

REFERENCE TITLE: Colorado River water; replenishment; restriction

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

## **HB 2263**

Introduced by  
Representative Griffin

AN ACT

AMENDING SECTION 45-812.01, ARIZONA REVISED STATUTES; RELATING TO  
UNDERGROUND WATER STORAGE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 45-812.01, Arizona Revised Statutes, is amended  
3 to read:

4 45-812.01. Groundwater savings facility permit; Colorado  
5 River; replenishment

6 A. A person may apply to the director for a groundwater savings  
7 facility permit and may operate a groundwater savings facility only  
8 pursuant to a permit.

9 B. The director may issue a permit to operate a groundwater savings  
10 facility if the director determines that all of the following apply:

11 1. Operation of the facility will cause the direct reduction or  
12 elimination of groundwater withdrawals in an active management area or an  
13 irrigation non-expansion area by means of delivery of water other than  
14 groundwater pumped from within that active management area or irrigation  
15 non-expansion area that the recipient will use in lieu of groundwater that  
16 the recipient would otherwise have used.

17 2. The applicant will deliver water other than groundwater pumped  
18 from within the active management area or irrigation non-expansion area in  
19 which the groundwater savings facility is located to an identified  
20 groundwater user who will use and agrees in writing to use the water  
21 delivered to the facility on a gallon-for-gallon substitute basis directly  
22 in lieu of groundwater that otherwise would have been pumped from within  
23 the active management area or irrigation non-expansion area.

24 3. The in lieu water is the only reasonably available source of  
25 water for the recipient other than groundwater pumped from within the same  
26 active management area or irrigation non-expansion area in which the  
27 groundwater savings facility is located.

28 4. The water delivered as in lieu water would not have been a  
29 reasonable alternative source of water for the recipient except through  
30 the operation of the groundwater savings facility.

31 5. The water delivered to the recipient as in lieu water was not  
32 delivered before October 1, 1990.

33 6. The applicant has submitted a plan satisfactory to the director  
34 that describes how the applicant will prove the quantity of groundwater  
35 saved at the facility each year and what evidence will be submitted with  
36 the applicant's annual report as required by section 45-875.01 to prove  
37 the groundwater savings. The plan may rely on the following factors:

38 (a) The recipient's cost of pumping groundwater relative to the  
39 cost of in lieu water and alternative sources of water available to the  
40 recipient.

41 (b) The historic quantity of groundwater pumped by the recipient at  
42 the location of the intended use of the in lieu water.

43 (c) The recipient's anticipated demand for groundwater and  
44 anticipated total demand for water, including groundwater.

1 (d) The recipient's legal right to withdraw or use groundwater  
2 pursuant to chapter 2 of this title.

3 (e) The amount of central Arizona project water for which the  
4 recipient anticipates accepting delivery.

5 (f) The historic amount of power used to pump groundwater at the  
6 groundwater savings facility compared to the power used during a year in  
7 which the recipient received in lieu water.

8 (g) The factors that prevent the recipient from using the water  
9 delivered as in lieu water without the operation of the groundwater  
10 savings facility.

11 (h) Any other criteria the director may deem to be relevant.

12 C. NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY ONLY USE OR CONVEY  
13 COLORADO RIVER WATER THAT IS DIVERTED FROM THE MAIN STEM OF THE COLORADO  
14 RIVER FOR THE PURPOSES OF REPLENISHMENT IN AN ACTIVE MANAGEMENT AREA IF  
15 THE WATER IS DELIVERED TO A PERMITTED FACILITY THAT IS OWNED BY  
16 MULTI-COUNTY WATER CONSERVATION DISTRICT ESTABLISHED PURSUANT TO TITLE 48,  
17 CHARTER 22 OR A PERMITTED GROUNDWATER SAVINGS FACILITY ON STATE LANDS OR  
18 PRIVATE LAND.