

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1903

5 By: Representatives Moore, J. Edwards, Carter
6

For An Act To Be Entitled

8 AN ACT TO PROMOTE THE EFFICIENT USE OF WATER FOR THE
9 BENEFIT OF THE PEOPLE AND WILDLIFE OF ARKANSAS; AND
10 FOR OTHER PURPOSES.
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Subtitle

13 AN ACT TO PROMOTE THE EFFICIENT USE OF
14 WATER FOR THE BENEFIT OF THE PEOPLE AND
15 WILDLIFE OF ARKANSAS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 15-22-201 is amended to read as follows:

22 15-22-201. Declaration of policy.

23 ~~(a) In recognition of the fact that there is rainfall over the State~~
24 ~~of Arkansas in rainy seasons more than ample to provide sufficient surface~~
25 ~~water for the use of persons in this state during those seasons, that most of~~
26 ~~this surplus water is now wasted and completely lost, and does damage to~~
27 ~~fertile soil while being wastefully lost, and that during other periods the~~
28 ~~supply of surface water has been and may be inadequate for needed use, it is~~
29 ~~declared to be the policy of the State of Arkansas to encourage and provide~~
30 ~~methods for conserving surplus surface water for future use.~~

31 ~~(b) To that end, it is declared to be the purpose of this subchapter~~
32 ~~to permit and regulate the construction of facilities to store surplus~~
33 ~~surface water for future use, to protect the rights of all persons equitably~~
34 ~~and reasonably interested in the use and disposition of surface water, to~~
35 ~~maintain the normal flow of all streams and preserve the fish therein, to~~
36 ~~prevent harmful overflows and flooding, and to conserve the natural resources~~



1 ~~of the State of Arkansas.~~

2 (a) It is in the best interest of the people of the State of Arkansas
 3 to have a water policy that recognizes the vital importance of water to the
 4 prosperity and health of both people and their natural surroundings.

5 (b) Preserving water of a sufficient quality and quantity will allow
 6 Arkansas to be known both as a natural state and a land of opportunity where
 7 agriculture, industry, tourism, and recreation will remain strong for future
 8 generations.

9 (c) It is declared to be the policy of the State of Arkansas to
 10 encourage best management practices and reliable data to provide scientific
 11 methods for managing and conserving water for future use in recognition of
 12 the facts that:

13 (1) Arkansas has annual rainfall providing surplus surface water
 14 for the use of persons in this state, while continuing to provide water for
 15 wildlife habitat, recreation, industry, agriculture, and commerce;

16 (2) In many instances much of this surplus water is now
 17 underutilized;

18 (3) The groundwater supplies of the state are being used at a
 19 rate that will result in valuable water aquifers being destroyed, harming
 20 both the general public and the private property rights of those owning
 21 property in this state; and

22 (4) Surface water and ground water supplies must be managed
 23 together for maximum effect.

24 (d) It is declared to be the purpose of this subchapter to permit and
 25 regulate the construction of facilities to use surplus surface water in order
 26 to, without limitation:

27 (1) Protect critical groundwater supplies that are a significant
 28 source of the drinking water supply for thousands of people in Arkansas;

29 (2) Protect the rights of all persons equitably and reasonably
 30 interested in the use and disposition of water;

31 (3) Maintain healthy in-stream flows for all streams and rivers;

32 (4) Prevent harmful overflows and flooding; and

33 (5) Conserve the natural resources of the State of Arkansas.

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 36 **APPROVED: 03/25/2011**