

# AMWUA Monitors HB2083

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## [HB2083: drought emergency groundwater transfers](#)

HB2083 provides, as session law, an exemption to the prohibition on the transportation away from a groundwater basin during declared drought emergencies. A similar provision has passed as session law frequently in the past decade. The exemption would apply only outside of an Active Management Area.

The bill includes ten conditions, all of which must be met, in order to trigger the transportation authority:

1. The Governor has declared an emergency due to lack of precipitation or a water shortage pursuant to ARS35-192.
2. The groundwater to be transferred is drawn from a well that is in existence on the date of the Governor's Declaration of Emergency.
3. The city or town, if the well is located in a city or town, has consented to the groundwater withdrawal.
4. If the well is located in a political subdivision established pursuant to title 48, chapter 17 or 19, that political subdivision has consented to the groundwater withdrawal.
5. If the water is to be transported from one county to another, the county of origin has consented to the groundwater withdrawal.
6. The groundwater is to be transported only by motor vehicle or train.
7. The groundwater transportation is necessary to provide water supplies for domestic, stock watering or potable municipal water service. In a location included in the emergency declaration.
8. The groundwater transported will be used only for domestic, stock water or potable municipal water service purposes.
9. The county, city, town or other political subdivision within which the transported water is to be used has implemented an emergency conservation plan sufficient to prevent the nonessential use of groundwater.
10. The groundwater will not be used in an active management area.

If all of the conditions are met, the Director is directed to approve the application and that approval is valid for six months, or until the Director determines that the transportation of groundwater is no longer necessary. The approval may be continued, upon request, for an additional six months if the Director determines that the conditions remain in effect. Groundwater transported pursuant to this act would be subject to the payment of damages and may not be transported to subsidize insufficient supplies due to continued growth or deficient base water supplies.

Sponsor: Representative Mason Last Action: 1/21 Pass HWE; ready for Rules

