

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1530**

Griffin Floor Amendment

Reduces the location that a recovery well may be located to be considered within the area of impact of stored water if a recovery well permit applicant does not submit a separate hydrologic study to the Director of ADWR.

Amendment explanation prepared by Corbin W.

Phone Number 63458

ls

3/31/2025

GRIFFIN FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1530
(Reference to Senate engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 45-834.01, Arizona Revised Statutes, is amended
3 to read:

4 45-834.01. Recovery of stored water; recovery well permit;
5 emergency temporary recovery well permit; well
6 construction

7 A. A person who holds long-term storage credits or who may recover
8 water on an annual basis may recover the water stored pursuant to a water
9 storage permit only:

10 1. If the person seeking to recover stored water has applied for
11 and received a recovery well permit under this article.

12 2. For water stored within an active management area, if one of the
13 following applies:

14 (a) The proposed recovery well is located within the area of impact
15 of the stored water, as determined by the director, and either the person
16 recovering the water is the storer or the stored water to be recovered is
17 Colorado River water. If the stored water to be recovered is effluent that
18 is stored in a managed underground storage facility and if the proposed
19 recovery well is not an already constructed well owned by the person
20 recovering the water and is located within the exterior boundaries of the
21 service area of a city, town, private water company or irrigation
22 district, that city, town, private water company or irrigation district
23 must be notified by the person recovering the stored water and must have
24 the right to offer to recover the water stored on behalf of that person.
25 If the city, town, private water company or irrigation district offers to
26 recover the water on behalf of the person seeking recovery and the water
27 that is offered for recovery is of comparable quality to the water that
28 the person could recover, the person seeking to recover the water shall

1 consider accepting the best offer from the city, town, private water
2 company or irrigation district overlying the area of impact that has
3 offered to recover the stored water. FOR THE PURPOSES OF THIS
4 SUBDIVISION, IF A RECOVERY WELL PERMIT APPLICANT DOES NOT SUBMIT A
5 SEPARATE HYDROLOGIC STUDY TO THE DIRECTOR, THE DIRECTOR SHALL ASSUME THAT
6 THE RECOVERY WELL IS LOCATED WITHIN THE AREA OF IMPACT OF STORED WATER IF
7 THE RECOVERY WELL LOCATION IS [EITHER IN LAND PERMITTED TO OPERATE AS A
8 GROUNDWATER SAVINGS FACILITY OR] WITHIN ONE MILE OF ANY OF THE FOLLOWING:

9 (i) THE EXTERIOR BOUNDARY OF A CONSTRUCTED UNDERGROUND STORAGE
10 FACILITY BASIN OR OTHER WATER STORAGE INFRASTRUCTURE.

11 (ii) THE MIDDLE LINE OF A DRAINAGE CHANNEL WITHIN THE STORAGE AREA
12 OF A MANAGED UNDERGROUND STORAGE FACILITY.

13 ~~[(iii) THE EXTERIOR BOUNDARY OF A DISTRICT THAT HAS RECEIVED A~~
14 ~~PERMIT TO OPERATE AS A GROUNDWATER SAVINGS FACILITY.]~~

15 (b) The proposed recovery well is located outside the area of
16 impact of the stored water, as determined by the director, and all of the
17 following apply:

18 (i) The proposed recovery well is located within the same active
19 management area as storage.

20 (ii) The director determines that recovery at the proposed location
21 is consistent with the management plan and achievement of the management
22 goal for the active management area.

23 (iii) If the proposed recovery well is located within the exterior
24 boundaries of the service area of a city, town, private water company or
25 irrigation district, that city, town, private water company or irrigation
26 district is the person seeking to recover the water or has consented to
27 the location of the recovery well.

28 (iv) If the proposed recovery well is located outside, but within
29 three miles of, the exterior boundaries of the service area of a city,
30 town, private water company or irrigation district, the closest city,
31 town, private water company or irrigation district has consented to the
32 location of the recovery well.

33 (c) The proposed recovery well is located within the area of impact
34 of the stored water, as determined by the director, the person recovering
35 the water is not the storer, the stored water to be recovered is not
36 Colorado River water and all of the conditions prescribed by subdivision
37 (b), items (i) through (iv) of this paragraph are met.

38 3. For water stored outside of an active management area, if
39 recovery will occur within the same irrigation non-expansion area,
40 groundwater basin or groundwater ~~sub-basin~~ SUBBASIN, as applicable, in
41 which the water was stored.

42 B. Before recovering from any well water stored pursuant to a water
43 storage permit, a person shall apply for and receive a recovery well
44 permit from the director. The director shall issue the recovery well
45 permit if the director determines that:

46 1. If the application is for a new well, as defined in section
47 45-591, or except as provided in paragraphs 2 and 3 of this subsection for

1 an existing well, as defined in section 45-591, the proposed recovery of
2 stored water will not unreasonably increase damage to surrounding land or
3 other water users from the concentration of wells. The director shall
4 make this determination pursuant to rules adopted by the director.

5 2. If the applicant is a city, town, private water company or
6 irrigation district in an active management area and the application is
7 for an existing well within the service area of the city, town, private
8 water company or irrigation district, the applicant has a right to use the
9 existing well.

10 3. If the applicant is a conservation district and the application
11 is for an existing well within the conservation district and within the
12 groundwater basin or ~~sub-basin~~ SUBBASIN in which the stored water is
13 located, the applicant has a right to use the existing well.

14 C. A city, town, private water company or irrigation district in an
15 active management area may apply with a single application to the director
16 to have all existing wells, as defined in section 45-591, that the
17 applicant has the right to use within its service area listed as recovery
18 wells on the recovery well permit, if those wells otherwise meet the
19 requirements of this section.

20 D. If the applicant is a conservation district, the director may
21 issue an emergency temporary recovery well permit without complying with
22 section 45-871.01, subsection F if the director determines that all of the
23 following apply:

24 1. The conservation district cannot reasonably continue to supply
25 central Arizona project water directly to a city, town, private water
26 company or irrigation district due to an unplanned failure of a portion of
27 the central Arizona project delivery system.

28 2. The emergency temporary recovery well permit is necessary to
29 allow the conservation district to provide immediate delivery of
30 replacement water to the city, town, private water company or irrigation
31 district.

32 3. The application is for an existing well as defined in section
33 45-591 that is within the groundwater basin or groundwater ~~sub-basin~~
34 SUBBASIN in which the stored water is located, is within the conservation
35 district and is within the service area of the city, town, private water
36 company or irrigation district.

37 E. An emergency temporary recovery well permit issued pursuant to
38 subsection D of this section may be issued for a period of up to ninety
39 days and may be extended for additional ninety day periods if the director
40 determines that the conditions prescribed in subsection D of this section
41 continue to apply.

42 F. If the application for a recovery well permit is approved, the
43 director shall issue a permit and the applicant may proceed to construct
44 or use the well. If the application is rejected, the applicant shall not
45 proceed to construct or use the well. A new well shall be completed
46 within one year of receipt of the permit, unless the director in granting
47 the permit approves a longer period to complete the well. If the well is

- 1 not completed within one year or the longer period approved by the
2 director, the applicant shall file a new application before proceeding
3 with construction.
- 4 G. A recovery well permit shall include the following information:
- 5 1. The name and mailing address of the person to whom the permit is
6 issued.
- 7 2. The legal description of the location of the existing well or
8 proposed new well from which stored water may be recovered pursuant to the
9 permit.
- 10 3. The purpose for which the stored water will be recovered.
- 11 4. The depth and diameter of the existing well or proposed new well
12 from which stored water may be recovered pursuant to the permit.
- 13 5. The legal description of the land on which the stored water will
14 be used.
- 15 6. The maximum pumping capacity of the existing well or proposed
16 new well.
- 17 7. If the permit is for a proposed new well, the latest date for
18 completing the proposed new well.
- 19 8. Any other information as the director may determine.
- 20 Enroll and engross to conform
- 21 Amend title to conform

GAIL GRIFFIN

1530FloorGRIFFIN.docx
03/31/2025
11:21 AM
H: CW/l's