

**ABANDONMENT-RELOCATION -- SUGGESTED REQUEST FORMAT**  
**All-American Canal Project, Coachella Division, Coachella Valley Water District**

**Bureau of Reclamation Contract No. (To be assigned by Reclamation)** \_\_\_\_\_

**NOTE: For guidelines, contact information, and explanations of requirements, please see pages 2 and 3 of this suggested format.**

<p>1. Name and address of Operating District/Requestor.</p> <p>Coachella Valley Water District (CVWD) P.O. Box 1058 Coachella, CA 92236</p> <p>Contact: _____</p> <p>Telephone Number: _____ Extension: _____</p> <p>E-Mail: _____</p>	<p>2. Proponent or Landowner: _____</p> <p>Name and Address of Agent/Contact: _____ _____ _____</p> <p>Agent/Contact Telephone No.: _____</p> <p>Proponent/Landowner SSN or Tax ID: _____</p> <p>DUNS #, if applicable: _____</p> <p>Agent/Contact E-Mail: _____</p>
<p>3. Landowner is one of the following: (check one)</p> <p>a. <input type="checkbox"/> Individual(s)</p> <p>b. <input type="checkbox"/> Corporation/LLC*</p> <p>c. <input type="checkbox"/> Partnership/Association*</p> <p>d. <input type="checkbox"/> State Government/State Agency*</p> <p>e. <input type="checkbox"/> Local Government*</p> <p>f. <input type="checkbox"/> State under whose laws the entity was established _____</p> <p>* If checked, proponent may be required to furnish a resolution by its governing board approving this request.</p>	<p>4. Specify what action is requested. (check all that apply)</p> <p>This request involves:</p> <p>a. <input type="checkbox"/> Abandoning an irrigation lateral or canal.</p> <p>b. <input type="checkbox"/> Abandoning and relocating an irrigation lateral(s) or canal(s).</p> <p>c. <input type="checkbox"/> Amending an existing request.</p> <p>d. <input type="checkbox"/> Abandoning a lateral or canal on a fee simple R/W.</p> <p>e. <input type="checkbox"/> Abandoning a lateral or canal on an on acquired easement.</p> <p>f. <input type="checkbox"/> Abandoning a lateral or canal utilized under an 1890 Act Notice.</p> <p>g. <input type="checkbox"/> Relocating the lateral or canal to an acquired easement.</p> <p>h. <input type="checkbox"/> Relocating the abandoned lateral or canal under the 1890 Act.</p> <p>i. <input type="checkbox"/> Lateral or canal designated as _____.</p>

5. General Location and Legal Description of proposed action. Describe in aliquot parts or metes and bounds (include width and length if applicable); use a separate sheet of paper if additional space is required:

Meridian: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_ APN: \_\_\_\_\_

Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section(s): \_\_\_\_\_ Approximate Acreage: \_\_\_\_\_

6. Describe in detail the proposed action affecting Reclamation's lands and/or facilities: (a) type of system or facility; (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) duration and timing of construction; (e) and temporary work areas needed for construction; (f) size and types of equipment and crews to be used. (If additional space is required, use separate sheet of paper.) This information may also be provided by attaching a Plan of Development (POD) or a Construction Plan.

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7. Attach a topographic map with location marked, including Reclamation land boundaries and location of Public Land Survey System references and boundaries. If proposed action involves construction activities, please provide two (2) complete copies of construction specifications including length and width of right-of-way area, engineering drawings, power flow diagrams, one-line diagrams, construction schedule of proposed commencement and completion dates, and any other plans or specifications of proposed use on Reclamation's lands and/or facilities, approved by the Operating District.

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8. Operating District Request Concurrence:

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Signature for the Operating District

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Title

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Date

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9. Certification of proponent entity other than the Operating District, if applicable: "I certify that the information given is true, complete, and correct to the best of my knowledge and belief. I understand that the United States has no obligation to abandon or relocate any lateral; that I am responsible for all administrative costs incurred by Reclamation for review and preparation of document(s) required; that I will not occupy Reclamation lands or initiate work affecting Reclamation lands or facilities until I receive written authorization from both the Operating District and the United States. In the event Reclamation irrigation or other facilities are damaged, physically removed, or abandoned prior to written approval, this request may be subject to delays, additional costs, and civil and criminal penalties.

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Signature for the Proponent Landowner or Agent

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Title

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Date

## REQUIRED INFORMATION:

- A. No specific request format is required; however, this suggested format is supplied to assist those requesting lateral abandonment and relocation actions.
- B. Please provide detailed information as requested in each numbered section above, as explained below. Wherever additional space is needed, please attach extra sheets as needed.
- C. **Reimbursement of Costs:** Unless waived in writing, Reclamation is required to collect, in advance, adequate funds to cover all administrative review and processing costs it incurs to consider, analyze, and process abandonment and relocation actions pursuant to OMB Circular A-25. Costs can vary significantly based on the individual action, its scope, complexity, and issues. **Do Not Send Money With Your Initial Request!**

If your request is found acceptable for consideration and processing in coordination with the Operating District, a cost estimate will be provided in Reclamation's written acknowledgement of the request. The acknowledgement will include an initial estimate of costs, an explanation of the requirements for remitting funds, and a funding agreement the requestor and Reclamation must both execute.

**(Note: The numbered items below explain the required information needed, and correspond to the numbered items of the Suggested Request Format, above)**

1. Please provide full contact information for the point of contact at the Operating District.
2. If the request is from a third party (e.g. the landowner or a developer), please provide all requested contact information. Pursuant to the requirements of the Debt Collection Improvement Act of 1996 (110 STAT. 1321) and other laws and regulations, requestors must provide their Social Security Number (SSN) or Tax Identification Number (TIN).
3. A third party requestor must disclose legal status, and additional information may be required for non-individual requestors.
4. Provide a complete description of the facilities to be abandoned or relocated. Additional information should be included in the Plan of Development (POD) described in Item No. 6.
5. Include the basic legal land description in Item No. 5. If additional space is needed, or if additional detail is available, please include this on the map products requested.
6. Please include a detailed POD including the purpose of the abandonment or relocation and activities planned. If more information is needed than space available for Item No. 6 on the form above, please use attachments and exhibits as needed to fully describe the request, construction plans, etc. Attach two (2) paper copies of a drawing showing the subject right-of-way location(s), land ownership boundaries, and Township, Range, Section, and subdivision of the Public Land Survey System (PLSS). Processing will be expedited by providing this information electronically in an "ArcGIS Map Package" (contact Reclamation if you are unfamiliar with this format) on CD, flash drive, or via electronic mail. If the request involves construction activities, **you must provide two (2) complete copies of construction specifications, engineering drawings, power flow diagrams, one-line diagrams, plan and profile drawings**, and any other plans or specifications of proposed action, including proof of acceptance by the CVWD.

The complete POD should include:

- a) Cover letter briefly explaining the request along with description of the Reclamation facilities.
- b) Completed request format or relevant information in another format.
- c) Legal description and plat depiction of existing right-of-way to be abandoned by Reclamation, including APN(s).
- d) Legal description and plat depiction of replacement right-of-way to be granted to Reclamation, including APN(s).

e) Actions involving abandonment or acquisition of land interests by the United States of America (US) require land title reports:

- A Preliminary Report of Title or Title Policy Commitment (Report) to confirm that ownership of the land which supports the easement(s) to be abandoned (and, for relocations, which will be acquired by the US and upon which the replacement easement[s] will be located) is vested in a common landowner requesting the action, or if multiple landowners are involved, that all owners are consenting to the action.

- Upon request, the Report involving lands to be abandoned must include copies of all recorded documents (e.g. exceptions-instruments-liens) listed in Schedule B of the Report.

- The Report need only address: (1) land which supports the original easement(s) and (2) land upon which the replacement easement(s) will be located. We do not need the Report to include the entire parcel(s) or assemblage being developed.

- The Report must be current within 60 days.

- Where land interests will be acquired by the US (as in relocations), you must provide a Commitment of Title Insurance (Commitment) covering the interest that will be deeded to the US. The Commitment must indicate that the policy will be issued on an ALTA U.S. Policy form (9/28/91, Revised 12/3/12). The name of the insured must be "United States of America"; and the estate or interest in land being acquired by the US described accurately in the report is "An Easement" or "Fee Simple" as appropriate.

- The Commitment **must** include copies of all recorded documents listed Schedule B of the Commitment. The Commitment need only address the land upon which the replacement easement(s) will be located. If liens or mortgages are in place, acceptable applicable subordinations from lien holders are required.

f) For actions involving lands used under an 1890 Act Notice: A Title Profile to confirm the current owner is generally adequate. If relocation is onto land also subject to the 1890 Act, a preliminary title report is needed to provide adequate information on ownership for proper service of the new 1890 Act Notice; a Commitment is generally not needed in these cases, but may be required after review. **Please coordinate these needs in advance with CVWD or Reclamation.**

g) You must provide a current Phase I Environmental Site Assessment (Phase 1) prepared pursuant to 40 CFR § 312.21 for all land interests involved, both to be abandoned or acquired. The Phase 1 may be limited to the specific land area being abandoned or acquired by the US. We recommend that you coordinate the ordering of the Phase 1 report with us in advance. This will ensure you select a Phase 1 contractor who is an Environmental Professional whose report will be accepted. Also, while we always strive to complete actions in less than 180 days, in some cases title work, landowner negotiations, design, and other steps may take longer. Coordinating the ordering of the Phase 1 report with CVWD and Reclamation will reduce the situations when a second report is needed because the 180-day validity of the Phase 1 expires before the action can be completed. Findings of the Phase 1 may indicate the need for additional investigation.

h) Any lands to be acquired by the US must be documented by an Initial Certificate of Inspection and Possession performed by Reclamation or the CVWD for the lands involved in the abandonment and replacement fee acquisition, easement, or 1890 Act Notice location.

i) For relocations, National Historic Preservation Act Section 106 compliance may be required in some cases and must be coordinated with Reclamation in advance of any field work.

j) Please provide photos of the rights-of-way to be abandoned and the land subject to replacement rights-of-way to be used.

k) **If you have questions on the materials needed to be included in the POD package, please contact the Lower Colorado Regional Office, Lands Group Manager, at 702-293-8130, or by mail at P.O. Box 61470, Boulder City, NV 89006-1470. All items submitted should be reviewed and accepted by the Operating District prior to submitting.**

7. In addition to plat maps and design drawings **it is recommended that requestors provide a topographic map showing**

**the abandonment and relocation aspects of the project.** This information should be accurately depicted on a current U.S. Geological Survey 7.5 Minute topographic quadrangle. This can be manually drawn on a paper USGS 7.5 Minute map, or using GIS with a USGS 7.5 Minute base layer. Reclamation's historical and other records are generally keyed to USGS 7.5 Minute maps. Providing this information early will speed processing. If only a portion of the USGS 7.5 Minute topographic quadrangle is shown, make sure the portion used is marked with the USGS map name, version date, and the proper Township, Range, and Section(s) are identified.

8. Reclamation will not proceed with consideration of an abandonment or relocation of the Federal irrigation project facility without the concurrence of the CVWD which is the Operating District.
9. The signature of the requesting third party must be the individual landowner or proponent, or an officer or agent of a requesting business or municipal entity. Reclamation may require documentation of the authority of the signer to obligate the entity.