REFERENCE TITLE: irrigation districts; water distribution

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

# HB 2826

Introduced by
Representatives Willoughby: Weninger

AN ACT

AMENDING SECTIONS 48-2990 AND 48-2991, ARIZONA REVISED STATUTES; RELATING TO IRRIGATION AND WATER CONSERVATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 48-2990, Arizona Revised Statutes, is amended to read:

48-2990. Pro rata distribution of water subject to priorities; payment of water tax; annual report

A. Subject to the law of priority, all water of the district available for distribution shall be apportioned to the lands ~~thereof~~ OF THE DISTRICT AND TO ANY MUNICIPALITY WITHIN THE BOUNDARIES OF THE DISTRICT THAT IS ENTITLED TO RECEIVE DELIVERY OF WATER PURSUANT TO A CONTRACTUAL ENTITLEMENT pro rata but when water costs ~~are~~, under the practice of the district, ARE defrayed by a water tax, the board may withhold water service from any parcel of land under such rules and regulations as it promulgates, pending payment of the water tax assessed against such parcel of land.

B. The board may provide that charges for water service shall become a lien ~~upon~~ ON the land served until paid in full.

C. A DISTRICT SHALL PREPARE AND PUBLISH AN ANNUAL REPORT THAT SETS FORTH BY SOURCE A MONTH-TO-MONTH ACCOUNTING OF WATER AVAILABLE FOR DISTRIBUTION AND THE APPORTIONMENT AND DELIVERY OF WATER FOR THE PREVIOUS TWELVE MONTHS. THE ANNUAL REPORT MUST IDENTIFY WATER DELIVERIES TO ANY ENTITY OUTSIDE THE BOUNDARIES OF THE DISTRICT. BEGINNING IN TAX YEAR 2025, A MUNICIPAL CUSTOMER OF THE DISTRICT IS ENTITLED TO A REFUND OF ANY WATER TAX ASSESSED AND PAID DURING ANY YEAR IN WHICH WATER WAS AVAILABLE FOR DISTRIBUTION BUT WAS NOT DELIVERED.

Sec. 2. Section 48-2991, Arizona Revised Statutes, is amended to read:

48-2991. Distribution of water when supply insufficient

If the water available in a district is insufficient at any time to supply all lands of the district susceptible of irrigation therefrom and otherwise entitled to water, INCLUDING CONTRACTUAL ENTITLEMENTS HELD BY ANY MUNICIPALITY WITHIN THE BOUNDARIES OF THE DISTRICT, the board of directors shall provide for the distribution of all available water ~~upon~~ ON certain or alternate days to different localities AND MUNICIPAL CUSTOMERS as the board deems for the best interests of all persons affected~~, and so that~~ ONLY IF the available water is distributed in as nearly equal proportions as possible to all lands of the district subject to the laws of priorities. A WATER SUPPLY IS NOT INSUFFICIENT IF THE DISTRICT HAS ACCUMULATED CREDITS FOR WATER THAT IS STORED BEHIND A DAM. A DISTRICT MAY NOT RETAIN CREDITS OR ACCUMULATE ADDITIONAL CREDITS IN ANY YEAR UNLESS AND UNTIL IT HAS FULFILLED ITS OBLIGATIONS TO SUPPLY WATER TO ALL LANDS SUSCEPTIBLE OF IRRIGATION WITHIN ITS BOUNDARIES AND TO ALL CONTRACTUAL ENTITLEMENTS HELD BY ANY MUNICIPALITY WITHIN ITS BOUNDARIES.