



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature  
First Regular Session

House: NREW DP 5-4-1-0

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## **HB 2202: subsequent AMA; previously nonirrigated land**

**Sponsor: Representative Griffin, LD 19**

**Caucus & COW**

### **Overview**

Allows a person in a subsequent active management area (AMA) that possesses an irrigation grandfathered right to irrigate land that was not previously irrigated, only if the land meets certain requirements and the person does not exceed their volume of awarded groundwater from the irrigation grandfathered right.

### **History**

A person who owns land which was irrigated in whole or in part with groundwater at any time during the five years preceding the date of the notice of the initiation of designation procedures or the call for the election for subsequent active management areas, which is capable of being irrigated and which has not been retired from irrigation has the right to use groundwater for the irrigation of such land ([A.R.S § 45-465](#)).

Irrigate is defined as *to apply water to two or more acres of land to produce plants or parts of plants for sale or human consumption, or for use as feed for livestock, range livestock or poultry, as such terms are defined in section 3-1201 (A.R.S. § 45-402)*.

### **Provisions**

1. Adds that upon the Director of the Arizona Department of Water Resources' (ADWR) determination of irrigation grandfathered rights, a person in a subsequent AMA may irrigate land that was not previously irrigated if certain conditions apply. (Sec. 1)
2. Requires the eligible land be adjacent to a farm unit or parcel that was previously subject to irrigation. (Sec. 1)
3. Requires the irrigation of the eligible land not cause the person to exceed the volume of groundwater awarded in that person's irrigation grandfathered right. (Sec. 1)
4. Contains a retroactivity clause of August 30, 2022. (Sec. 6)
5. Makes technical and conforming changes. (Sec. 1, 2, 3, 4 and 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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