

REFERENCE TITLE: surface water; irrigation; definition

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2151

Introduced by
Representative Griffin

AN ACT

AMENDING SECTION 45-151, ARIZONA REVISED STATUTES; RELATING TO WATER RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 45-151, Arizona Revised Statutes, is amended to
3 read:

4 45-151. Right of appropriation; permitted uses; water rights
5 in stockponds; definition

6 A. Any person, ~~the THIS state of Arizona~~ or a political subdivision
7 ~~thereof~~ OF THIS STATE may appropriate unappropriated water for domestic,
8 municipal, irrigation, stock watering, water power, recreation, wildlife,
9 including fish, nonrecoverable water storage pursuant to section 45-833.01
10 or mining uses, for ~~his~~ personal use or for delivery to consumers. The
11 person, ~~the THIS state of Arizona~~ or a political subdivision ~~thereof~~ OF
12 THIS STATE first appropriating the water shall have the better right.

13 B. To effect the beneficial use, the person, ~~the THIS state of~~
14 ~~Arizona~~ or a political subdivision ~~thereof~~ OF THIS STATE appropriating the
15 water may construct and maintain reservoirs, storage facilities pursuant
16 to chapter 3.1 of this title, dams, canals, ditches, flumes and other
17 necessary waterways.

18 C. A water right in a stockpond, certified pursuant to article 10
19 of this chapter, shall be recognized as if such water had been
20 appropriated pursuant to this article.

21 D. FOR THE PURPOSES OF THIS SECTION, "IRRIGATION" MEANS THE USE OF
22 WATER ON LANDS TO PRODUCE PLANTS OR PARTS OF PLANTS FOR ANY OF THE
23 FOLLOWING:

- 24 1. SALE.
- 25 2. HUMAN CONSUMPTION.
- 26 3. USE AS FEED FOR LIVESTOCK, RANGE LIVESTOCK OR POULTRY. FOR THE
27 PURPOSES OF THIS PARAGRAPH, "LIVESTOCK", "RANGE LIVESTOCK" AND "POULTRY"
28 HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 3-1201.