

REFERENCE TITLE: stock watering; active management areas

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

## **SB 1287**

Introduced by  
Senator Dunn

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15 MANAGEMENT AREA, groundwater withdrawn from the well or wells was being  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20 B. Groundwater withdrawn pursuant to this section may be used only: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 On the same land on which groundwater withdrawn from the well or  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.

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 For the same purpose for which groundwater withdrawn from the  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

27 C. If groundwater withdrawn pursuant to this section is used for  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29 of groundwater withdrawn for those purposes shall not exceed ten acre-feet  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

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

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

40 F. If the withdrawals for domestic purposes or ~~stockwatering~~ STOCK  
41 WATERING are not separately measured with a water measuring device  
42 approved by the director pursuant to section 45-604, the withdrawals shall  
43 be deemed to be withdrawals for irrigation use on the certificated acres  
44 for purposes of determining debits and credits to the flexibility account  
45 established pursuant to section 45-467 and for THE purposes of reporting

1 the use to which the groundwater was applied in the annual reports  
2 required by section 45-632.

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

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

9 I. For THE purposes of this section:

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

12 2. "Domestic purposes":

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

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

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