



ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

House: NREW DP 10-0-0-0 | 3rd Read 59-0-1-0

Senate: 3rd Read 27-2-1-0

HB 2078: groundwater; waterlogged area exemption; date

Sponsor: Representative Dunn, LD 13

Transmitted to the Governor

Overview

Extends exemptions for irrigation water duties, conservation requirements and groundwater withdrawals for the Buckeye Waterlogged Area (BWLA) through December 31, 2034.

History

The BWLA was established in 1988 to address the unique hydrologic conditions that impact land use and production in that area (Laws 1988, Chapter 97). Per statute, until December 31, 2024:

- 1) Lands in the BWLA are exempt from irrigation water duties ([A.R.S. § 45-411.01\(A\)](#));
- 2) The Buckeye Water Conservation & Drainage District, St. John's Irrigation District and Arlington Canal Company are exempt from conservation requirements for distributing groundwater ([A.R.S. § 45-411.01\(B\)](#)); and
- 3) Those who withdraw groundwater from the BWLA to irrigate there are exempt from groundwater withdrawal fees and water quality assurance fees ([A.R.S. § 45-411.01\(C\)](#)).

Additionally, statute directs the Arizona Department of Water Resources (ADWR) Director to account for groundwater withdrawn pursuant to drainage withdrawal permits as surface water if the groundwater is withdrawn from the BWLA before January 1, 2025 and is used at a turf facility or riparian habitat ([A.R.S. § 45-519](#)).

Finally, the ADWR Director must review the BWLA's hydrologic conditions, consult with area stakeholders and submit a recommendation by December 15, 2019 on whether to extend the exemptions for this area ([A.R.S. § 45-411.01\(F\)](#)). The most [recent ADWR report](#) recommended that the exemptions from irrigation water duties, conservation requirements and groundwater withdrawal fees be extended through December 31, 2034. It also recommended that ADWR submit another review of the BWLA hydrologic conditions and its recommendations for extending these exemptions by November 17, 2031.

Provisions

1. Extends:
 - a) The exemption from irrigation water duties, groundwater conservation requirements and groundwater withdrawal and water quality assurance fees for the Arlington Canal Company, the Buckeye Water Conservation and Drainage District and the St. John's Irrigation District through December 31, 2034; (Sec. 1)
 - b) The annual water duty exemption fee for these districts through December 31, 2034; and (Sec. 1)
 - c) The period that the ADWR Director must account for groundwater withdrawn pursuant to drainage withdrawal permits as surface water through January 1, 2035. (Sec. 2)
2. Directs the ADWR Director to review the BWLA's hydrologic conditions, consult with representatives from irrigation districts and municipalities in the BWLA and submit a

recommendation on extending exemptions to the Governor, Senate President and Speaker of the House by November 15, 2031. (Sec. 1)

3. Makes technical changes. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note