

**Department of Water Resources**  
**Technical, Construction and Operations Branch**  
**P.O. Box 678**  
**Fort Defiance, Arizona 86504**  
**Ph. No. (928) 729-4132/Fax No. (928) 729-4421**  
[www.watercode.navajo-nsn.gov](http://www.watercode.navajo-nsn.gov)

**WATER USE PERMIT**

WUP NO: \_\_\_\_\_

VALID FROM \_\_\_\_\_ to \_\_\_\_\_

**NOTE: This permit is valid only upon signature of the Branch Director, Technical, Construction and Operations Branch (TCOB), or Director, Department of Water Resources (DWR) or Division Director, Division of Natural Resources (DNR). Please read Water Use Permit information sheet before completing this form.**

APPLICANT: \_\_\_\_\_  
LAST NAME FIRST; OR COMPANY NAME

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TELEPHONE NO: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

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DATE RECEIVED: \_\_\_\_\_ DATE COMPLETED \_\_\_\_\_

\$25.00 Filing Fee Received \_\_\_\_\_ Receipt No. \_\_\_\_\_ Initial \_\_\_\_\_

**IDENTIFIED WATER SOURCE TO BE USED**

- ( ) Spring No: \_\_\_\_\_ ( ) Stream Name: \_\_\_\_\_
- ( ) Stockpond Name/No: \_\_\_\_\_ ( ) Lake/Reservoir Name: \_\_\_\_\_
- ( ) Well No: \_\_\_\_\_ ( ) Injection Well No: \_\_\_\_\_

Amount of water requested: \_\_\_\_\_

( ) Other Description/Name: \_\_\_\_\_ Grazing District: \_\_\_\_\_

Chapter: \_\_\_\_\_ Chapter Code: \_\_\_\_\_

- State: ( ) AZ/Arizona ( ) NM/New Mexico ( ) UT/Utah
- County: ( ) AP/Apache ( ) MK/McKinley ( ) SJ/San Juan
- ( ) NA/Navajo ( ) VL/Valencia ( ) KA/Kane
- ( ) CO/Coconino ( ) BL/Bernalillo
- ( ) SD/Sandoval
- ( ) SO/Socorro
- ( ) RA/Rio Arriba
- ( ) SA/San Juan

Quad. No: (7.5 min. Series) \_\_\_\_\_

UTM COORDINATES: X (East) \_\_\_\_\_ Y (North) \_\_\_\_\_ ZONE \_\_\_\_\_

NE SE SW NW / NE SE SW NW / NE SE SW NW \_\_\_\_\_  
 10 Acre                      40 Acre                      160 Acre                      Section                      Township                      Range

**LAND STATUS**

TRUST       FEE       LEASE       ALLOTMENT       OTHER \_\_\_\_\_  
WATERSHED NAME: \_\_\_\_\_ USGS WATERSHED CODE NO. \_\_\_\_\_

**CONSUMPTIVE WATER USE NEEDED FOR**

**PRIMARY:**

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Domestic               | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Municipal              | <input type="checkbox"/> Industrial   |
| <input type="checkbox"/> Livestock              | <input type="checkbox"/> Mining       |
| <input type="checkbox"/> Irrigation Agriculture | <input type="checkbox"/> Commercial   |
| <input type="checkbox"/> Wildlife and Fish      | <input type="checkbox"/> Other _____  |

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**DOMESTIC/MUNICIPAL:**

Number of People: \_\_\_\_\_ Number of Homes: \_\_\_\_\_ Others: \_\_\_\_\_

**TYPE OF LIVESTOCK:**

<input type="checkbox"/> Horses	No: _____	<input type="checkbox"/> Goats	No: _____
<input type="checkbox"/> Cattle	No: _____	<input type="checkbox"/> Sheep	No: _____
<input type="checkbox"/> Other:	_____	<input type="checkbox"/> No:	_____

**TYPE OF CROPS:**

<input type="checkbox"/> Row (ie., corn)	Acres _____
<input type="checkbox"/> Forage-Hay-Pasture	Acres _____
<input type="checkbox"/> Small Grains	Acres _____
<input type="checkbox"/> Horticulture (ie., Fruits & Vegetables)	Acres _____

**TYPE OF WILDLIFE:**

<input type="checkbox"/> Fish	No: _____	<input type="checkbox"/> Small Game	No: _____
<input type="checkbox"/> Large Game	No: _____	<input type="checkbox"/> Birds	No: _____
<input type="checkbox"/> Others	No: _____		

**IF WATER IS USED FOR INDUSTRIAL OR MINING PURPOSES, ATTACH WATER SUPPLY PLAN DESCRIBING SOURCE AND METHODS OF DIVERSION, CONVEYANCE AND USES.**

**SEASON OF MAXIMUM USE:**     Spring       Summer       Fall       Winter

**MAXIMUM RATE OF USE:** \_\_\_\_\_  GPM       CFS

**EXPECTED DATE WATER USAGE TO BEGIN:** \_\_\_\_\_

**EXPECTED VOLUME OF WATER TO BE USED:** \_\_\_\_\_ ac/ft ( \_\_\_\_\_ gallons)

**METHOD OF WATER DIVERSION:**

<input type="checkbox"/> Instream Pump	<input type="checkbox"/> Gate or Gravity Flow
<input type="checkbox"/> Other: _____	

**METHOD OF WATER CONVEYANCE:**

<input type="checkbox"/> Ditch	<input type="checkbox"/> Canal	<input type="checkbox"/> Pipeline	<input type="checkbox"/> Truck
<input type="checkbox"/> Other: _____			

**ATTACH AN 8 1/2" X 11" MAP SHOWING EXACT LOCATION OF IDENTIFIED WATER SOURCE AND SCENARIO/ LOCATION OF WHERE WATER IS TO BE USED.**

**RETURN FLOW OR DISCHARGE**

**AMOUNT OF WATER:** \_\_\_\_\_ **METHOD:**

<input type="checkbox"/> GPM	<input type="checkbox"/> CFS	<input type="checkbox"/> GPD	<input type="checkbox"/> Direct
			<input type="checkbox"/> Indirect
			<input type="checkbox"/> Injection

**IS DISCHARGE TREATED**     YES       NO  
**IS QUALITY AFFECTED**     YES       NO      **IS TEMPERATURE AFFECTED**  YES       NO  
**FEDERAL/UIC PERMIT:** \_\_\_\_\_ **NPDES PERMIT NUMBER:** \_\_\_\_\_

## CONDITIONS

1. Purpose of definition the Technical Construction and Operations Branch (TCOB), Navajo Nation Department of Water Resources (Department) and "Permittee" means entity, company, water user and its successors.
2. Permittee agrees to comply with the terms and conditions of the Water Use Permit and the Navajo Nation Water Code. Permittee understands and agrees that failure to comply with the permit shall result in forfeiture of this permit.
3. This permit may be revoked if:
  - A. Permittee is not in compliance with any conditions set forth in this permit.
  - B. Permittee is in violation of any provision of the Navajo Nation Water Code.
  - C. Insufficient water supplies are present for whatever reason or terms.
  - D. For any other due cause as a result of negative findings from investigation that is performed by both department and permittee.
4. Permit is valid only for the terms specified and shall expire at the end of the term or at the completion of the proposed project or required water usage, whichever comes first. Permittee's rights to obtain water will be limited to the allocated amount. Permittee does not have authority to transfer, convey, or allocate the water subject to this permit to any third party or for any other project not specified herein. It is further agreed between the parties that this permit does not give the Permittee the right to haul water for hire on the Navajo Reservation, or on land subject to the jurisdiction of the Navajo Nation.
5. Permittee agrees to pay for the water used at the applicable water use rate fee. Payment must be made by Permittee within ten working days of receipt of the invoice. The fees for this permit will be adjusted annually over the next five (5) years by multiplying the fee amount that is in effect at the time of an adjustment by the CPI change. The new fee amount shall take effect immediately. CPI change means the amount reported as the "12 months Percent Change" under the column for "Annual" in the Consumer Price Index All Urban Consumers, U.S. City Average, All Items, Base Periods 1982-84=100 (not seasonally adjusted), as published by the Bureau of Labor Statistics of the United States Department of Labor ("BLS") for the calendar year prior to the year in which the CPI Adjustment is being made. If the applicable BLS publication ceases to be compiled or published, then such other available data or index as the Navajo Nation determines would be the most comparable to such index shall be used. An Annual Consumer Price Index adjustment from the Bureau of Labor Statistics will be used for the compounded water use rate and current effective annual interest rate. The annual billing period will be from January through December. Any restructuring of water use fees or water rate increase by the Resources and Development Committee of the Navajo Nation Council will be effective immediately.
6. Permittee agrees to submit meter readings or other evidence showing the quantity of water withdrawn pursuant to this permit to the TCOB office at the end of the term or at the completion of the proposed project or required water usage, whichever comes first. The water use data will be submitted by the Permittee.
7. Any breach of this permit or any failure to pay in full for the water used by due date will be a breach of this permit and the Navajo Nation may terminate this permit upon any breach by giving the Permittee notice of such termination in writing not less than ten (10) days prior to the effective date of termination, provided that if, Permittee remedies any such breach within said ten (10) days period, the permit will remain in effect. Said notice shall state the grounds upon which the termination is being made. It will be a breach of this permit and grounds for termination thereof, if Permittee obtains, or attempts to obtain any other water from any source within the jurisdiction of the Navajo Nation other than the source or sources permitted in this permit.
8. Permittee agrees to obtain a Water Use Permit for each place of withdrawal of water in conjunction with the place of use prior to making use of such source. Authorization granted under this permit is only for the stated use of the indicated water source location. Permittee is responsible for obtaining any applicable permit from the appropriate department/agency that may be required for the proposed work
9. Permittee agrees to hold harmless and indemnify the Navajo Nation against any and all losses, costs, damages, claims, expenses or other liability whatsoever, rising out of, or connected with Permittee's services under this permit including but not limited to, any accident or injury to person or property.

**CONDITIONS**

- 10. All disputes arising from the subject matter of this permit or the performance thereof will be settled in the Navajo Nation Courts and under the laws of the Navajo Nation. Nothing herein shall be construed as a waiver of the sovereign immunity of the Navajo Nation, pursuant to 1 N.T.C. §351 et seq.
- 11. Permittee agrees to maintain the immediate area in a safe and sanitary manner, free of unnecessary debris.
- 12. If permittee hires sub-contractors to haul water covered by Water Use Permit, Permittee must notify the Navajo TCOB office of sub-contractors in writing.
- 13. In case of a Tribal Well, no more than two-thirds of the water in the water tank will be withdrawn. Before further withdrawals are to be made from a water tank, the water level in the tank must be allowed to rise back to the original level.
- 14. It is agreed that the Department of Water Resources reserves the right to limit the quantity of water that can be taken under this permit to the above stated amount or less, to limit or restrict the sources of the Navajo Nation and in the best interests of the Navajo Nation. Such limitation will be imposed at the discretion of the Director, Department of Water Resources.
- 15. Permittee agrees to allow reasonable entry upon their premises by Navajo Nation Employees engaged in the administration of this permit.
- 16. When insufficient water supplies are present for whatever reason or terms, the following priority of uses shall be considered in the order in which they are listed: 1) Domestic and municipal uses 2) Stock watering uses 3) Agriculture uses 4) Instream needs, for fish, wildlife conservation and recreation uses 5) Economic development uses including industrial and power uses.

**Permittee's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

<b>OFFICIAL USE ONLY</b>	
( ) Yes ( ) No _____	Date _____
<b>Technical Reviewer</b>	
<b>Approved/Disapproved:</b> _____	Date _____
<b>Branch Director, TCOB, DWR, DNR</b>	
<b>If Disapproved State Reasons:</b>	