



United States Department of the Interior



BUREAU OF RECLAMATION
PO Box 25007
Denver, Colorado 80225-0007

IN REPLY REFER TO:
84-53000
LND-9.00

APR 29 2008

Dear Ladies and Gentlemen:

In an effort to improve the available information regarding retention of Reclamation Reform Act of 1982 (RRA) documents, enclosed is a list that provides districts with additional guidance when making retention decisions pertaining to RRA records. The enclosed list (Enclosure 1) supplements the district mailing on RRA forms retention¹ that is dated October 10, 1997. Provided on the list are:

- Categorizations of whether the documents are permanent or temporary records, and
- Recommendations regarding how long the documents should be retained, particularly for those documents categorized as temporary records.

Some of the listed documents are not required to be collected by districts (for example, copies of trust documents). However, such documents may have been placed in the landholder files through the performance of acreage limitation administration activities (for example, obtaining a copy of a trust document at the Bureau of Reclamation's request or pursuant to district policy). The enclosed list provides retention information for documents typically found in landholder RRA files, and for atypical documents that may happen to be in the landholder RRA files.

Generally speaking, documents on the list that are categorized as a "permanent" record are to be kept for as long as the landholder(s) to which they apply are subject to the acreage limitation provisions. In other words, the term "permanent" as used for the purposes of the enclosed list does not have the typical connotation of "indefinitely." Instances where "permanent" records can be discarded or replaced while the landholder(s) to which they apply is still subject to the acreage limitation provisions have been specified in the "Notes" column.

If there is any question whether or not a document should be retained, the document should be retained and questions should be referred to the applicable Reclamation office. This letter should be placed in your district's copy of the "Reclamation Reform Act of 1982 Reference Sources" notebook that was transmitted by a cover letter dated May 1, 2006. This letter should be placed behind the third tab ("Westwide District Mailings") in chronological order. Also enclosed (Enclosure 2) is an updated page 3 of the "List of the Westwide District Mailings" that replaces the current page 3 behind the second tab of the same title.

Sincerely,

Richard W. Rizzi
Manager, Land Resources Office

Enclosures - 2

cc: PN-3329, MP-440 (Bishop), UC-444, GP-3100 (Click)
(w/encl to each)

¹ Subject: "Guidelines for Retention of Reclamation Reform Act of 1982 Certification and Reporting Forms"

ENCLOSURE 1

**“Documents That May be Found
In the
Landholder’s RRA File”**

DOCUMENTS THAT MAY BE FOUND IN THE LANDHOLDER'S RRA FILE

DOCUMENT	RETENTION ¹	NOTES PERTAINING TO RETENTION (if applicable)
RRA standard certification/reporting forms:		
Form 7-2180, Certification of Individual's Landholdings (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
7-2180EZ, "EZ" Certification of Individual's Landholdings (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2181, Certification of Entity's Landholdings (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2184, Certification of Religious or Charitable Organization's Landholdings (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2190, Report of Individual's Landholdings (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2190EZ, "EZ" Report of Entity's Landholdings (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
7-2191, Report of Entity's Landholdings (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
7-2194, Report of Religious or Charitable Organization's Landholdings (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-21PE, Declaration of Public Entity's Landholdings	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-21TRUST, Declaration of Trust's or Estate's Landholdings	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-21FARMOP, Declaration of Farm Operator Information	Temporary	6 years

DOCUMENT	RETENTION^d	NOTES PERTAINING TO RETENTION (if applicable)
Nonstandard RRA forms:		
Form 7-21VERIFY, Verification of Landholdings	Temporary	Minimum of 6 years; but, must be retained until superseded by a new standard form submitted to the district
Form 7-21XS, Designation of Excess Land	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ⁱⁱ is submitted to the district; or, until superseded by a new Form 7-21XS that is submitted as part of a Reclamation approved excess land redesignation ⁱⁱⁱ
Form 7-21XSINAQ, Attachment Sheet for Form 7-21XS (Identification of Involuntarily Acquired Land)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form is submitted to the district; or, until superseded by a new Form 7-21XS that is submitted as part of a Reclamation approved excess land redesignation ⁱⁱⁱ
Form 7-21FC, Selection of Full-Cost Land	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ^{iv} is submitted to the district; or, until superseded by a new Form 7-21FC that is submitted as part of a Reclamation approved excess land redesignation
Form 7-21CONT-I, Continuation Sheet for Indirectly Held Landholdings	Temporary	Retain as long as the standard form it accompanies is retained
Form 7-21CONT-L, Continuation Sheet for Directly Leased Landholdings	Temporary	Retain as long as the standard form it accompanies is retained
Form 7-21CONT-O, Continuation Sheet for Directly Owned Landholdings	Temporary	Retain as long as the standard form it accompanies is retained
Form 7-21PE-IND, Attachment Sheet for Form 7-21PE (Identification of Indirectly Held Land)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Limited Recipient Identification Sheet (Form 7-2536)	Permanent	Discard after entity no longer exists
Trust Information Sheet (Form 7-2537)	Permanent	Discard after trust no longer exists.
Religious or Charitable Organization Identification Sheet (Form 7-2578)	Permanent	Discard when organization no longer exists
Public Entity Information Sheet (Form 7-2565)	Permanent	Discard after public entity no longer exists.

DOCUMENT	RETENTION ⁱ	NOTES PERTAINING TO RETENTION (if applicable)
Previous versions of RRA forms that may still be on file:		
Form 7-2183, Governmental Agency's Certificate of Landholdings	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2185, Leasing Change Form	Temporary	6 years from date submitted to district
Form 7-2187, Verification of Landholdings (Certification)	Temporary	Minimum of 6 years; but, must be retained until superseded by a new standard form submitted to the district
Form 7-2188, Application for Designation of Nonexcess Land (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ⁱⁱ is submitted to the district; or, until superseded by a new Form 7-21XS that is submitted as part of a Reclamation approved excess land redesignation ⁱⁱⁱ
Form 7-2189, Application for Selection of Nonfull-Cost Land (Discretionary Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ^{iv} is submitted to the district; or, until superseded by a new Form 7-21FC that is submitted as part of a Reclamation approved excess land redesignation
Form 7-2193, Governmental Agency's Report of Landholdings	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until superseded by a new standard form submitted to the district
Form 7-2195, Leasing Change Form	Temporary	6 years from date submitted to district
Form 7-2197, Verification of Landholdings (Reporting)	Temporary	Minimum of 6 years; but, must be retained until superseded by a new standard form submitted to the district
Form 7-2198, Application for Designation of Nonexcess Land (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ⁱⁱ is submitted to the district; or, until superseded by a new Form 7-21XS that is submitted as part of a Reclamation approved excess land redesignation ⁱⁱⁱ

DOCUMENT	RETENTION ¹	NOTES PERTAINING TO RETENTION (if applicable)
Form 7-2199, Application for Selection of Nonfull-Cost Land (Prior Law Provisions)	Temporary	Minimum of 6 years; but, if being verified by a Form 7-21VERIFY, until a new standard form ^{iv} is submitted to the district; or, until superseded by a new Form 7-21FC that is submitted as part of a Reclamation approved excess land redesignation
Authorizations, Oaths, Letters, Etc.		
Entity Signature Authorization for Certification and Reporting Forms	Permanent	Unless revoked or superseded by a new authorization
Spousal Signature Authorization for Certification and Reporting Forms	Permanent	Unless revoked or superseded by a divorce or remarriage
Parental Oath Affirmation Regarding Nondependent Status of a Minor	Temporary	Discard 6 years after the last RRA form has been filed as a minor
Power of Attorney	Permanent	Unless superseded or revoked
Letters concerning RRA forms submittal threshold category for individual contractors	Temporary	Discard 6 years after the last RRA form has been filed by the individual contractor
Affidavits used in demonstrating compliance with requirements of the RRA and regulations; and alternative to affidavits "Declarations."	Permanent	
Irrevocable Elections:		
Irrevocable Election Exercised Under Reclamation Reform Act of 1982	Permanent ^v	
Irrevocable Election Form to be Used Only by Religious or Charitable Organizations	Permanent	
Approval/disapproval of irrevocable election (notification from Reclamation)	Permanent	
Nonresident aliens and foreign entities who have made irrevocable elections:		
Copy of the page from the nonresident alien's passport that includes the name, picture, signature, etc.	Permanent	If nonresident alien becomes a resident alien, then retain for 6 years
Copy of the nonresident alien's birth certificate	Permanent	If nonresident alien becomes a resident alien, then retain for 6 years
Copy of articles of incorporation or other document creating the entity, with the country of establishment clearly identified in the document. Must include proof that the document has been submitted to the applicable governing unit in the country indicated, or a notarized statement concerning the authenticity of the document.	Permanent	

DOCUMENT	RETENTION ¹	NOTES PERTAINING TO RETENTION (if applicable)
Letter from the embassy of the country in question attesting that the foreign entity is established in that country	Permanent	
Irrevocable Election Form to be Used Only by Nonresident Aliens and Entities Not Established Under State or Federal Law (Foreign Entities)	Permanent	
Excess Land, Deed Covenants, and Recordable Contracts:		
Copy of deed covenant	Permanent	
Release of deed covenant	Permanent	
Reformation Agreement for Excess Land Sale	Permanent	
Copy of recordable contract	Permanent	
Contract pertaining to sale of excess land	Permanent	
Contract pertaining to sale of excess land (at fair market value)	Permanent	
Letter addressing excess land redesignation request (approval/disapproval)	Permanent	
Deeds (e.g., Deeds of Trust, Warranty Deeds, Quit Claim Deeds)	Permanent	
R2-515a – Legal Description of Total Land Ownership in the District and Nonexcess Land Descriptions	Temporary	Destroy when landholdings change
Leases		
Letters from Reclamation regarding approval/disapproval of leases (including lease renewals/extensions) and farm operating agreements	Temporary	Discard 6 years after the last RRA form has been filed by the parties to the lease or the farm operator.
Copies of leases, lease renewals/extensions, and farm operating agreements	Temporary	Recommend discarding 6 years after the last RRA form has been filed by the parties to the lease or the farm operator; however, may be discarded as soon as Reclamation's approval/disapproval letter has been received.
Trusts:		
Letters from Reclamation regarding approval/disapproval of trusts	Permanent	Reclamation's trust approval or disapproval remains valid even while a trust's landholdings are below the threshold requiring the submittal of RRA forms.

DOCUMENT	RETENTION ¹	NOTES PERTAINING TO RETENTION (if applicable)
Copies of trusts	Temporary	Recommend discarding 6 years after the last RRA form has been filed by the trust; however, may be discarded as soon as Reclamation's approval/disapproval letter has been received.
Trust Information Sheet (Form 7-2537)	Permanent	Discard after trust no longer exists.
Religious or charitable organizations:		
Notification that organization meets the requirements of section 501(c) of the IRC and section 219 of the RRA	Permanent	Unless organization's tax exemption changes
Notification that organization meets the requirements of section 501 of the IRC, but not the requirements of section 219 of the RRA	Permanent	Unless organization's tax exemption changes or the organization's status as not meeting the three RRA criteria changes
Notification that organization is not listed in Publication 78 or 6023 and has not been previously approved by Reclamation as a religious or charitable organization	Permanent	Unless organization's tax exemption changes and the organization meets the three RRA criteria
Notification that organization is conditionally approved as a religious or charitable organization pending final determination made by the IRS	Temporary	Retain for at least 6 years. Discard after final determination is made.
Religious or Charitable Organization Identification Sheet (Form 7-2578)	Permanent	Discard when organization no longer exists
Public entities		
Public Entity Information Sheet (Form 7-2565)	Permanent	Discard after public entity no longer exists.
Notes regarding no certification/reporting forms:		
Landholder or farm operator did not receive water in a particular water year	Temporary	6 years from date the note is placed in the landholder's or farm operator's file
Landholder or farm operator was under the RRA forms submittal threshold for a particular water year	Temporary	6 years from date the note is placed in the landholder's or farm operator's file.
Land in receivership:		
Copy of legal documents appointing receiver	Permanent	
Copy of legal documents directing receiver to execute documentation to receive water	Permanent	
Copies of:		
Joint venture agreements	Permanent	Until superseded or entity is dissolved
Partnership agreements	Permanent	Until superseded or entity is dissolved

DOCUMENT	RETENTION ⁱ	NOTES PERTAINING TO RETENTION (if applicable)
Tenancy-in-common	Permanent	Until superseded or entity is dissolved
Joint tenancy	Permanent	Until superseded or entity is dissolved
Articles of incorporation	Permanent	Until superseded or entity is dissolved
Isolated Tract Approval Worksheet and letter granting or rejecting isolated tract requests	Permanent	
Ineligible Land Determination	Temporary	Minimum of 6 years from date of determination, then until the landholder regains eligibility
Letters relating to payout by individuals	Permanent	
Entitlement determination (unusual cases)	Permanent	
Compliance Review Sheet	Temporary	6 years from date of issuance

ⁱ In all cases, the original document is preferred for retention. However, if the only document available for retention is a photocopy of the original due to the presence of westwide landholdings, then the photocopy will suffice for retention purposes. Note: The name of the district where the original form is located should be identified on the forms (e.g., the district name is circled in the landholding summary section of a standard RRA form). Temporary items may be required to be kept longer upon Reclamation's request.

ⁱⁱ The new standard RRA form submittal may not include a new Form 7-21XS if the landholder no longer owns excess land.

ⁱⁱⁱ Reclamation approval of excess land redesignations is required in all but a few very specific circumstances.

^{iv} The new standard RRA form submittal may not include a new Form 7-21FC if the landholder no longer holds full-cost land.

^v "Permanent" as used in this list refers to keeping the record in question until the landholder is no longer subject to the acreage limitation provisions.