

REFERENCE TITLE: water rights

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2672

Introduced by
Representative Griffin

AN ACT

AMENDING SECTION 45-151, ARIZONA REVISED STATUTES; RELATING TO
APPROPRIATION OF WATER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 45-151, Arizona Revised Statutes, is amended to
3 read:

4 45-151. Right of appropriation; permitted uses; water rights
5 in stockponds

6 A. Any person, ~~the THIS state of Arizona~~ or a political subdivision
7 ~~thereof OF THIS STATE~~ may appropriate unappropriated water for domestic,
8 municipal, irrigation, stock watering, water power, recreation, wildlife,
9 including fish, nonrecoverable water storage pursuant to section 45-833.01
10 or mining uses, for ~~his~~ personal use or for delivery to consumers. The
11 person, ~~the THIS state of Arizona~~ or a political subdivision ~~thereof OF~~
12 ~~THIS STATE~~ first appropriating the water shall have the better right.

13 B. To effect the beneficial use, the person, ~~the THIS state of~~
14 ~~Arizona~~ or a political subdivision ~~thereof OF THIS STATE~~ appropriating the
15 water may construct and maintain reservoirs, storage facilities pursuant
16 to chapter 3.1 of this title, dams, canals, ditches, flumes and other
17 necessary waterways.

18 C. A PERSON, THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE
19 WITH A BETTER RIGHT TO APPROPRIATE WATER MAY NOT PREVENT THE EXERCISE OF A
20 JUNIOR RIGHT TO THAT WATER UNLESS PREVENTING THE EXERCISE OF THE JUNIOR
21 RIGHT WOULD PRODUCE WATER FOR BENEFICIAL USE FOR THE BETTER RIGHT HOLDER.

22 ~~C.~~ D. A water right in a stockpond, certified pursuant to article
23 10 of this chapter, shall be recognized as if such water had been
24 appropriated pursuant to this article.