

REFERENCE TITLE: groundwater; transporting requirements; technical
correction

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2541

Introduced by
Representative Dunn

AN ACT

AMENDING SECTION 45-557, ARIZONA REVISED STATUTES; RELATING TO
GROUNDWATER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 45-557, Arizona Revised Statutes, is amended to
3 read:

4 45-557. Requirements for transporting groundwater to an
5 initial active management area; exception

6 A. Except as provided in subsections B and C of this section:

7 1. The director shall not consider groundwater that is being or
8 will be withdrawn in a groundwater basin or sub-basin pursuant to this
9 article or the Pinal active management area and transported to an initial
10 active management area for purposes of determining or providing an assured
11 water supply pursuant to section 45-576 if the groundwater is being or
12 will be used by a city, town or private water company that was offered but
13 did not sign a central Arizona project water delivery subcontract.

14 2. A city, town or private water company that has signed a central
15 Arizona project water delivery subcontract may not use groundwater
16 withdrawn in a groundwater basin or sub-basin pursuant to this article or
17 the Pinal active management area and transported to an initial active
18 management area until it has both:

19 (a) Demonstrated that it has the physical capacity, including the
20 water treatment plant and delivery system, to accept delivery of
21 ninety-five ~~per cent~~ PERCENT of its central Arizona project water
22 entitlement under its central Arizona project water delivery subcontract.

23 (b) Accepted delivery of or exchanged eighty ~~per cent~~ PERCENT or
24 more of the central Arizona project water available to it under its
25 central Arizona project water delivery subcontract in at least one of the
26 three years immediately preceding the year it intends to begin using
27 groundwater transported away from a groundwater basin or sub-basin
28 pursuant to this article or the Pinal active management area.

29 B. Subsection A of this section does not apply to groundwater
30 withdrawn in the Big Chino sub-basin of the Verde river groundwater basin
31 and transported to an adjoining initial active management area pursuant to
32 section 45-555.

33 C. Groundwater transported to an adjoining initial active
34 management area pursuant to section 45-555, subsections E and F shall be
35 deemed to be legally available under the rules adopted pursuant to section
36 45-576.