

**CENTRAL ARIZONA WATER CONSERVATION DISTRICT
CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT
P.O. BOX 43020, PHOENIX, ARIZONA 85080-3020
23636 N. 7th STREET, PHOENIX, ARIZONA 85024**

**APPLICATION TO ENROLL MEMBER LAND IN THE
CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT
(REVISED JANUARY 4, 2017)**

**PART I
DEFINITIONS**

For purposes of this application, the following terms are defined as follows:

1. "Activation Fee" shall mean the fee established by CAWCD for the purpose of raising funds to pay a portion of the costs associated with acquisition and development of water supplies and infrastructure necessary for CAWCD to perform its obligations under Arizona Revised Statutes (ARS), Title 48, Chapter 22, Article 4. The Activation Fee is equal to the per-unit fee established by the CAWCD Board of Directors multiplied by the total number of housing units to be constructed on the Property. The Activation Fee must be paid to CAGRDR after the Department of Water Resources has issued a Certificate for the Property, but prior to submitting an application to the Arizona Department of Real Estate for a Public Report for the Property.
2. "Agreement" shall mean the Agreement and Notice of Municipal Provider Reporting Requirements Regarding Membership in the Central Arizona Groundwater Replenishment District, as required under [ARS §48-3774](#).
3. "CAGRDR" shall mean the Central Arizona Groundwater Replenishment District.
4. "CAWCD" shall mean the Central Arizona Water Conservation District.
5. "Category 1 Member Land" shall mean all parcels within the Property that do not qualify as Category 2 Member Land.
6. "Category 2 Member Land" shall mean those parcels within the Property that are or will be used as a golf course and that meet the qualifications described in [ARS §48-3774.01.B](#).
7. "Certificate" shall mean a Certificate of Assured Water Supply obtained from the Director of the Arizona Department of Water Resources.
8. "Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions Regarding Membership in the Central Arizona Groundwater Replenishment, as required under [ARS §48-3774](#).

9. "Municipal Provider" shall mean the water provider(s) identified in response to Part III, question 9.
10. "Owner" shall mean the person(s) or entity(ies) identified in response to Part III, question 6.
11. "Property" shall mean the real property described in response to Part IV, question 2.
12. "Replenishment Reserve Fee" shall mean the fee that must be paid to CAGR D in accordance with [ARS §48-3772.E.](#) and [§48-3774.01.A.](#) The Replenishment Reserve Fee must be paid to CAGR D prior to submitting an application with the Arizona Department of Real Estate for a Public Report for the Property.

**TO OBTAIN ANY OF THE FORMS REFERENCED IN THIS APPLICATION, OR FOR
INFORMATION ABOUT THE CAGR D IN GENERAL, VISIT US ONLINE AT
[CAGR D Forms](#)**

PART II INSTRUCTIONS

Step 1. Provide all information requested in **Part III** of this application, and complete and sign the Affidavit of Applicant. The Affidavit of Applicant must be signed by the Owner of the Property.

Step 2. Gather all documents required for initial processing, as listed in **Part IV**. To ensure that the application is complete and ready for submittal, please use the checklist provided on page 11.

Step 3. An Enrollment Fee based on the number of housing units in the subdivision must accompany this application. If housing units are added after enrollment, additional enrollment fees will be due before a new Certificate of Assured Water Supply will be issued by the Arizona Department of Water Resources. Please calculate the fee for this application by completing the following:

- | | |
|-----------------------------------|---------|
| 1. Total number of housing units: | _____ |
| 2. Per-Unit Enrollment Fee: | X \$284 |
| 3. Enrollment Fee: | _____ |

Please make checks payable to: **CAGR D**

Step 4. Submit the completed application, including all required documents and the Enrollment Fee, to:

Central Arizona Groundwater Replenishment District
P.O. Box 43020, Phoenix, Arizona 85080-3020
23636 North 7th Street, Phoenix, Arizona 85024

Please note: *The enrollment process is taking, on average, about **12 weeks** to complete. The processing time is lengthy because many applications are not complete when they are submitted. In an effort to make the enrollment process more efficient, CAGR D offers a pre-application meeting at which time the application and all required documents will be preliminarily reviewed for completeness and any questions or concerns can be discussed. To schedule a pre-application meeting, please email Nelle Carlsmith at ncarlsmith@cap-az.com or call 623-869-2380.*

Step 5. Upon receipt of the application, CAGR D will review it for completeness and correctness. Once the application is determined by CAGR D to be complete and correct, CAGR D will prepare an Agreement and Notice of Municipal Reporting Requirements and a Declaration of Covenants, Conditions and Restrictions.

Step 6. CAGR D will forward the originals of both the Declaration and the Agreement to the applicant for execution on behalf of the Owner(s) and the Municipal Provider.

Step 7. Return the fully executed originals of both the Declaration and Agreement, together with any additional required documents, to CAGR D.

Step 8. CAWCD will execute the Agreement and will record both the Declaration and the Agreement against the Property in the official records of the County where the Property is located. When enrollment is complete, a fully executed and recorded copy of both the Agreement and Declaration will be sent to the Arizona Department of Water Resources, the applicant, the Assessor's office, and to the Municipal Provider for their files.

Step 9. After the land has enrolled as a Member Land of the CAGR D and a Certificate has been issued by the Arizona Department of Water Resources for the subdivision, ***the Replenishment Reserve Fee, the Activation Fee, and any other required fee must be paid to CAGR D prior to applying for a Public Report from the Arizona Department of Real Estate.*** Upon receipt of the fee payments, CAGR D will provide the current owner with a signed notice confirming that the fees have been paid.

**PART III
GENERAL INFORMATION**

1. Name of subdivision on Final Plat: _____
2. Has the land that is proposed for enrollment historically been used for agricultural purposes? _____ If so, what type of use (e.g., farming, grazing, etc.)? _____
3. Will any parcel be used as a golf course? _____

Do you wish to enroll the golf course parcel(s) as Category 2 Member Land in accordance with [ARS § 48-3774.01.B](#)? _____

If so, please submit a separate legal description and a list of Assessor Parcel Numbers for the golf course.

Note: *Category 2 Member Lands are exempt from the costs and benefits of the CAGRDR Replenishment Reserve.*

4. How many units will be Condos? _____
5. Will any of the units share a meter? _____

*If so, the water provider and the HOA must **create and record** an Annual Reporting Agreement and submit it to the CAGRDR before enrollment can be completed.*

6. Owner/Applicant:

EACH AND EVERY OWNER OF THE PROPERTY MUST BE LISTED. (Please attach a separate sheet with the following information for each additional owner)

- a. Name: _____
- b. Address: _____
- c. Type of legal entity: _____

7. Is there an option to purchase any portion of the Property? _____

If so, please provide a list of all optionees on a separate sheet and submit copies of all option agreements.

Note: If needed, sensitive financial information in option agreements may be blacked out prior to submittal.

8. Person CAGRDR should contact for additional information:

- a. Name: _____
- b. Organization: _____
- c. Address: _____
- d. Telephone: _____ Email: _____

9. Municipal provider: _____
- a. Name: _____ Division: _____
- b. Address: _____
- c. Telephone: _____ Fax: _____
- d. Email: _____ Type of Legal Entity: _____
- e. Will more than one provider deliver groundwater to the subdivision? _____
If so, please provide the above information for each additional provider.

Note: Additional documents may be required if one of the providers is an irrigation district that does not intend to execute a separate Agreement with CAGR D. In such a case, please contact CAGR D (Nelle Carlsmith 623-869-2380 or ncarlsmith@cap-az.com) for additional instructions.

PART IV DOCUMENTS REQUIRED FOR INITIAL PROCESSING

1. A complete copy of the Application for a Certificate of Assured Water Supply filed with the Arizona Department of Water Resources for the Property including the signed Notice of Intent and the demand calculator.
2. A legal description of the Property that the applicant wishes to enroll as Member Land of the CAGR. Attach legal description in **Word format** and email it to ncarlsmith@cap-az.com.

Remember - If the answer to both questions under item 3, Part III is YES, provide a separate electronic legal description and a list of assessor parcel numbers for the golf course parcel(s).

3. One (1) 11x17 copy of the approved final plat. Include all supporting data such as metes and bounds, bearings and distances, lot and tract tables, etc.
4. A Preliminary Title Report which is a true statement of the condition of title to the Property. The Preliminary Title Report must be **dated no more than 30 days prior to receipt by CAGR**. (The applicant shall pay all costs associated with obtaining the Preliminary Title Report.)
5. List the current county assessor parcel numbers that show all parcels within the boundary of the Property. Please follow the format indicated below for each parcel number. (If an individual parcel is located in more than one county or Active Management Area (AMA), or is only partially within an AMA, please indicate.)

Tax Assessor Parcel Number	Tax Year	County	AMA
____-____-____	20 _____	_____	_____

The following are the documents required for each owner and each municipal water provider. To see if the water provider's documents are already on file with the CAGR, click here: [Water Provider Docs on file](#) or contact Nelle Carlsmith at ncarlsmith@cap-az.com.

6. For each Owner and/or Municipal Provider that is a corporation, please submit the following documents:
 - a. A copy of the **filed** Articles of Incorporation along with any Amendments to the filed Articles;
 - b. A copy of the **most current** By-laws of the corporation;
 - c. An **original** Certificate of Good Standing from the Arizona Corporation Commission or, if the Certificate of Good Standing was purchased from the

[Arizona Corporation Commission](#)'s website, provide the Order Number.

If the corporation was formed in a state other than Arizona, provide a similar certificate from the state of incorporation;

- d. The **original** [Corporate Resolution](#) authorizing (i) the corporation to execute and perform the CAGR D Declaration and Agreement, and (ii) an officer or agent to sign on behalf of the corporation; and
 - e. If applicable, a copy of the filed application and Certificate of Disclosure of Foreign Corporation.
7. For each Owner and/or Municipal Provider that is a limited liability company, please submit the following documents:
- a. A copy of the **filed** Articles of Organization along with any Amendments to the filed Articles;
 - b. A copy of the **current** Operating Agreement authorizing a member, manager, officer or agent to sign on behalf of the company;
 - c. An **original** Certificate of Good Standing from the Arizona Corporation Commission. If the corporation was formed in a state other than Arizona, provide a similar certificate from the state of incorporation;
 - d. The **original** [Consent to Action](#) by the members or managers of the company authorizing the company to execute and perform the CAGR D Declaration and Agreement; and
 - e. If applicable, a copy of the **filed** Application for Registration as a foreign limited liability company and certificate of registration.
8. For each Owner and/or Municipal Provider that is a General Partnership or Joint Venture, please submit the following documents:
- a. A copy of the **most current** Partnership Agreement authorizing a partner or agent to sign on behalf of the partnership or joint venture;
 - b. The **original** [Certificate of General Partners](#) authorizing the partnership or joint venture to execute and perform the CAGR D Declaration and Agreement; and
 - c. If applicable, a copy of the **recorded** Certificate of Fictitious Name from the county recorder.
9. For each Owner and/or Municipal Provider that is a limited partnership, please submit the following documents:
- a. A copy of the **most current** Limited Partnership Agreement authorizing a general partner or agent to sign on behalf of the limited partnership;
 - b. A copy of the **filed** Certificate of Limited Partnership;
 - c. An **original** Certificate of Existence from the Arizona Secretary of State and if the partnership was formed in a state other than Arizona, provide a similar

- certificate from that state;
- d. An **original** [Certificate of Limited Partners](#) or [Certificate of General Partners of a Limited Partnership](#) authorizing the limited partnership to execute and perform the CAGR D Declaration and Agreement;
 - e. If applicable, a copy of the filed application for registration as a foreign limited partnership and certificate of registration.
10. For each Owner and/or Municipal Provider that is a limited liability partnership, please submit the following documents:
- a. A copy of the **most current** Partnership Agreement authorizing a partner or agent to sign on behalf of the partnership;
 - b. A copy of the **filed** Application for Registration and **most recent filed** Renewal of Registration;
 - c. An **original** Certificate of Existence from the Arizona Secretary of State and similar certificate from the domicile state, if different;
 - d. The **original** [Certificate of Limited Liability Partnership](#) authorizing the partnership to execute and perform the CAGR D Declaration and Agreement;
 - e. If applicable, a copy of the **filed** Application for Registration as a foreign limited liability partnership and Certificate of Registration.
11. For each Owner and/or Municipal Provider that is a Trust, please submit the following document:
- a. A **copy** of the Trust Agreement authorizing a Trustee to sign and perform the CAGR D Declaration and Agreement on behalf of the Trust.
 - b. A list of beneficiaries.
12. For each Municipal Provider that is a municipality or political subdivision, please submit the following document:
- a. Any resolutions by the County Board of Supervisors forming the political subdivision; and
 - b. An **original** Resolution of the governing board authorizing (i) the municipality or political subdivision to execute and perform the Agreement, and (ii) the appropriate official to sign on behalf of the municipality or political subdivision.

AFFIDAVIT OF APPLICANT

I hereby certify under penalty of perjury that the statements contained in this application, together with any documents submitted herewith are full, true, complete, and correct.

I am duly authorized to prepare and am the person responsible for the content of this application.

OWNER: _____
(Please print owner name)

By: _____

Its: _____

Revised 1/3/2017

CHECKLIST

All

- _____ Complete copy of the AWS application _____ Preliminary Title Report (**no more than 30 days old**)
- _____ 11 X 17 Final Plat _____ List of tax parcel numbers
- _____ Legal Description of the Property (**in Word format**)

Each Corporation (pages 7 & 8)

- _____ Filed Articles of Incorporation (**copy**) _____ Current By-laws of the corporation (**copy**)
- _____ Certificate of Good Standing (**original**) _____ Corporate Resolution (**original**)
- _____ If applicable, filed application & certificate of disclosure of foreign corporation

Each Limited Liability Company (page 8)

- _____ Filed Articles of Organization (**copy**) _____ Current Operating Agreement (**copy**)
- _____ Certificate of Good Standing (**original**) _____ Consent to Action (**original**)
- _____ If applicable, filed application for registration as a foreign limited liability company & certificate of registration

Each General Partnership or Joint Venture (page 8)

- _____ Certificate of General Partners (**original**) _____ Current Partnership Agreement (**copy**)
- _____ If applicable, recorded certificate of fictitious name from the county recorder (**copy**)

Each Limited Partnership (pages 8 & 9)

- _____ Current Limited Partnership Agreement (**copy**) _____ Certificate of Limited Partners (**original**)
- _____ Certificate of Existence from the Secretary of State and similar certificate from the domicile state (**original**) _____ Filed Certificate of Limited Partnership (**copy**)
- _____ If applicable, filed application for registration as foreign limited partnership and certificate of registration

Each Limited Liability Partnership (page 9)

- _____ Current Partnership Agreement (**copy**) _____ Filed Application and most recent Renewal of Registration (**copy**)
- _____ Certificate of existence from the Secretary of State and similar certificate from the domicile state (**original**) _____ Certificate of Limited Liability Partnership (**original**)
- _____ If applicable, filed application for registration as foreign limited liability partnership and certificate of registration

Each Trust (page 9)

- _____ Trust Agreement _____ List of Beneficiaries

Other

- _____ Option Agreement(s) _____ Recorded Annual Report Agreement
- _____ Other: _____