

Senate Engrossed

stock watering; active management areas

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1287

AN ACT

AMENDING SECTION 45-465.03, 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 45-465.03, Arizona Revised Statutes, is amended
3 to read:

4 45-465.03. Right to use groundwater for domestic purposes;
5 stock watering; incidental to irrigation
6 grandfathered right; definitions

7 A. In an ~~initiat~~ active management area, a person who holds a
8 certificate of irrigation grandfathered right has the right to withdraw
9 annually up to ten acre-feet of groundwater for domestic purposes or
10 ~~stockwatering~~ STOCK WATERING from a well or wells the holder is using to
11 withdraw groundwater for irrigation use on the certificated acres and use
12 the groundwater pursuant to subsections B and C of this section if both of
13 the following apply:

14 1. As of ~~June 12, 1980~~ THE DATE OF THE DESIGNATION OF THE ACTIVE
15 MANAGEMENT AREA, groundwater withdrawn from the well or wells was being
16 used for domestic purposes or ~~stockwatering~~ STOCK WATERING.

17 2. No certificate of type 2 non-irrigation grandfathered right has
18 been issued by the director based in whole or in part on the withdrawals
19 for domestic purposes or ~~stockwatering~~ STOCK WATERING.

20 B. Groundwater withdrawn pursuant to this section may be used only:

21 1. On the same land on which groundwater withdrawn from the well or
22 wells was being used for domestic purposes or ~~stockwatering~~ STOCK WATERING
23 as of ~~June 12, 1980~~ THE DATE OF THE DESIGNATION OF THE ACTIVE MANAGEMENT
24 AREA.

25 2. For the same purpose for which groundwater withdrawn from the
26 well or wells was being used as of ~~June 12, 1980~~ THE DATE OF THE
27 DESIGNATION OF THE ACTIVE MANAGEMENT AREA.

28 C. If groundwater withdrawn pursuant to this section is used for
29 domestic purposes and ~~stockwatering~~ STOCK WATERING, the aggregate quantity
30 of groundwater withdrawn for those purposes shall not exceed ten acre-feet
31 per year.

32 D. For THE purposes of this section, a replacement well in the same
33 location or a replacement well in a new location shall be considered to be
34 the same well as the well being used as of ~~June 12, 1980~~ THE DATE OF THE
35 DESIGNATION OF THE ACTIVE MANAGEMENT AREA.

36 E. If the withdrawals for domestic purposes or ~~stockwatering~~ STOCK
37 WATERING are separately measured with a water measuring device approved by
38 the director pursuant to section 45-604, the withdrawals are exempt from
39 the conservation requirements for non-irrigation uses established in the
40 management plans adopted pursuant to article 9 of this chapter.

41 F. If the withdrawals for domestic purposes or ~~stockwatering~~ STOCK
42 WATERING are not separately measured with a water measuring device
43 approved by the director pursuant to section 45-604, the withdrawals shall
44 be deemed to be withdrawals for irrigation use on the certificated acres
45 for purposes of determining debits and credits to the flexibility account

1 established pursuant to section 45-467 and for THE purposes of reporting
2 the use to which the groundwater was applied in the annual reports
3 required by section 45-632.

4 G. The right to withdraw and use groundwater pursuant to this
5 section is an incident of an irrigation grandfathered right and may be
6 leased or conveyed with the irrigation grandfathered right.

7 H. If an irrigation grandfathered right is retired or conveyed for
8 a non-irrigation use, the right to withdraw and use groundwater pursuant
9 to this section is extinguished.

10 I. For THE purposes of this section:

11 1. "Certificated acres" means the acres described on the
12 certificate of irrigation grandfathered right.

13 2. "Domestic purposes":

14 (a) Means uses related to the supply, service and activities of
15 households and private residences. ~~Domestic purposes~~

16 (b) Does not include the application of water to produce plants or
17 parts of plants for sale or human consumption, or for use as feed for
18 livestock, range livestock or poultry, as such terms are defined in
19 section 3-1201.

20 3. "~~Stockwatering~~ STOCK WATERING" means watering livestock, range
21 livestock or poultry, as such terms are defined in section 3-1201.