Initiating Procedures to Designate an AMA via Petition & Election

West Basins Planning Area
Stakeholders Meeting
April 25, 2017

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Arizona Department of Water Resources
Regulations in a Subsequent AMA

1. Groundwater Right or Permit Required to Withdraw Groundwater from a Non-Exempt Well\(^1\)

2. Some Restrictions on Withdrawals from Exempt Wells\(^2\)

3. Well Spacing Requirements (non-exempt wells)

4. Metering Requirements (non-exempt wells)

5. Annual Reporting Requirements (non-exempt wells)

6. Groundwater Withdrawal Fees (non-exempt wells)

\(^1\)Non-exempt wells are defined as wells with a pumping capacity to exceed 35 gallons per minute

\(^2\)Exempt wells are defined as wells with a pumping capacity 35 gallons per minute or less
Regulations in a Subsequent AMA

6. Assured Water Supply Requirements for new subdivisions

7. Restrictions on Filling and Refilling Bodies of Water

8. Groundwater Transportation Laws

9. Mandatory conservation requirements for groundwater users

10. Irrigation of New Acres Prohibited
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• Only lands irrigated during the five years prior to the call for the election to establish the AMA may be irrigated, with a few exceptions.

• Lands not actually irrigated in the 5 year period are deemed to be irrigated if “substantial capital investment” was made for the subjugation of such land for an irrigation use including on-site irrigation distribution facilities and a well or wells, the drilling and construction of which were substantially commenced before the date of the call for the election. (In areas that were previously irrigation non-expansion areas, land would be deemed to have been irrigated if substantial capital investment was made in the 12 months before the date of the call for the election.)
Petition

The petition must be in the same form as an initiative petition and the applicant for petition must comply with A.R.S. 19-111.

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<tr>
<th>Required Signatures</th>
<th>Submitting the Petition</th>
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<td>At least 10% of registered voters within the groundwater basin boundaries must sign the petition</td>
<td>The petition is submitted to the Board of Supervisors of the county where the groundwater basin is located, or the county in which the plurality of registered voters resides if the basin is in more than one county.</td>
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The Statutes Address Basins & Multiple Counties

• The statutes state that when this occurs, with respect to the number of signatures needed on the petition, that the number is determined by the county with the greatest number of registered voters within the boundaries of the groundwater basin.

• This would require that each county determine how many registered voters are within the groundwater basin; the number of registered voters within both the basin AND the county with the most voters in the basin would be multiplied by 10% to arrive at the number of signatures needed.

• Registered voters within the groundwater basin may sign the petition regardless of the county in which they reside.
Election

• If enough signatures are submitted, an election must be called by each county in which the groundwater basin is located, and held within 60-90 days after the date of the first call.

• All registered voters residing within the groundwater basin may vote.

• Irrigation of new acres is prohibited after an election is called. If voters elect NOT to designate an AMA, this prohibition is lifted after the results of the election are certified.