

**Metropolitan Domestic Water Improvement District  
Board of Directors Meeting**

**January 13, 2014**

**Approval of Right of Entry Agreement for Well Monitoring  
by the Central Arizona Water Conservation District with the District**

**Synopsis**

The Board of Directors is requested to approve an Access Agreement between the Central Arizona Water Conservation District (CAWCD) and the District. The agreement allows CAWCD to complete water level monitoring work at the Avra Valley Recharge Project monitor well in accordance with their Arizona Department of Water Resources' Underground Storage Facility Permit issued for the Lower Santa Cruz Replenishment Project (LSCR).

**Background**

The District assumed ownership and operation of the Avra Valley Recharge Project (AVRP) from the Central Arizona Water Conservation District (CAWCD) on January 1, 2011. CAWCD also constructed and owns the Lower Santa Cruz Replenishment Project which is one mile northeast of AVRP. The LSCR was permitted in 2000 with the Arizona Department of Water Resources as an underground storage facility after AVRP's construction (1996). Since, CAWCD owned both recharge facilities, ADWR required that CAWCD daily measure the water levels in the AVRP monitor well if an USF permit action level was exceeded at LSCR.

**Issues**

CAWCD has been working with ADWR to update its USF permit at LSCR. One of the changes CAWCD proposed to ADWR was the removal of water level monitoring at the AVRP monitor well. The CAWCD urged the removal, since CAWCD no longer owned AVRP. ADWR rejected the suggested deletion and wanted CAWCD to still have to monitor daily at AVRP if an action level is exceeded at LSCR. Therefore, CAWCD contacted the District if an access agreement could be granted to ensure CAWCD can meet its permit reporting requirements with ADWR.

CAWCD has agreed to be responsible for any damages to the AVRP monitor well, provide the District with 48 hour notice when CAWCD needs access, that copies of collected data are transferred to the District in a timely manner, and that CAWCD will meet the District's standard insurance requirements.

The agreement has a five-year term but actually continues as long as ADWR re-issues to CAWCD a USF permit at LSCR. The access agreement eliminates the need for District staff to collect the daily measurements and remove the District's liability for the data accuracy. CAWCD cannot add other activities while at AVRP unless CAWCD receives written approval from the District.

This access agreement is similar to the District's monitoring agreement with the Arizona Department of Environmental Quality approved by the Board in November 2012. Staff finds no technical or legal reasons to not recommend Board approval.

Lastly, approval of the access agreement with CAWCD continues to promote the District's positive relationships with CAWCD and ADWR.

**Recommendation**

Staff recommends that the Board of Directors approve the Access Agreement with the Central Arizona Water Conservation District. The agreement provides CAWCD access to a monitoring well at AVRP only when action levels are exceeded at the Lower Santa Cruz Replenishment Project. The agreement is in place as long as CAWCD has a USF permit from ADWR for the Lower Santa Cruz Replenishment Project.

**Suggested Motion**

I move to approve the Access Agreement with the Central Arizona Water Conservation District.

Respectfully submitted,

Warren Tenney  
Assistant General Manager

I concur with staff's recommendation.

Respectfully submitted,

Mark R. Stratton, P.E.  
General Manager