

MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

1460 East Commercial Street
Mohave Valley, Arizona 86440
Phone: (928) 768-3325 • Fax: (928) 768-5239
Email: office@mvidd.net • Website: www.mvidd.net

PROCESS TO TRANSFER AG ENTITLEMENT TO DOMESTIC USES

A. INITIAL REQUEST.

1. If an Agricultural Landowner holds an Agricultural Subcontract Water Entitlement from MVIDD for farming purposes and the Entitlement is in good standing, a Developer or an Individual Landowner may apply for a transfer of all or a portion of the Agricultural Water Entitlement to a new domestic use within the District, whether a part of an original project or a new, distinct project. Complete and submit the Mohave Valley Irrigation & Drainage District Application with an 11 x 17 copy of the Preliminary Plat with Tract Number, or Site Plan of the purposed urban use.
2. Applicant shall provide the same information for the transferee development as required by the District for a preliminary allocation of water and shall provide a land use plan for the transferor land base from which the agricultural entitlement is being removed.
3. Submit a completed ADWR Generic Demand Calculator for the Phoenix Active Management Area. (available on the ADWR website). <https://new.azwater.gov/aaws> Be sure to include all residential lots, common areas, commercial, landscape and other water uses within the subdivision or development. The demand calculator shall be used as a guide for the District's allocation, subject to review and adjustment by the District.
4. The transfer, if approved, shall be subject to an 8% surcharge of the volume of water transferred, which surcharge water shall be returned to the District. The application for transfer shall also be subject to administrative transfer fees as set and modified by the District in its annual Comprehensive Fee Schedule.
5. The transfer, if granted, shall be available to be dedicated to a final plat or actual water use within two years from the date of approval by the Board. If not dedicated, the owner may apply for an extension of transferred allocation before the end of the two-year period, which request will be reviewed by the Board under the same standards for extending other preliminary domestic water allocations within the District. Unless extended, the allocation shall lapse, and the water will revert to the District.
6. Submit a check for the payment of fees. Fee amounts are determined by the Comprehensive Fee Schedule and Payment Rules. **ALL APPLICATIONS ARE SUBJECT TO BOARD APPROVAL. ANY AND ALL FEES ARE NON-REFUNDABLE.**

B. EXTENSION REQUEST(S).

1. A request for an extension must be submitted in writing not less than 30 days prior to the expiration of the transferred allocation.
2. The request must be accompanied by proof of forward progress, e.g.:
 - a. ADEQ approvals;
 - b. Comments from Mohave County Planning & Zoning;
 - c. Comments from Mohave County Department of Public Works; or
 - d. Other documents demonstrating “good faith” forward progress.
3. Submit a check for the payment of fees for the extension request. Applicable fees are set forth in the Comprehensive Fee Schedule and Payment Rules.
ALL REQUESTS ARE SUBJECT TO BOARD APPROVAL. ANY AND ALL FEES ARE NON-REFUNDABLE.
4. An extension will not exceed 12 months from the date the transferred allocation was to expire.

SHOULD THE TRANSFERRED ALLOCATION EXPIRE, ALL FEES PAID SHALL BE FORFEITED AND THE WATER SHALL REVERT TO THE DISTRICT

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APPLICATION TO TRANSFER AN AGRICULTURAL ENTITLEMENT TO DOMESTIC USES

This is an application for a:

- | | |
|--|--|
| <input type="checkbox"/> Residential Subdivision or Multi-family | <input type="checkbox"/> Commercial/Industrial Subdivision |
| <input type="checkbox"/> RV Park | <input type="checkbox"/> Commercial Development |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Individual Lots |

Part I. Transferee (New User) Contact Information:

Transferee Owner Contact Information:

Name: _____

Address: _____

Phone: _____ Fax: _____

Cell: _____ Email: _____

Engineer/Architect Contact Information (If applicable):

Name: _____

Address: _____

Phone: _____ Fax: _____

Cell: _____ Email: _____

Correspondence To Be Sent To (Please Check One):

Transferee Owner Engineer/Architect Both

Part II. Description Of Transferee Property To Be Developed:

Name of Subdivision (if this is a subdivision, please include Mohave County Planning & Zoning Tract Number):

Township _____ Range _____ Section _____

APN No(s). _____

Has any portion of the parcel(s) previously been subdivided or platted?

- Yes No

If you answered yes, please indicate the name of the subdivision, including the tract number, in which the parcel(s) are located.

Part III. Proposed Development Of The Property:

What type and density of Residential, Multi-Family, Manufactured Homes, or RV Park use is being proposed? (Check all that apply. If none apply then write N/A.) You must also submit a completed ADWR Generic Demand Calculator supporting the total projected demand of the development.

- Lakes Size: _____
- Parks Size: _____
- Green belts Size: _____
- Pool Size: _____
- Golf Course Size: _____
- Clubhouse Size: _____
- Commercial/Industrial Buildings Size: _____
- Landscape/Turf Area Size: _____

Intended source of water supply (Utility Company, Private Well, etc.) If Private Well, list ADWR Well Registration No. 55-XXXXXX.

Part IV. Description Of Transferor Property:

Transferor Property Owner Contact Information:

Name: _____

Address: _____

Phone: _____

Fax: _____

Cell: _____

Email: _____

AG Contract No: _____

Township _____

Range _____

Section _____

APN No(s). _____

Part V. Land Use Plan for the Transferor Property after Transfer: Please describe the use of the transferor land after the transfer is completed, including the use of any water retained on the transferor land and any development plans for the transferor property.

Part VI. Transfer Instrument and Other Information: A complete and fully executed copy of the Transfer Instrument (may be the contract between the Agricultural Entitlement holder and the Assignee or a Memorandum of Transfer in the form provided by the District) must accompany this Application. List any other information with relevance to this project.

Part VII. Signatures:

Please sign and date. Both owner and person submitting the Application must sign.

Transferor Owner (Please Print)

Signature

Date

Submitted By (Please Print)

Signature

Date

Transferee Owner (Please Print)

Signature

Date

Submitted By (Please Print)

Signature

Date

All required paperwork must be submitted for this application to be considered complete. If any paperwork is missing, the District will not process this application. When completed, please mail or deliver to:

Mohave Valley Irrigation & Drainage District (MVIDD)
1460 E. Commercial Street
Mohave Valley, AZ 86440

If you have any questions in preparing this application, please contact the District Office at (928) 768-3325.

THIS SECTION FOR MOHAVE VALLEY IRRIGATION & DRAINAGE USE ONLY

Received: _____

Reviewed: _____

Meeting Agenda: _____

Approved/Denied _____

Comments: _____

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Memorandum of Proposed Transfer

Agricultural Subcontractor:

Assignee:

Name:

Name:

Legal Entity Status:

Legal Entity Status

Subcontract Number:

Agricultural Subcontractor and Assignee do hereby agree that Agricultural Subcontractor has agreed to transfer to Assignee _____ acre feet per annum from Agricultural Subcontractor's Agricultural Subcontract to Assignee for beneficial use by Assignee within the exterior boundaries of the Mohave Valley Irrigation & Drainage District ("District").

Agricultural Subcontractor and Assignee agree that the proposed transfer shall be subject to review and approval of District, and shall require an amendment to the Agricultural Subcontract to reduce the Entitlement volume thereof by the amount of the proposed transfer.

Agricultural Subcontractor and Assignee agree that the volume of water actually transferred to Assignee shall be 8% less than the gross transfer amount, and shall therefore be _____ acre feet per annum to Assignee. Assignee agrees, if determined by District to be applicable, to enter into a subcontract with District for the net transferred volume of water.

Agricultural Subcontractor agree that the 8% volume of water, being _____ acre feet per annum, shall upon final approval of the transfer, revert to the District. Agricultural Subcontractor and Assignee waive and relinquish any claim to this volume of water upon final approval of the transfer.

In Witness Whereof, the parties have executed this Memorandum of Transfer:

Agricultural Subcontractor:

Assignee:

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____

Acknowledgements on Following Page:

STATE OF _____)

) ss.

County of _____)

The foregoing Memorandum of Transfer instrument was acknowledged before me this ___ day of _____ 20___, by _____, the Agricultural Subcontractor.

Notary Public

My Commission Expires:

STATE OF _____)

) ss.

County of _____)

The foregoing Memorandum of Transfer instrument was acknowledged before me this ___ day of _____ 20___, by _____, the Assignee.

Notary Public

My Commission Expires: