



# Land Classification / Designation Application

OMB # 1076-0141  
Expires 3/31/2026  
BIA-DWP-Irr-105  
Rev. 01/2020

## A. Applicant Information

**Requester's Name:**

**Select One:**                      **Landowner**                      **Bureau Official**                      **Water User Association Official**

### Applicable Definitions and Regulations:

**Presently Assessable (PA) Definition:** PA lands are categorized as those to which water can be delivered in their present state and by virtue of their physiographic and topographic conditions, and to which water from an existing project can generally be delivered, upon request, within a reasonable amount of time. PA lands are capable of economically producing crops under sustained irrigation. The failure of the landowner to provide internal ditches, perform minor leveling, or remove vegetation are not considered factors that prevent the PA designation of lands.

**Temporarily Non-Assessable (TNA) Definition/Regulation: USC Title 25 Chapter 11 § 389a.** TNA lands are lands that are temporarily not suitable for production of crops by the application of water, through no fault of the landowner or water user. "Where the Secretary finds that any such lands cannot be cultivated profitably due a present lack of water supply, proper drainage facilities, or need of additional construction work, he shall declare such lands temporarily non-irrigable for periods not to exceed five years and no charges shall be assessed against such lands during such periods."

**Permanently Non-Assessable (PNA) Definition/Regulation: USC Title 25 Chapter 11 § 389b.** PNA lands are designated as permanently non-irrigable lands and eliminated from the irrigation project area. "Where the Secretary finds that any such lands are permanently non-irrigable he may, with the consent of the landowner, eliminate such lands from the project." It is BIA policy that changed land use is not sufficient reason to re-designate land to PNA. Any permanent changes to the land status will change the land from irrigated to dryland status and may reduce the value of the property, diminish the resale value of the land, and potentially impact water rights.

**Requested Designation (Select One):**                      **New**                      **Change**

**Legal Description and Unit Serial No.:**

**Current Designation:**                      PA Acres:                      TNA Acres:                      PNA Acres:

**Proposed Designation:**                      PA Acres:                      TNA Acres:                      PNA Acres:

Describe conditions justifying proposed designation, include Annual Assessment Waiver or Incentive Agreement information, and deficiencies of project infrastructure (include asset ID No.). Attach additional pages if necessary:

**Signature:**

**Date of Request:**

**\*Landowner:** By signing this form I consent to PNA designation. If unit serial contains multiple landowners, I understand their consent must be obtained prior to final approval of PNA designation.

## **B. Project Manager / Engineer: Review and Determination Section**

Unit/Serial:                              Approve                      Disapprove                      Years approved for TNA (max. of 5):

**Signature:**

**Date:**

Narrative Explanation:

Irrigation Project Processing: Attach support documentation including journal voucher, landowner notification, and NIIMS print screens upon final approval.

## **B-1. PNA Designation – Land Designation Committee Section**

**Chairman Recommendation:**                              Approve                              Disapprove

**Signature:**

**Date:**

\*Attach land designation committee report.

## **C. Concurrences and Approval Section**

**Agency Superintendent:**                              Concur                              Non Concur

**Signature:**

**Date:**

**Regional Irrigation Engineer:**                              Concur                              Non Concur

**Signature:**

**Date:**

**Regional Director -- PA and TNA Designation:** Approve                              Disapprove

**Signature:**

**Date:**

## **C-1. PNA Designation – PNA Designation Section**

**Regional Director:**                              Concur                              Non Concur

**Signature:**

**Date:**

**Director, Bureau of Indian Affairs:**                              Concur                              Non Concur

**Signature:**

**Date:**

**Assistant Secretary – Indian Affairs:**                              Approve                              Disapprove

**Signature:**

**Date:**

## INSTRUCTIONS

### Section A. Applicant:

- 1) When the applicant (requestor) is a landowner, requestor is responsible for demonstrating title or interest to the property. If BIA or other official is requestor, provision of notification (or attempted notification) to the landowner must be demonstrated. Consent of the landowner is required for proposed PNA re-designation.
- 2) Provide source documents that support proposed re-designation. Examples of source documents include soil surveys, rights-of-way documents, maps, and field notes.
- 3) Submit completed form and supporting documents to the Irrigation Project.

### SUMMARY - Table of Determination, Recommendation, Concurrence, and Approval

From	To	Determination, Recommending Official(s)	Concurrence	Approving Official
New Land	PA	Project Manager/ Engineer	1. Agency Superintendent 2. Regional Irrigation Engineer	Regional Director
PA	TNA	Project Manager/ Engineer	1. Agency Superintendent 2. Regional Irrigation Engineer	Regional Director
TNA or PNA	PA	Project Manager/ Engineer	1. Agency Superintendent 2. Regional Irrigation Engineer	Regional Director
PA or TNA	PNA	1. Project Manager/Engineer 2. Land Designation Committee/Chair	1. Land Owner 2. Agency Superintendent 3. Regional Irrigation Engineer 4. Regional Director 5. Director, BIA	AS-IA

**Refer to National Irrigation Handbook, Chapter 10, Land Designation and Assessment; and Indian Affairs Manual Part 50, Chapter 1, Irrigation for additional guidance.**

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**Privacy Act Statement** - The authority for requesting this information is contained in 25 U.S.C. Chapter 11, Irrigation of Allotted Lands; 31 U.S.C. 3711, Collection and Compromise; and 25 CFR Part 171 Irrigation Operations and Maintenance. The principal purpose for collecting this and other information is for billing and collecting O&M related costs upon assessable land designation, and may also include proper payment application and debt management actions. Lands so designated receive all the benefits of the project, and landowners are subject to all the responsibilities for project inclusion including repayment of O&M assessments and construction debt. The routine use of this information is to obtain minimum information for servicing the account if you own or lease land within an irrigation project where we assess fees and collect monies to administer, operate, maintain, and rehabilitate project facilities (25 CFR Section 171.105). Disclosure of information may be to: U.S. Department of Justice or in a proceeding before a court or adjudicative body; Federal, state, local, or foreign law enforcement agency; Members of Congress; Department of Treasury to effect payment; Federal agency for collecting a debt; and other Federal agencies to detect and eliminate fraud. The information may also be used for filing tax documents with the Internal Revenue Service (IRS) as required by law pursuant to the routine uses identified in the National Irrigation Information Management System (NIIMS), Interior, BIA-34. Providing the information is voluntary; however, not doing so will prevent you from participating in an Assessment Waiver, and Incentive Agreement, a Land Classification/Designation, and/or a Payment Plan as well as making payment through Pay.gov and NIIMS. If payment is not received, we will not deliver water; your debt will be referred to Treasury for collection actions; and your lease, if any, may be cancelled.