

SUMMARY OF DIFFERENCES BETWEEN THE DISCRETIONARY PROVISIONS AND PRIOR LAW

DISCRETIONARY PROVISIONS

PRIOR LAW

OWNERSHIP ENTITLEMENT ^{1/}				OWNERSHIP ENTITLEMENT ^{1/}			
QUALIFIED RECIPIENT (individuals, families, entities which benefit 25 natural persons or less)		960 acres		PRIOR LAW RECIPIENT (individuals and corporations)		160 acres (320 for married couple)	
LIMITED RECIPIENT (entities which benefit more than 25 natural persons)		640 acres		TENANTS IN COMMON, JOINT TENANCIES		160 acres per tenant (provided each tenant holds an equal interest)	
NONRESIDENT ALIEN		960 acres (can only hold eligible land through legal entities).		NONRESIDENT ALIEN		160 acres	
ENTITLEMENT APPLICATION		Westwide		PARTNERSHIPS (if interests are equal, separable, and alienable)		160 acres per partner	
				ENTITLEMENT APPLICATION		For land acquired before 12/6/79, district-by-district application. For land acquired on or after 12/6/79, westwide application.	
LAND SUBJECT TO FULL-COST PRICING				LAND SUBJECT TO FULL-COST PRICING			
QUALIFIED RECIPIENT (qualified recipients and limited recipients receiving water before 10/1/81 pay the same rate.)		Water delivered to a combination of eligible owned and leased land above 960 acres		PRIOR LAW RECIPIENT (all prior law recipients pay the same rate as limited recipients that did not receive water before 10/1/81)		A prior law recipient's nonfull-cost entitlement is the same as the basic ownership entitlement	
LIMITED RECIPIENT (received Reclamation irrigation water on or before 10/1/81)		Water delivered to owned and/or leased land above 320 acres		ENTITLEMENT APPLICATION		Westwide	
LIMITED RECIPIENT (did not receive Reclamation irrigation water prior to 10/1/81) (pay higher full-cost rate)		Water delivered to all owned and leased land					
ENTITLEMENT APPLICATION		Westwide					
FORM REQUIREMENTS							
CATEGORY 1 DISTRICT ^{2/}		CATEGORY 2 DISTRICT ^{3/}		PRIOR LAW DISTRICT (CATEGORY 2)		INDIVIDUAL CONTRACTORS/LICENSEES	
QUALIFIED RECIPIENT	240 acres	QUALIFIED RECIPIENT	80 acres	QUALIFIED RECIPIENT	80 acres	PRIOR LAW RECIPIENT	40 acres
LIMITED RECIPIENT	40 acres	LIMITED RECIPIENT	40 acres	LIMITED RECIPIENT	40 acres	LIMITED RECIPIENT	40 acres
PRIOR LAW RECIPIENT	40 acres	PRIOR LAW RECIPIENT	40 acres	PRIOR LAW RECIPIENT	40 acres	QUALIFIED RECIPIENT, CONFORMED TO DISCRETIONARY PROVISIONS BY CONTRACT (includes all contracts entered into after 10/12/82) OR A DISCRETIONARY PROVISIONS CLAUSE IN LICENSE AND WHO MEETS FINANCIAL CRITERIA	240 acres
PUBLIC ENTITIES	40 acres	PUBLIC ENTITIES	40 acres	PUBLIC ENTITIES	40 acres	QUALIFIED RECIPIENT, CONFORMED TO DISCRETIONARY PROVISIONS BUT NOT BY CONTRACT PROVISION OR CLAUSE IN LICENSE OR DOES NOT MEET THE FINANCIAL CRITERIA	80 acres
TRUSTS	Land held in trust is ultimately attributed to 25 or fewer natural persons = 240 acres Land held in trust is ultimately attributed to more than 25 natural persons = 40 acres	TRUSTS	Land held in trust is ultimately attributed to 25 or fewer natural persons = 80 acres Land held in trust is ultimately attributed to more than 25 natural persons = 40 acres	TRUSTS	If all landholders to whom the land held in trust is attributable are subject to discretionary provisions = 80 acres If any landholder to whom the land held in trust is attributable is not subject to discretionary provisions = 40 acres		

^{1/}An entity's ability to realize its full entitlement is dependent on the status and entitlement of its part owners

^{2/}Discretionary provision districts who meet the financial criteria

^{3/}Discretionary provision districts who DO NOT meet the financial criteria