

REFERENCE TITLE: irrigation water; assured water supply

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

## **SB 1304**

Introduced by  
Senator Shope

AN ACT

AMENDING TITLE 45, CHAPTER 2, ARTICLE 9, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 45-576.11; RELATING TO GROUNDWATER MANAGEMENT.

(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 9, Arizona Revised  
3 Statutes, is amended by adding section 45-576.11, to read:

4 45-576.11. Assured water supply; designation; irrigation  
5 water; progress

6 A. ON APPLICATION TO THE DEPARTMENT BY A CITY OR TOWN, THE DIRECTOR  
7 MAY DESIGNATE A PORTION OF THE CITY OR TOWN THAT IS LOCATED IN AN ACTIVE  
8 MANAGEMENT AREA AND THAT THE DIRECTOR DETERMINES IS MAKING SUFFICIENT  
9 PROGRESS TOWARDS MEETING THE ACTIVE MANAGEMENT AREA'S MANAGEMENT GOALS  
10 PURSUANT TO SECTION 45-562 FOR THREE OF THE FIVE YEARS BEFORE THE FILING  
11 OF THE APPLICATION AS HAVING AN ASSURED WATER SUPPLY IF ALL OF THE  
12 FOLLOWING APPLY:

13 1. THE PORTION OF THE CITY OR TOWN SEEKING AN ASSURED WATER SUPPLY  
14 DESIGNATION IS LOCATED ENTIRELY WITHIN AN IRRIGATION AND WATER  
15 CONSERVATION DISTRICT ESTABLISHED PURSUANT TO TITLE 48, CHAPTER 19.

16 2. THE CITY OR TOWN SEEKING AN ASSURED WATER SUPPLY DESIGNATION HAS  
17 CONTRACTED WITH THE IRRIGATION AND WATER CONSERVATION DISTRICT FOR A TERM  
18 OF NOT LESS THAN ONE HUNDRED YEARS UNDER WHICH THE CITY OR TOWN WILL  
19 RECEIVE WATER THAT THE LANDOWNERS IN THE DISTRICT HAVE THE RIGHT TO USE ON  
20 THEIR LANDS AND WILL TREAT AND DELIVER THE WATER FOR EXCLUSIVE USE ON  
21 IRRIGATION AND CONSERVATION DISTRICT LANDS FOR MUNICIPAL USE.

22 3. SUFFICIENT SURFACE WATER OR EFFLUENT OF AN ADEQUATE QUALITY WILL  
23 BE CONTINUOUSLY AVAILABLE TO SATISFY THE PORTION OF THE CITY'S OR TOWN'S  
24 PROPOSED WATER NEEDS FOR NOT LESS THAN ONE HUNDRED YEARS AS DETERMINED BY  
25 THE DIRECTOR.

26 4. THE CITY OR TOWN DEMONSTRATES THE FINANCIAL CAPABILITY TO  
27 CONSTRUCT THE WATER FACILITIES, INCLUDING DELIVERY SYSTEMS, STORAGE  
28 FACILITIES AND TREATMENT WORKS, THAT ARE NECESSARY TO MAKE THE SUPPLY OF  
29 WATER AVAILABLE FOR THE PROPOSED USE. THE DIRECTOR MAY ACCEPT EVIDENCE OF  
30 THE CONSTRUCTION ASSURANCES REQUIRED BY SECTION 9-463.01, 11-822 OR  
31 32-2181 TO SATISFY THIS REQUIREMENT.

32 B. FOR THE PURPOSES OF THIS SECTION:

33 1. THE DIRECTOR MAY REVIEW THE DETERMINATION THAT A PORTION OF A  
34 CITY OR TOWN HAS AN ASSURED WATER SUPPLY.

35 2. THE DIRECTOR MAY DETERMINE THAT A PORTION OF A CITY OR TOWN DOES  
36 NOT HAVE AN ASSURED WATER SUPPLY.