

May 2005

## FACT SHEET 1

### RRA FORMS

### WHO, WHERE, WHEN AND WHAT

#### Reclamation Reform Act of 1982 (RRA)

This Fact Sheet explains who must submit RRA forms, where RRA forms must be submitted, and when RRA forms must be submitted. This Fact Sheet also provides a list of the various RRA forms.

#### WHO MUST SUBMIT RRA FORMS

Except as otherwise noted in this Fact Sheet, all landholders (direct or indirect landowners or lessees), who hold (directly or indirectly own or lease) nonexempt land (irrigable or irrigation land that is subject to the acreage limitation provisions) within Bureau of Reclamation (Reclamation) projects **must annually** submit an RRA form as a **condition for the receipt** of irrigation water from a Reclamation facility. This requirement applies to individuals, married couples and their dependents, legal entities (partnerships, corporations, trusts, estates, joint tenancies, tenancies-in-common, etc.), religious or charitable organizations, and public entities. Owned land must be declared on RRA forms as title is held. If land is subleased, the **sublessee, not the lessee**, must annually submit an RRA form; however, if the lessee should otherwise have to submit an RRA form, information on the sublease must be provided on that form.

**L** If an RRA form is not submitted, you or the entity in which you have an interest **will not be eligible** to receive Reclamation irrigation water, even if other existing requirements are met. Delivery of Reclamation irrigation water to land without an RRA form on file is a **violation** of the RRA and the Acreage Limitation Rules and Regulations (43 CFR part 426).

Landholders are ultimately responsible for the information provided on RRA forms, even if another party (a district employee, attorney, accountant, relative, etc.) should complete the RRA form for a landholder. All landholders **must** sign their own RRA forms. If you need information on the signature requirements, see **Fact Sheet 10**.

**CERTIFICATION** forms (blue text) are for those landholders subject to the discretionary provisions of the RRA, while **REPORTING** forms (brown text) are for those landholders subject to the prior law provisions. If you are not sure which of these provisions apply to you, contact your district or see **Fact Sheet 2**, How to Determine Your Status Under Reclamation Law. **DECLARATION** forms (green text) are to be used by trusts and public entities, regardless of whether their landholdings are located in a prior law or discretionary provisions district.

The form(s) you submit must be an **approved** Reclamation form(s) that has not expired. Other forms used by your district; the Farm Service Agency; or other Federal, State, or local governments and organizations **cannot** be used in place of Reclamation's official forms. The only exception is for substitute RRA forms which have been approved by Reclamation and display an RRA substitute form approval number.

#### EXCEPTIONS TO THE RRA FORMS REQUIREMENTS

Exceptions to the RRA forms requirements are based on both the landholder's acreage limitation status and each district's RRA forms submittal category. Since a district's RRA forms submittal category is subject to change on an annual basis, qualified recipients should **annually** contact all districts in which they hold land to determine the RRA forms submittal category of each district.

1. Any landholder whose total westwide (the 17 Western States where Reclamation has projects) landholding is less than the RRA forms submittal threshold shown below is exempt from the requirement to submit RRA forms. When determining the total westwide landholding, all nonexempt land that is owned or leased (both directly and indirectly through entities) must be counted. Landholders **may not** use Class 1 equivalency factors in calculating their total landholdings for purposes of determining if they must submit RRA forms.

**L** Indirect landholders need not count involuntarily acquired acreage designated as excess by the direct landowner when determining whether any RRA forms must be submitted.

RRA FORMS SUBMITTAL THRESHOLDS		
Landholder Status	District Forms Submittal Category 1	District Forms Submittal Category 2
Qualified Recipient	240 acres	80 acres
Limited Recipient	40 acres	40 acres
Prior Law Recipient	40 acres	40 acres
Public Entities	40 acres	40 acres
Trusts and Estates	See the instructions for the "Declaration of Trust's or Estate's Landholdings" (Form 7-21TRUST) or <b>Fact Sheet 12</b>	

Multi-district landholders who hold land in more than one district **MUST** submit forms based on their westwide landholdings and the forms submittal threshold for each district in which the land is located. For example, Landholder A is a qualified recipient who directly holds 120 acres in District Y and 65 acres in District Z. For the 1997 water year, District Y has a Category 1 RRA forms submittal status, while District Z has a Category 2 RRA forms submittal status. Since Landholder A holds 185 acres westwide, she is not required to submit an RRA form to District Y for 1997, but she must submit an RRA form to District Z. If in 1998, both districts have Category 1 status, Landholder A would not have to submit RRA forms to either district; however, if both districts had Category 2 status in 1998, she would have to submit RRA forms to both districts.

2. Land in districts **exempted** from the acreage limitation provisions by statute (such as Corps of Engineers projects that meet certain criteria) or by actions taken by the Secretary of the Interior need not be declared on RRA forms, unless such land receives Reclamation irrigation water from another district that is subject to the acreage limitation provisions.

3. Land held in districts that have **only** Small Reclamation Projects Act, Rehabilitation and Betterment Loan, Reclamation States Emergency Drought Relief Act of 1991, or Water Conservation and Utilization Act contracts need not be declared on RRA forms.

4. Indian trust or restricted lands need not be declared on RRA forms.

5. A wholly owned subsidiary is exempt from submitting RRA forms **provided** its ultimate parent legal entity has properly submitted such forms and those forms disclose the landholdings of each of its subsidiaries.

**WHERE TO SUBMIT RRA FORMS**

You must submit RRA forms to **each** district in which you directly or indirectly own or lease nonexempt land. If you contract directly with Reclamation, submit your RRA forms to the appropriate Reclamation office.

If you have been submitting **REPORTING** forms (brown text), but then you become subject to the discretionary provisions through an action taken by a district (the district amends its contract or enters into a new contract), you must submit the proper **CERTIFICATION** forms (blue text) to **every** district in which you own or lease nonexempt land.

**L** Nonresident aliens and foreign entities who hold land in a district that is subject to the discretionary provisions must submit **REPORTING** forms (brown text), unless they have made an irrevocable election to conform to the discretionary provisions which has been approved by Reclamation. This assumes the nonresident alien or foreign entity holds the land indirectly in a discretionary provisions district, since land held directly by nonresident aliens and foreign entities in discretionary provisions districts is ineligible to receive Reclamation irrigation water.

If you make an **IRREVOCABLE ELECTION** to become subject to the discretionary provisions, you **must** submit originals of your irrevocable election and the proper **CERTIFICATION** forms to your district. If you hold land in more than one district, the original irrevocable election and certification forms must be submitted in one district and copies of both your irrevocable election and certification forms **must** be submitted concurrently to **every other** district in which you own or lease nonexempt land.

### **WHEN TO SUBMIT RRA FORMS**

RRA forms must be submitted **annually**. All appropriate RRA form(s) for your landholding for the water year in question **must be on file** at your district(s) **before** you or the entity in which you have an interest receives Reclamation irrigation water for that water year. Each district may establish a due date for the RRA forms. Contact your district(s) to determine if such a date has been established. Any time you have a landholding change, new RRA forms must be submitted to your district within **60 calendar days**. For information on landholding changes, see **Fact Sheet 11**.

**L** The landholding change provisions only apply to landholders who have already submitted an RRA form to the district for the water year in question. New landholders must have RRA forms on file prior to receiving Reclamation irrigation water on their land. This even applies to a landholder who has RRA forms on file in other districts and becomes a landholder in yet another district; that landholder must have an RRA form on file in the new district before he/she/it receives Reclamation irrigation water on land in that district, although the landholder will have 60 calendar days to submit new RRA forms in the other districts.

**L** Landholders whose westwide landholdings exceed the applicable RRA forms submittal threshold and who meet the following criteria do not have to submit RRA forms annually as long as all of the criteria are met: The landholder (a) **holds land only indirectly** through entities, trusts, or estates, (b) **has submitted an RRA form** in a previous water year, and (c) the acres attributed to the landholder and the percentage of the entity, trust, or estate attributed to the landholder have **not changed** since the RRA form was submitted and all other information on the previously submitted RRA form has **not changed**.

### **WHAT ARE THE RRA FORMS**

The following tables include RRA forms that have been designed and distributed by Reclamation and approved for use by the Office of Management and Budget. If you are not sure of which RRA forms to submit, see **Fact Sheet 5** for Qualified Recipients, **Fact Sheet 7** for Limited Recipients, and **Fact Sheet 9** for Prior Law Recipients.

Information submitted by landholders on RRA forms is covered by the Privacy Act of 1995. Districts will maintain and dispose of the RRA forms according to the requirements of the Privacy Act of 1995.

**STANDARD RRA LANDHOLDER FORMS**

A standard RRA form is a form in which a total landholding can be identified.

<b>RRA Form Number</b>	<b>Title of Form</b>	<b>Text Color</b>
Form 7-2180	Certification of Individual's Landholdings	Blue
Form 7-2180EZ	"EZ" Certification of Individual's Landholdings	Blue
Form 7-2181	Certification of Entity's Landholdings	Blue
Form 7-2184	Certification of Religious or Charitable Organization's Landholdings	Blue
Form 7-2190	Report of Individual's Landholdings	Brown
Form 7-2190EZ	"EZ" Report of Individual's Landholdings	Brown
Form 7-2191	Report of Entity's Landholdings	Brown
Form 7-2194	Report of Religious or Charitable Organization's Landholdings	Brown
Form 7-21PE	Declaration of Public Entity's Landholdings	Green
Form 7-21TRUST	Declaration of Trust's or Estate's Landholdings	Green

**OTHER RRA LANDHOLDER FORMS**

Other RRA forms are supplemental to standard RRA forms. These forms do not provide a complete picture of a landholding.

<b>RRA Form Number</b>	<b>Title of Form</b>	<b>Color of Text</b>
Form 7-21VERIFY	Verification of Landholdings	Red
Form 7-21FC	Selection of Full-Cost Land	Red
Form 7-21XS	Designation of Excess Land	Red
Form 7-21CONT-I	Continuation Sheet for Indirectly Held Landholdings	Black
Form 7-21CONT-L	Continuation Sheet for Directly Leased Landholdings	Black
Form 7-21CONT-O	Continuation Sheet for Directly Owned Landholdings	Black

**DISTRICT SUMMARY FORMS**

District summary forms are annually completed by the district and submitted to Reclamation by the district. Districts use information provided on RRA forms submitted by landholders to complete the district summary forms.

Copies of the RRA forms may be obtained from your district or the appropriate Reclamation office.

Also visit [www.usbr.gov/rra](http://www.usbr.gov/rra) for more information.

Mission of the Bureau of Reclamation: To manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

The Department of the Interior has established a 24-hour toll-free telephone number (1-800-424-5081) for anyone wishing to report suspected violations of the Reclamation Reform Act of 1982 (RRA). Anyone reporting suspected violations will be protected under Federal privacy laws.

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