

REFERENCE TITLE: transportation; groundwater; Douglas AMA

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2368

Introduced by
Representative Griffin

AN ACT

AMENDING TITLE 45, CHAPTER 2, ARTICLE 8.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 45-555.01; RELATING TO THE GROUNDWATER CODE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 45, chapter 2, article 8.1, Arizona Revised
3 Statutes, is amended by adding section 45-555.01, to read:

4 45-555.01. Transportation of groundwater withdrawn in upper
5 San Pedro groundwater basin to Douglas active
6 management area

7 A. A PRIVATE WATER COMPANY MAY ANNUALLY WITHDRAW GROUNDWATER FROM
8 THE UPPER SAN PEDRO GROUNDWATER BASIN FOR TRANSPORTATION TO THE DOUGLAS
9 ACTIVE MANAGEMENT AREA IN AN AMOUNT AS DETERMINED PURSUANT TO THIS SECTION
10 IF ALL OF THE FOLLOWING APPLY:

11 1. THE GROUNDWATER IS TRANSPORTED TO THE DOUGLAS ACTIVE MANAGEMENT
12 AREA FOR MUNICIPAL PURPOSES.

13 2. THE PRIVATE WATER COMPANY OR THE PRIVATE WATER COMPANY'S
14 PREDECESSOR IN INTEREST WITHDREW GROUNDWATER FROM THE UPPER SAN PEDRO
15 GROUNDWATER BASIN FOR TRANSPORTATION TO THE DOUGLAS ACTIVE MANAGEMENT AREA
16 FOR A MUNICIPAL PURPOSE ON OR BEFORE SEPTEMBER 30, 1992.

17 3. THE PRIVATE WATER COMPANY, AS OF THE EFFECTIVE DATE OF THIS
18 SECTION, HAS A CERTIFICATE OF CONVENIENCE AND NECESSITY ISSUED BY THE
19 CORPORATION COMMISSION TO PROVIDE WATER SERVICE FOR A MUNICIPAL PURPOSE
20 WITHIN THE DOUGLAS ACTIVE MANAGEMENT AREA.

21 B. THE TOTAL AMOUNT OF GROUNDWATER THAT A PRIVATE WATER COMPANY MAY
22 ANNUALLY TRANSPORT FROM THE UPPER SAN PEDRO GROUNDWATER BASIN TO THE
23 DOUGLAS ACTIVE MANAGEMENT AREA MAY NOT EXCEED THE ANNUAL AMOUNT OF
24 GROUNDWATER THAT THE PRIVATE WATER COMPANY TRANSPORTED FROM THE UPPER SAN
25 PEDRO GROUNDWATER BASIN INTO THE DOUGLAS GROUNDWATER BASIN BEFORE DECEMBER
26 1, 2022.