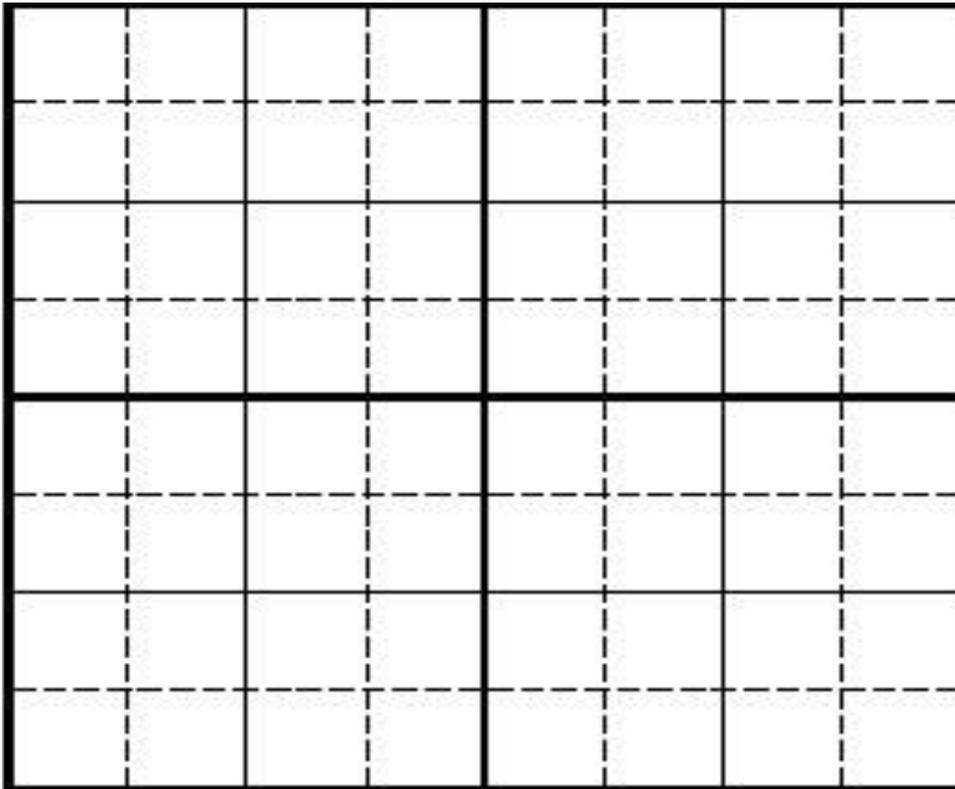
Signature

Title

Signature of Applicant (Individual)

Date

INDICATE THE TYPE OF WELL ON THE MAP BELOW:



Windmill



Elec. Centrifugal



Abandon-Open Case



Exploration



Elec. Submersible



Liquid Fuel



Abandon-Capped



Artisan



Elec. Turbine



Natural Gas



Plugged



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>	<u>TYPE OF ENVIRONMENTAL IMPACT</u>
_____	_____	<u>WASTE TIRES</u> The collection of waste tires? If yes, explain: _____	_____
_____	_____	<u>LEAD ACID BATTERIES</u> The sale and disposal of lead acid batteries? If yes, explain: _____	_____
_____	_____	<u>DISCHARGE IMPACTING GROUNDWATER</u> Generating a discharge that may potentially impact groundwater? If yes, explain: _____	_____
_____	_____	<u>PESTICIDES?</u> If yes, explain use: _____	_____
_____	_____	<u>DRY WELLS?</u> If yes, ADEQ Registration #(s): _____	_____
_____	_____	<u>POTABLE WATER (DRINKING WATER) SYSTEMS?</u> If yes, explain: _____	_____
_____	_____	<u>WASTEWATER COLLECTION AND TREATMENT SYSTEMS</u> Wastewater collection and/or treatment? If yes, explain: _____	_____
_____	_____	<u>AIR CONTAMINANTS/AIR POLLUTION CONTROL</u> Air contaminant emissions? If yes, explain: _____	_____
_____	_____	<u>SOLID WASTE - GENERAL</u> Solid waste generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____	_____
_____	_____	<u>SOLID WASTE - MEDICAL WASTE</u> Medical waste generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____	_____
_____	_____	<u>SOLID WASTE - SEWAGE SLUDGE/SEPTAGE</u> (Septic Tank Waste) Sewage sludge/septage generation, transportation, treatment, storage, use or disposal? If yes, explain: _____	_____
_____	_____	<u>USED OIL</u> Used oil generation, transportation, storage, recycling, use, disposal, marketing or burning? If yes, explain: _____	_____
_____	_____	<u>RECYCLING ACTIVITIES?</u> If yes, explain: _____	_____
_____	_____	<u>SPECIAL WASTE</u> Special waste (asbestos, motor vehicle shredding waste) generation, transportation, treatment, recycling, storage or disposal? If yes, explain: _____	_____

YES NO

WILL YOUR USE INVOLVE:

TYPE OF ENVIRONMENTAL IMPACT

_____ 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: _____

_____ CURRENTLY UNCLASSIFIED WASTE 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 and 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 catalysts | <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: _____

_____ SUPERFUND SITES 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, NP or WQARF area name: _____

_____ LAND DISTURBANCE If land disturbance will occur, will it be on previously undisturbed land? If yes, explain: _____

_____ WATER WELLS Are there open and/or abandoned water wells on the property? If yes, submit a site diagram showing location(s) and use(s).

_____ ADJACENT LAND USES To the best of your knowledge, are adjacent lands subject to any of the above-referenced environmental impacts? If yes, explain: _____

_____ ON-SITE INSPECTION/ENVIRONMENTAL ASSESSMENT 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: _____

_____ PREVIOUS ENVIRONMENTAL IMPACT To the best of your knowledge, has any environmental impact been reported previously to ADEQ?

If yes, explain: _____

ADDITIONAL COMMENTS:

