

**CENTRAL ARIZONA WATER CONSERVATION DISTRICT  
CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT  
P.O. Box 43020  
PHOENIX, ARIZONA 85080-3020**

**APPLICATION TO ENROLL AS A MEMBER SERVICE AREA  
OF THE  
CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT  
PART I – DEFINITIONS**

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

1. "CAGRD" shall mean the Central Arizona Groundwater Replenishment District.
2. "Municipal Provider" shall mean the water provider identified in response to question 1, Part III of this application.
3. "Resolution" shall mean the form of resolution which is attached as Exhibit A to this application packet.

**PART II – INSTRUCTIONS**

**Step 1.** Please answer all questions in Part III of this application, and complete and sign the affidavit of applicant.

**Step 2.** Please gather the documents required for initial processing listed in Part IV of this application.

**Step 3.** File the completed application, together with the documents required for initial processing, with the Central Arizona Groundwater Replenishment District, P.O. Box 43020, Phoenix, Arizona 85080-3020. A base enrollment fee of \$5,000 must accompany this application. Please make checks payable to CAGRD.

*Note: If the total costs incurred by CAGRD in the processing of this application exceed the \$5,000 base enrollment fee, the amount over \$5,000 must be paid by the applicant prior to CAGRD's execution of the Member Service Area Agreement.*

**Step 4.** Upon receipt of a complete and correct application, CAGRD will prepare a Resolution for execution by the Municipal Provider. CAGRD will also prepare an execution copy of a Member Service Area Agreement Between the Municipal Provider and Central Arizona Water Conservation District (CAWCD). To obtain a *Sample* copy of the Agreement send your request to [ccox@cap-az.com](mailto:ccox@cap-az.com).

**Step 5.** CAGRD will forward both the Resolution and the Member Service Area Agreement to the Municipal Provider for execution.

**Step 6.** The Municipal Provider shall execute, or cause to be executed on its behalf, the Resolution and shall publish the Resolution once each week for two consecutive weeks in a newspaper of general circulation in the county or counties where the Municipal Provider's Service Area is located, in accordance with Arizona Revised Statutes § 48-3780(7). Visit the following website for a list of newspapers acceptable for publishing documents:

[www.cc.state.az.us/divisions/corporations/filings/forms/newspubs.pdf](http://www.cc.state.az.us/divisions/corporations/filings/forms/newspubs.pdf)

**Step 7.** The Municipal Provider shall execute, or cause to be executed on its behalf, the Member Service Area Agreement.

**Step 8.** Return the fully executed Resolution and Member Service Area Agreement to CAGRDR, together with an affidavit of publication from the newspaper(s) which published the Resolution, to CAGRDR.

**Step 9.** CAWCD will execute the Member Service Area Agreement. CAGRDR will then notify the Arizona Department of Water Resources that the Municipal Provider has qualified as a Member Service Area of the Central Arizona Groundwater Replenishment District.

**PART III - GENERAL INFORMATION**

1. Water Provider:

a. Name: \_\_\_\_\_

b. Address: \_\_\_\_\_

c. Telephone: \_\_\_\_\_

2. Owner:

a. Owner name (if applicable): \_\_\_\_\_

b. If the owner of the Water Provider not an individual, such as a corporation, limited liability company, partnership or trust, name the type of legal entity:

\_\_\_\_\_

c. Address: \_\_\_\_\_

d. Telephone: \_\_\_\_\_

3. Primary contact party:

a. Name: \_\_\_\_\_

b. Address: \_\_\_\_\_

c. Telephone: \_\_\_\_\_

4. The Member Service Area Agreement must specify the maximum annual volume for which CAGR D is committing to provide replenishment services. Please enter the maximum requested annual replenishment commitment for the proposed Member Service Area (in acre-feet per year): \_\_\_\_\_

#### **PART IV • DOCUMENTS REQUIRED FOR INITIAL PROCESSING**

1. A complete copy of the Application for a Designation of Assured Water Supply, including all attachments and supplements, as submitted to the Arizona Department of Water Resources.
2. A map of the Municipal Provider's service area, including the current and proposed distribution system.
3. Applicable documentation that confirms the municipal provider's legal authority to do business in Arizona. Such documentation may include: articles of incorporation, articles of organization, partnership agreement, operating agreement, corporate by-laws, certificate of good standing from the Arizona Corporation Commission, or resolutions by the County Board of Supervisors.

**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.

MUNICIPAL PROVIDER: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF )  
County of ) ss.  
 )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, on behalf of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**APPLICATION MUST BE SIGNED BY THE MUNICIPAL PROVIDER'S AUTHORIZED REPRESENTATIVE AND SWORN TO BEFORE A NOTARY PUBLIC PRIOR TO SUBMISSION TO CAGR**

**Exhibit A**

**RESOLUTION \_\_\_\_\_**

**REGARDING MEMBERSHIP  
IN THE  
CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT**

Whereas, \_\_\_\_\_, a \_\_\_\_\_ is engaged in the business of providing water utility service within the Service Area depicted on the map attached as Exhibit A.

Whereas, the Municipal Provider has applied to the Arizona Department of Water Resources for a designation of assured water supply for the Service Area pursuant to Arizona Revised Statutes Title 45, Chapter 2, Article 9.

Whereas, as permitted by Arizona Revised Statutes § 45-576.01(B), the Municipal Provider desires to satisfy one requirement for obtaining a designation of assured water supply by qualifying the Service Area as a Member Service Area pursuant to the Groundwater Replenishment Statute. As a Member Service Area, the Municipal Provider will be a member of the Central Arizona Groundwater Replenishment District, an operating subdivision of CAWCD.

Whereas, the following words, when used in this Resolution shall have the meanings indicated below:

1. "CAWCD" means the Central Arizona Water Conservation District, a political subdivision of the State of Arizona, and any successor political subdivision.

2. "EXCESS GROUNDWATER" means the amount of Groundwater equal to the amount of Groundwater delivered by the Municipal Provider within the Service Area in a calendar year in excess of the amount of Groundwater that may be delivered by the Municipal Provider for use within the Service Area in that calendar year consistent with the applicable Assured and Adequate Water Supply Rules adopted by the Arizona Department of Water Resources for the \_\_\_\_\_ Active Management Area, and consistent with the terms of Exhibit B to this Resolution.

3. "GROUNDWATER" is as defined in Arizona Revised Statutes § 45-101(4).

4. "GROUNDWATER REPLENISHMENT STATUTE" means Arizona Revised Statutes, Title 48, Chapter 22.

5. "MEMBER SERVICE AREA" is as defined in Arizona Revised Statutes § 48-3701(10).

6. "MUNICIPAL PROVIDER" means \_\_\_\_\_ and its successors and assigns.

7. "RESOLUTION" means this Resolution \_\_\_\_\_ Regarding Membership in the Central Arizona Groundwater Replenishment District.

8. "SERVICE AREA" means the service area depicted in Exhibit A, attached and incorporated into this Resolution.

9. "SERVICE AREA REPLENISHMENT OBLIGATION" means, with respect to the Service Area, the excess Groundwater of the Service Area in a particular calendar year reduced by the replenishment credits, if any, applied by the Municipal Provider with respect to the Service Area under Arizona Revised Statutes § 48-3772(I).

RESOLVED, That the Municipal Provider intends that the Service Area qualify as a Member Service Area under the Groundwater Replenishment Statute.

FURTHER RESOLVED, That for the privilege of withdrawing and delivering Excess Groundwater within the Service Area and to ensure the continued exercise of that privilege, the Municipal Provider shall pay an annual replenishment tax to be determined by CAWCD.

FURTHER RESOLVED, That the Municipal Provider promises and binds itself to pay to CAWCD an annual replenishment tax based on the Service Area Replenishment Obligation for the Service Area in an amount determined by CAWCD as necessary to allow CAWCD to perform its groundwater replenishment obligations under the Groundwater Replenishment Statute.

FURTHER RESOLVED, That this Resolution applies to the Service Area as it currently exists and to all additions to and extensions of the Service Area.

FURTHER RESOLVED, That this Resolution is irrevocable for as long as CAWCD is obligated to perform the groundwater replenishment obligations under the Groundwater Replenishment Statute.

FURTHER RESOLVED, That the proposed form of contract entitled Member Service Area Agreement Between CAWCD and \_\_\_\_\_, which is attached as Exhibit B, and incorporated into this Resolution, is hereby accepted and approved, and that \_\_\_\_\_, of the Municipal Provider, is hereby authorized to execute, in the name and on behalf of the Municipal Provider, a contract substantially in the form of Exhibit B.

I, the undersigned, as Secretary of \_\_\_\_\_, hereby certify that the foregoing is a true and correct copy of the resolution duly adopted by the Board of Directors of \_\_\_\_\_, at a meeting thereof, duly called, at which a quorum was present and acting throughout. I further certify that said resolutions have not been modified or revoked since their adoption and are still in full force and effect.

SIGNED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
Secretary