

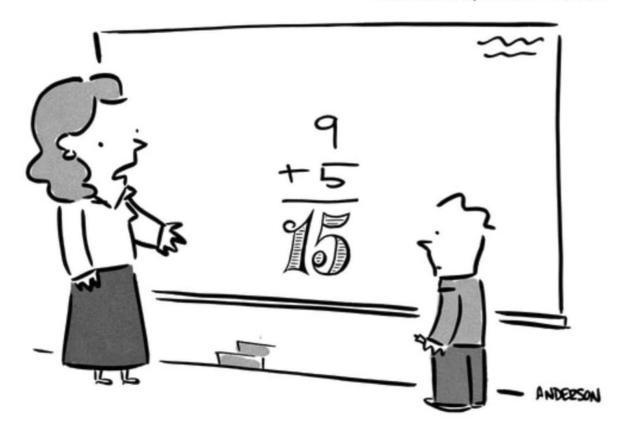
Part I:

Water in the Desert Surface Water Groundwater Reclaimed Water

Part II:

Follow the Colorado River
The Colorado River in History
The Colorado River as a Storage System
The Law of the River
The Bad News and the Good News
Solutions

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"I couldn't agree more, it looks very nice, but it's still wrong."

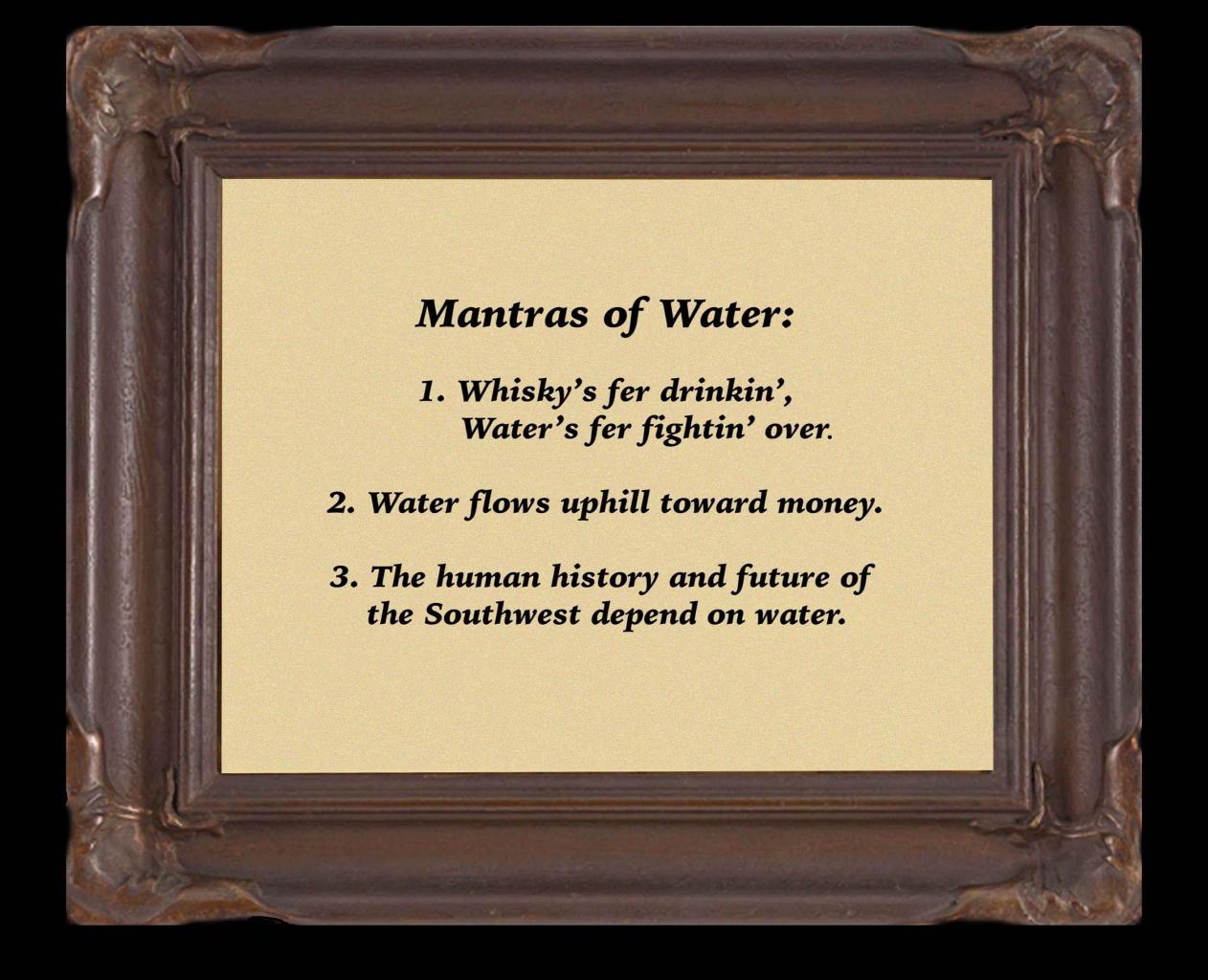
Disclaimer:

I am not a lawyer or trained hydrologist.

My training is in geology and education.

But this is my attempt to illustrate Arizona's water situation in a relatively simple narrative.

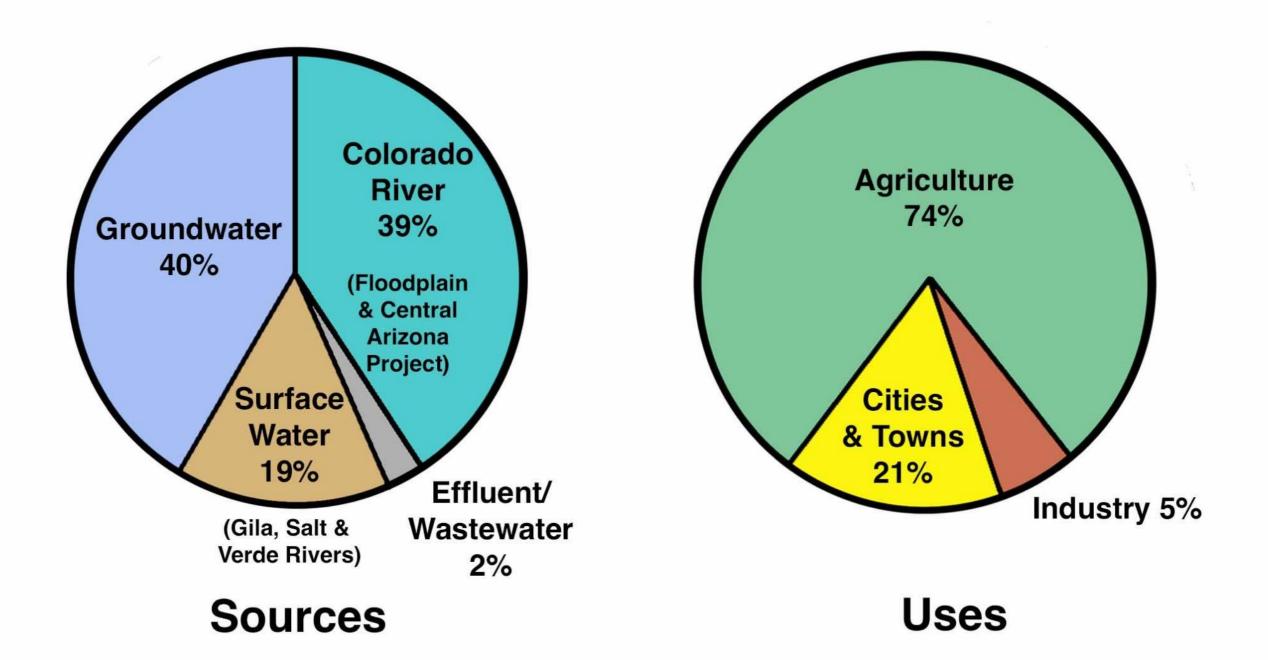
The actual picture is very complex, and it is constantly changing.



Gold is currently more than \$1500.00 per ounce. Municipal water is roughly \$0.000015 per ounce. That's a ratio of 1 Billion to 1.



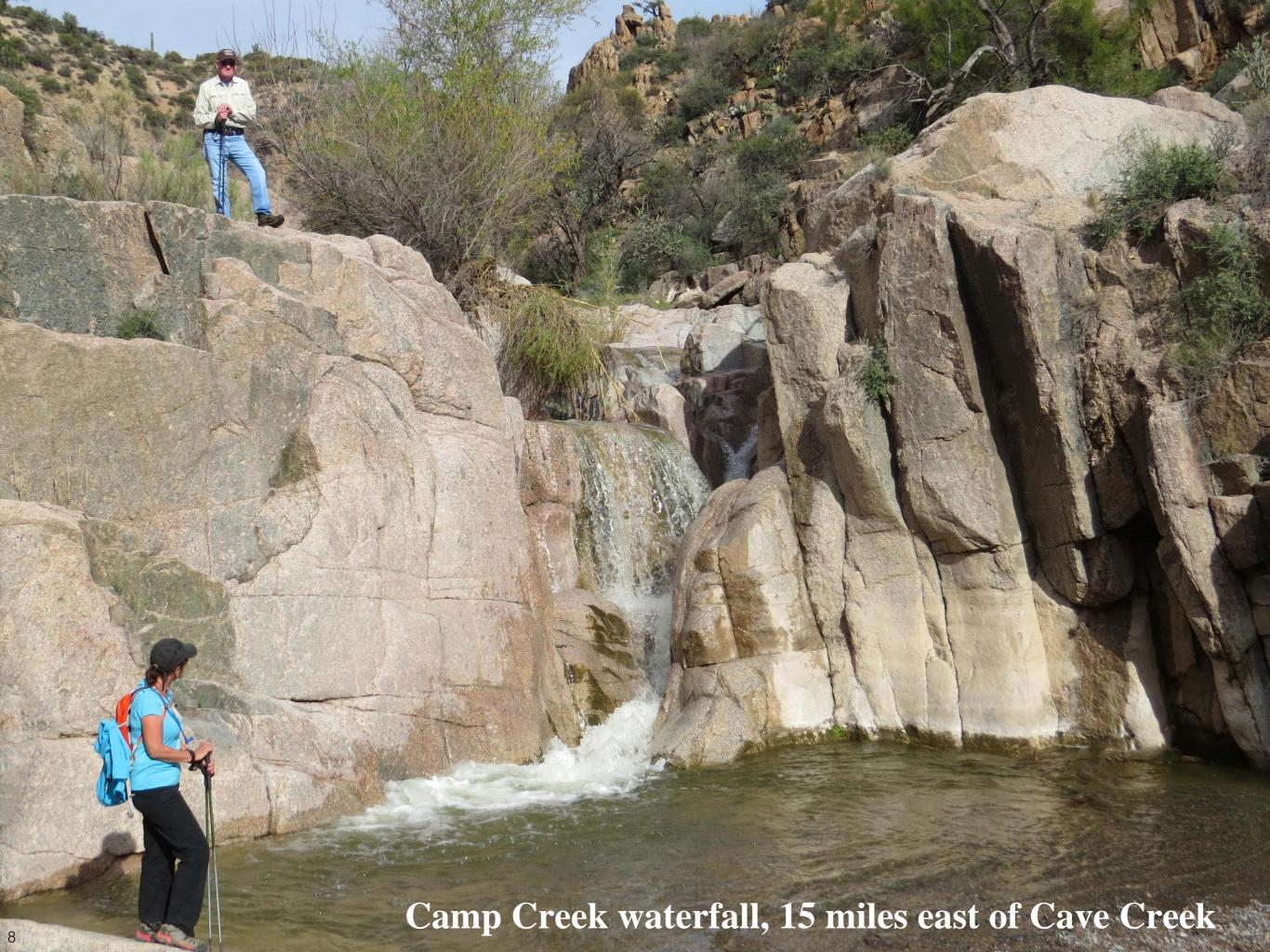
But which is more valuable?



Most of the water in Arizona is used for agriculture, which is only about only 8% of the economy. More efficient use of agricultural water could free up water for communities and industries.

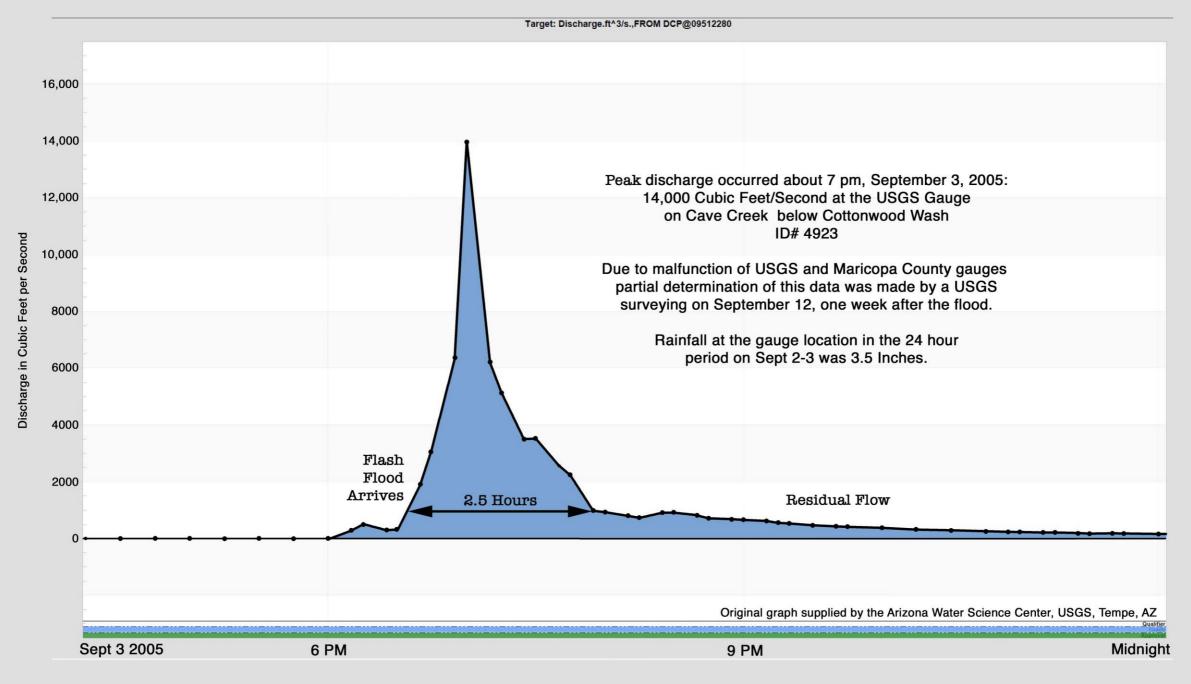
Part 2

Surface Water



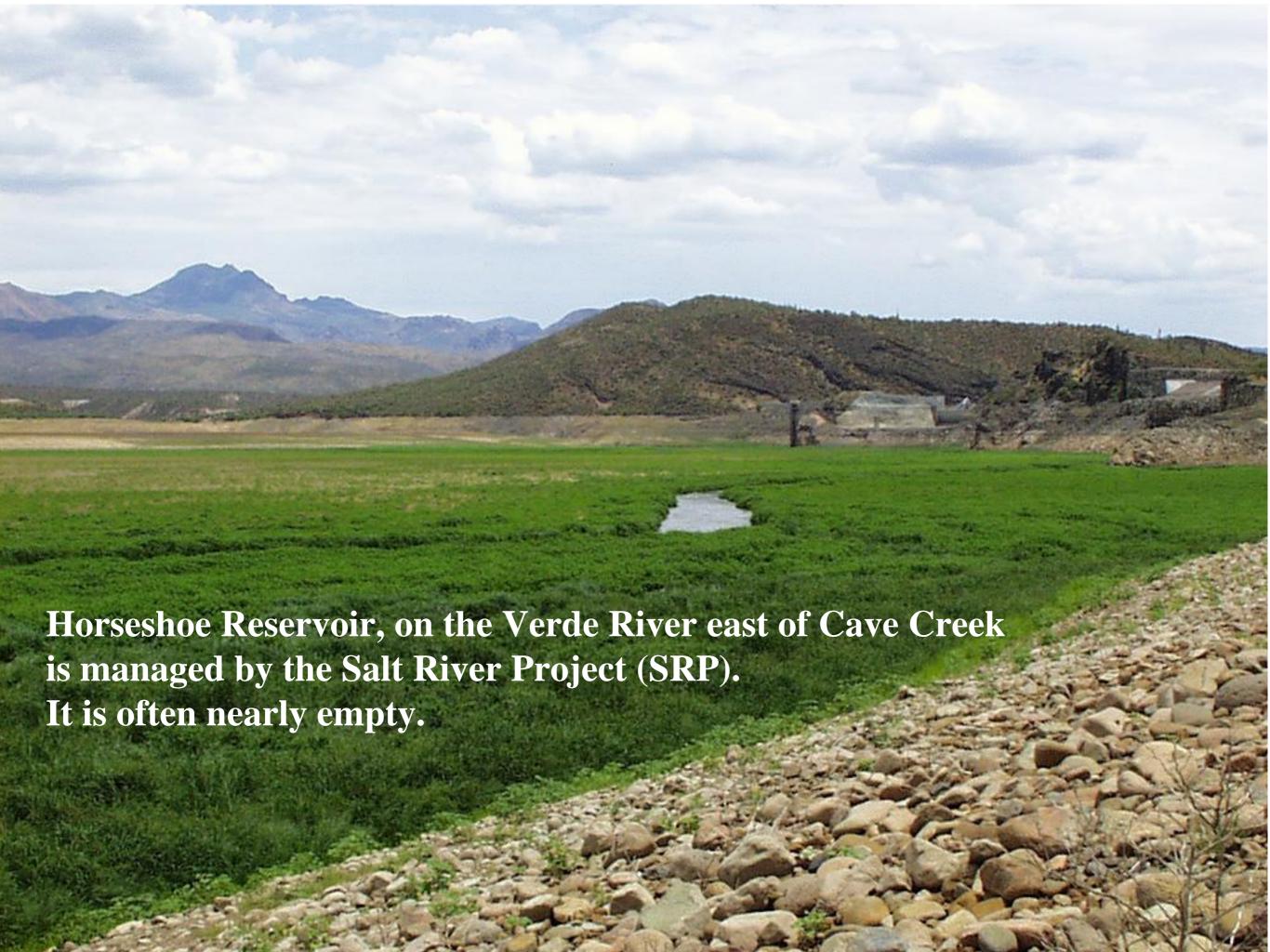






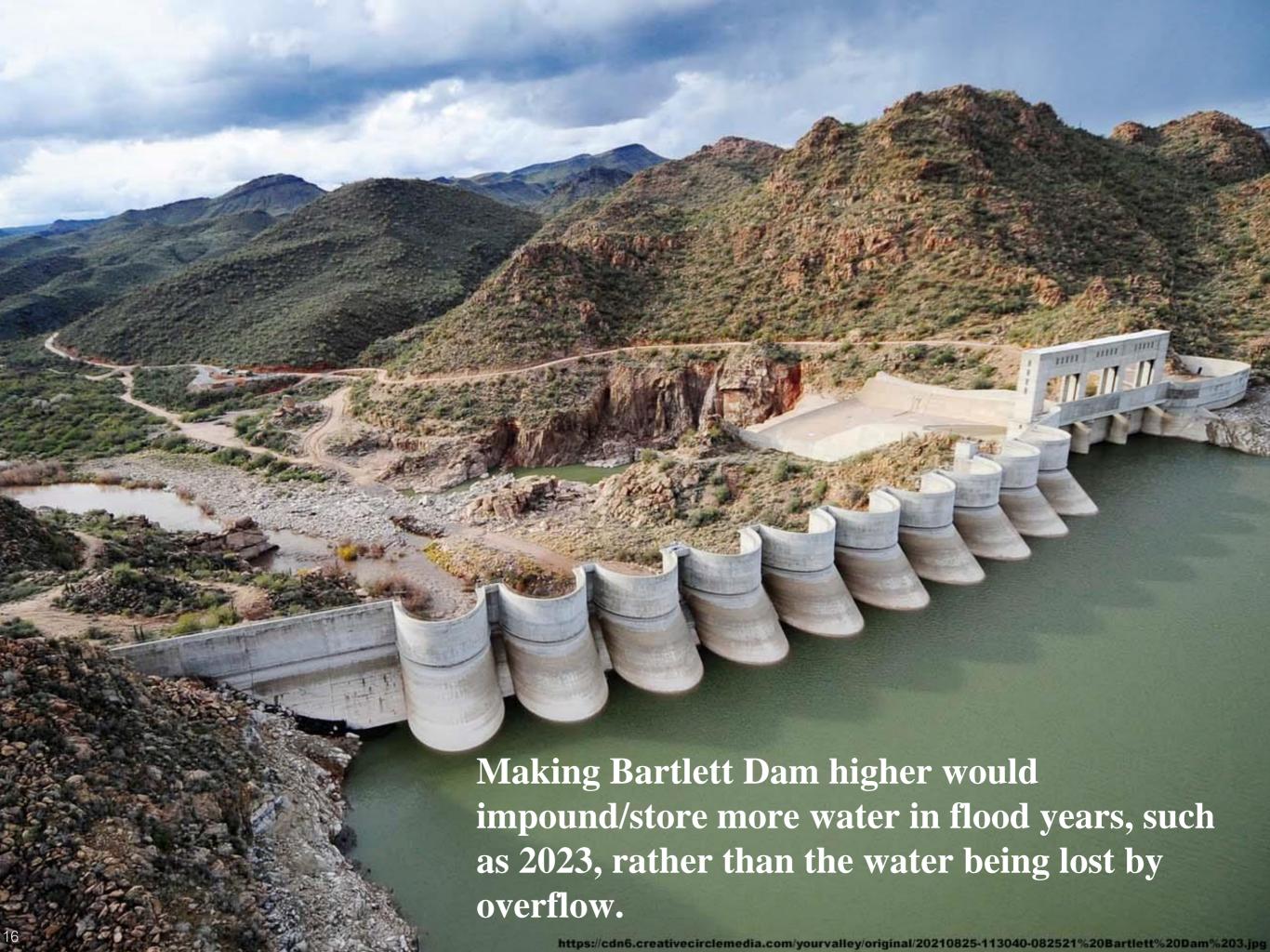
Desert streams are sometimes called "flashy." They can go from bone dry to roaring water in a few minutes in a "flash flood." As of August 2023, the greatest measured flood on Cave Creek occurred on September 3, 2005, after the Cave Creek Complex Fire.













The Central Arizona
Project (CAP) canal
brings Colorado
River
water more than 300
miles to the PhoenixTucson corridor. It
serves about 80% of
Arizona's population.

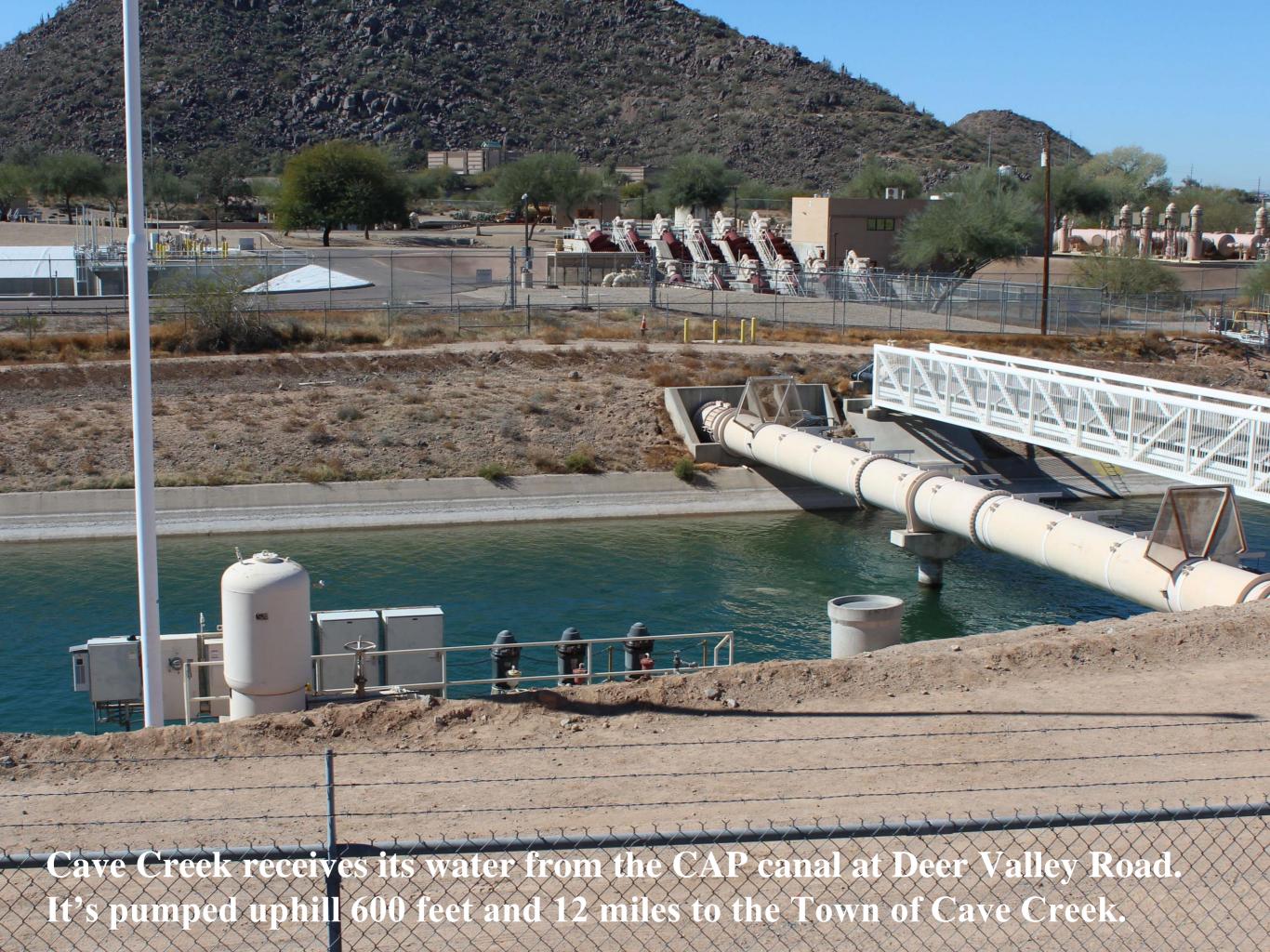
Building it cost about \$5 billion. But to get the needed support of California, Arizona took "Junior Partner" (low priority) status.

The CAP canal was intended to preserve groundwater.

Arizona Project image and diagram









Part 3

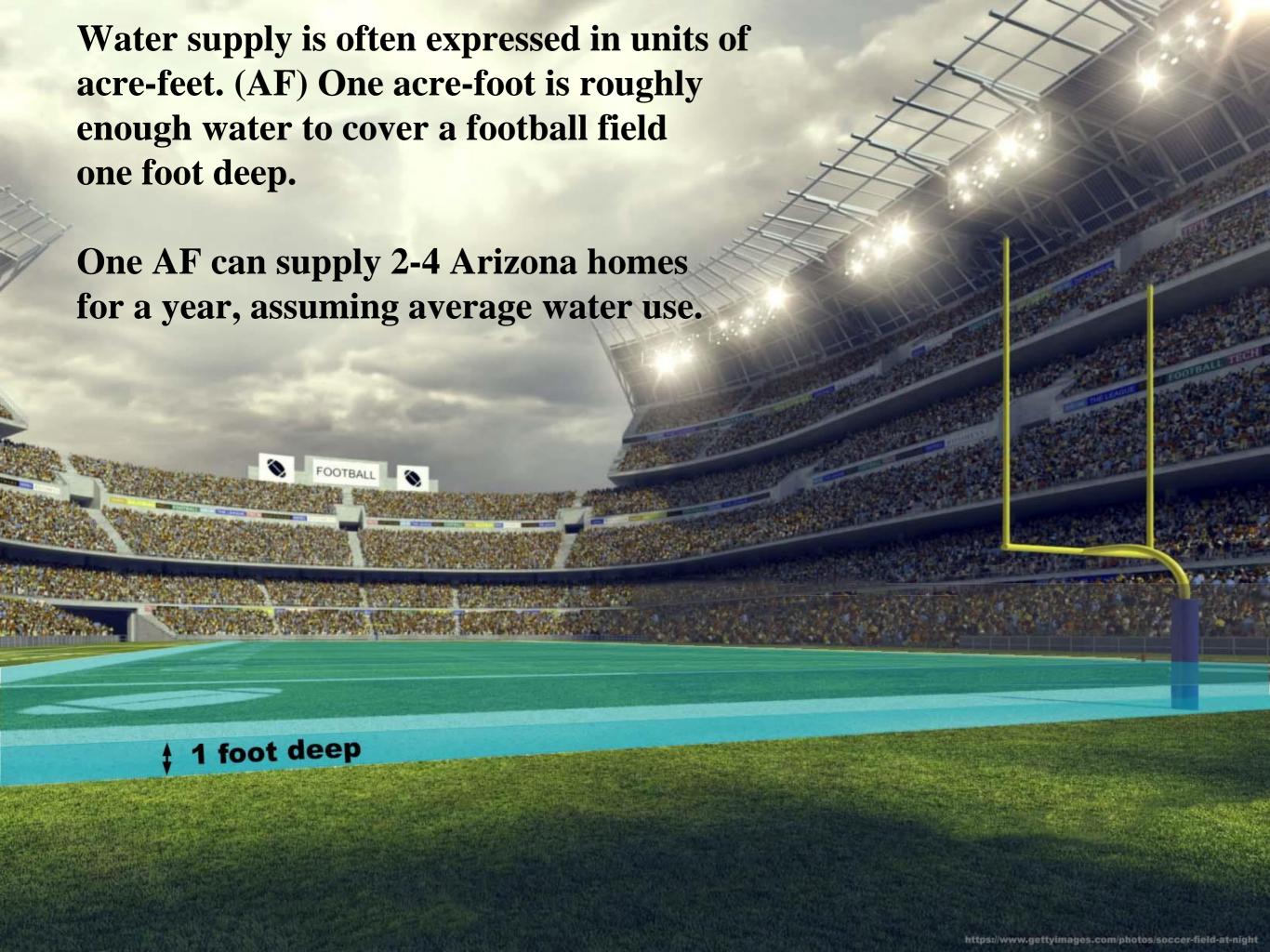
Groundwater









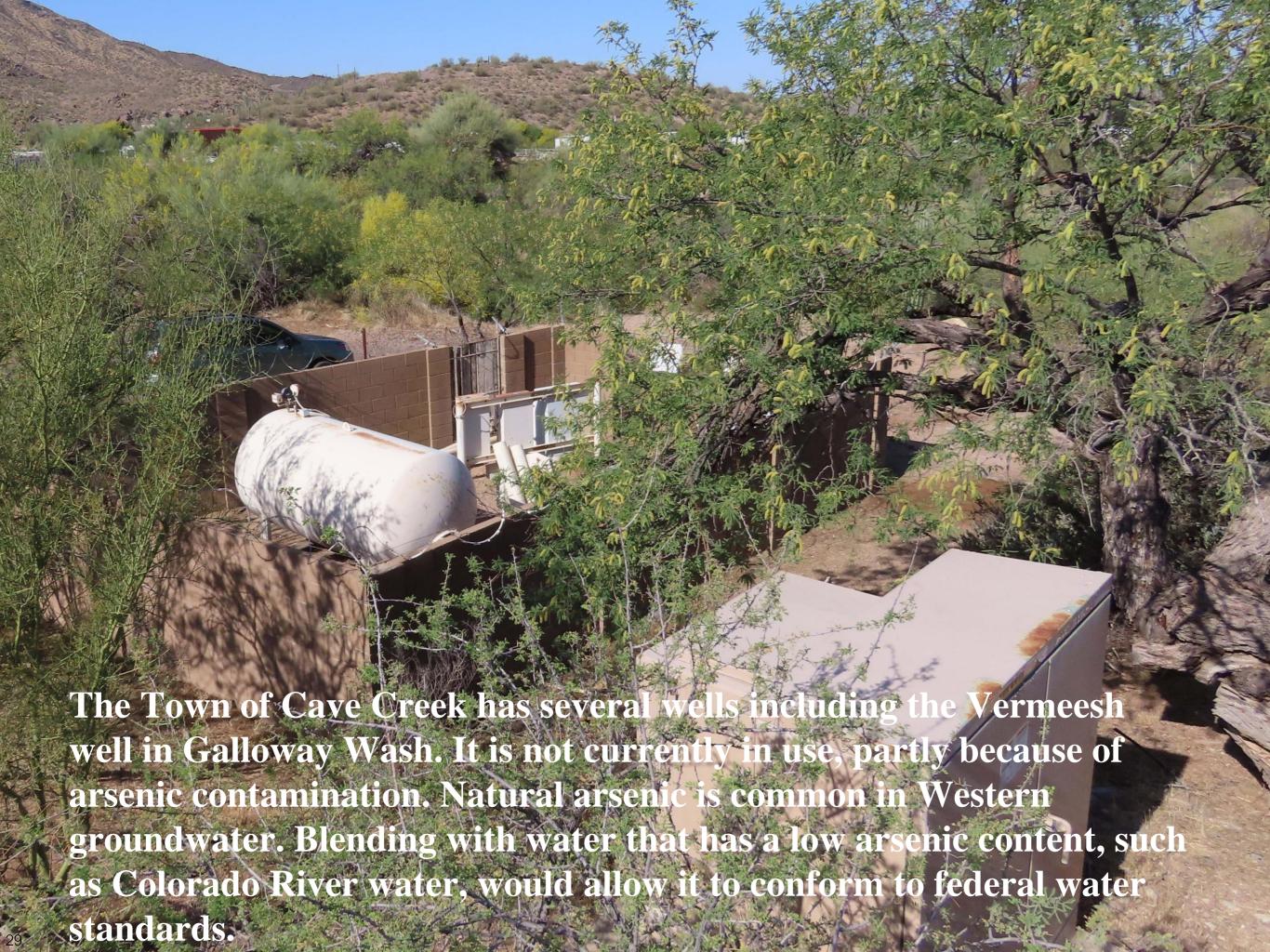


The Cartwright Ranch has a claim to 60 acre feet of spring water for irrigation and 30 acre feet for domestic use.

This claim pre-dates the Tonto National Forest, but has not been adjudicated and is therefore not a full water right.

The effect this diversion of water flowing into Cave Creek is uncertain.

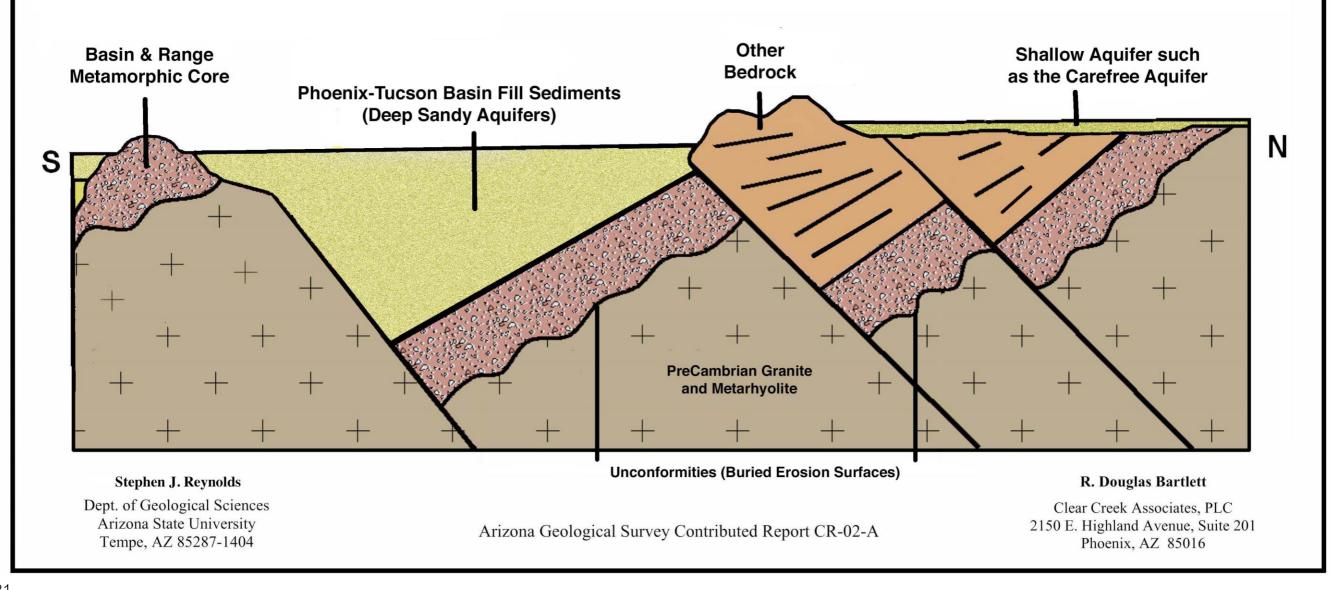


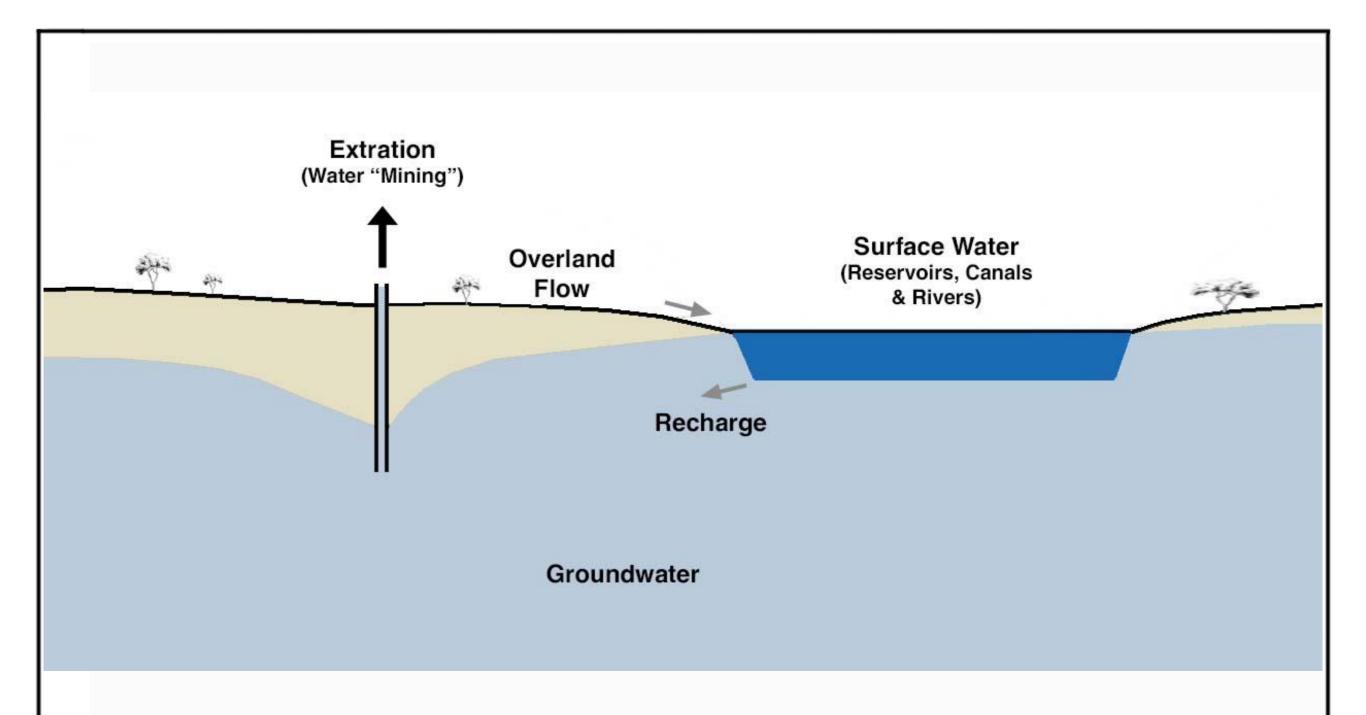




Unlike Southern California, the Phoenix-Tucson corridor has a deep aquifer. It could supply most of our water for as much as 10 years. But this is "fossil water," best managed as a "water reserve account."

Water recharge/banking can extend its lifetime and our future security. But Arizona's current groundwater use is not sustainable.



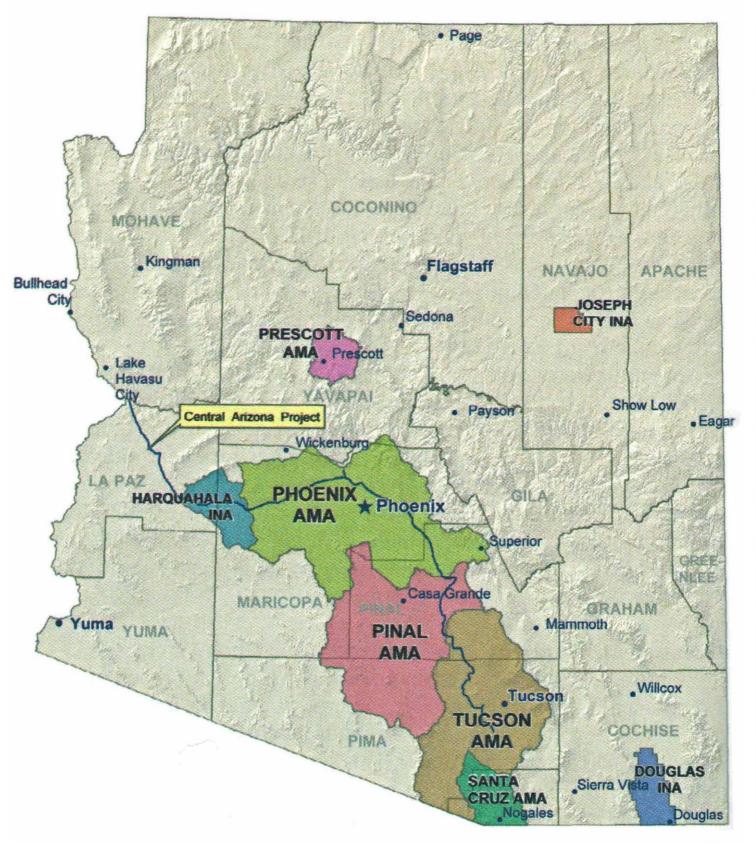


Because recharge can be much slower than extraction, groundwater in Arizona needs to be treated as a non-renewable resource. Therefore we use the term, "water mining." Surface water and groundwater are separate in some regulations, but they are, in nature, interconnected.

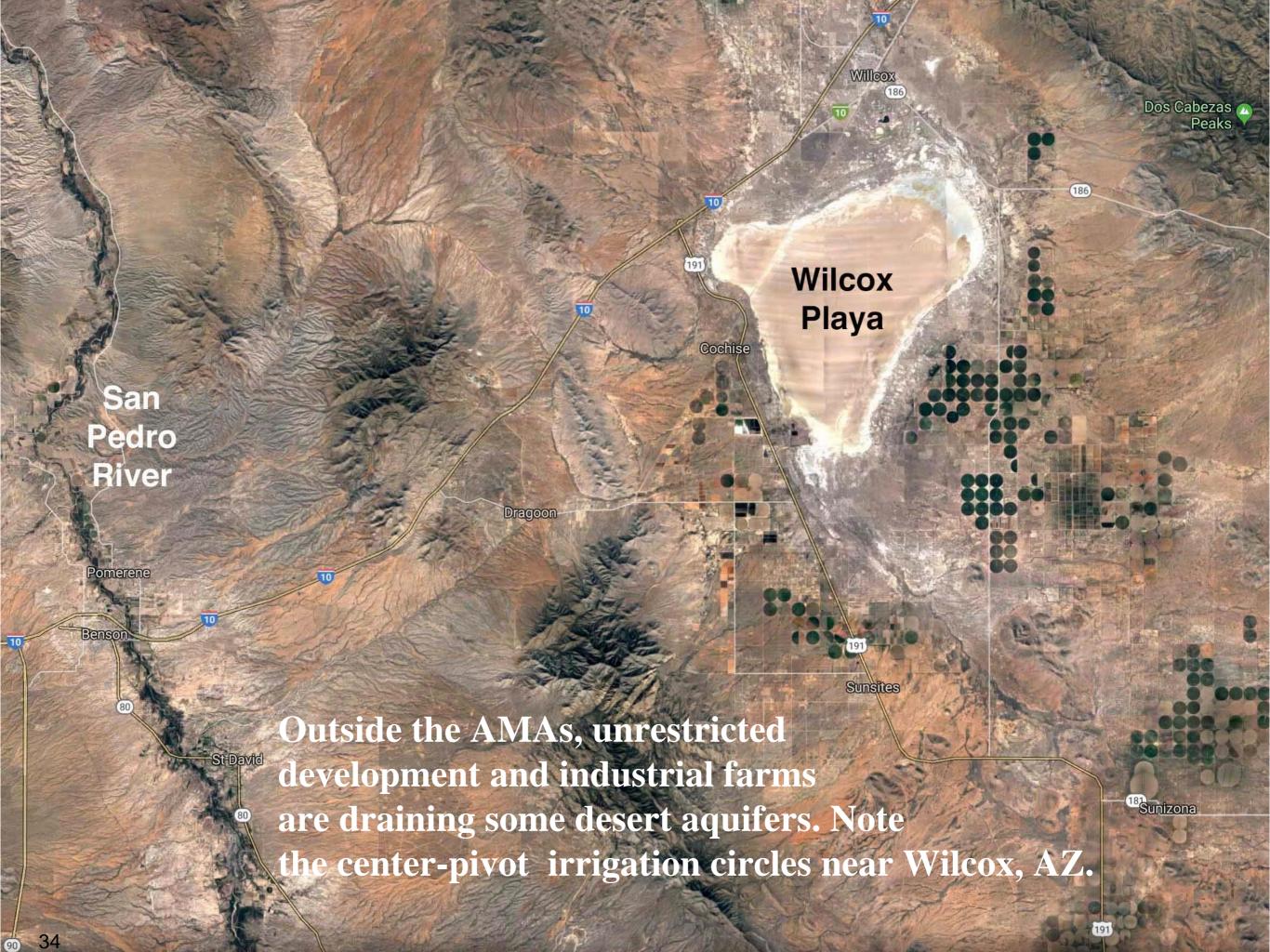
Construction of the Central Arizona Project (CAP) aqueduct allowed Active Management Areas (AMAs) and Irrigation Non-Expansion Areas (INAs) where groundwater withdrawal is managed for future availability.

Outside the AMAs and INAs, groundwater is neither monitored nor regulated.

Additional AMAs and INAs can be established by state and local action.



Arizona's Water Future: Challenges and Opportunities, Report by the University of Arizona, 2004





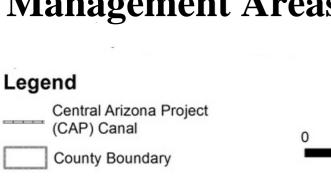


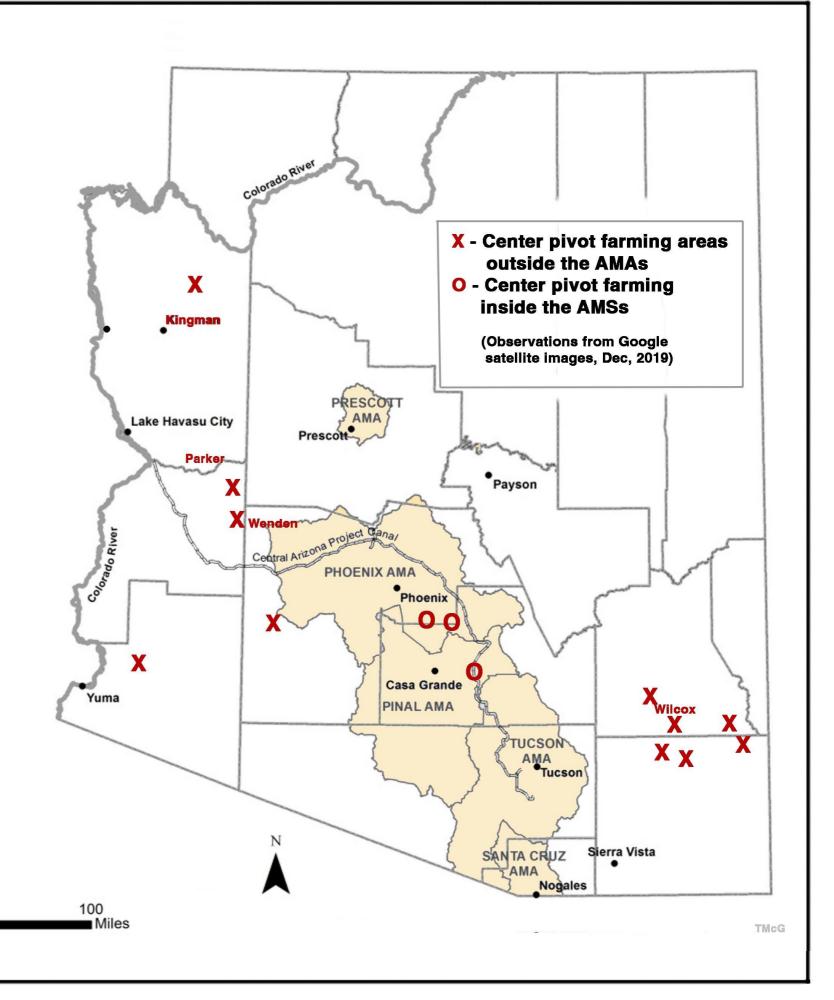
These are center-pivot irrigation locations identified from satellite images.

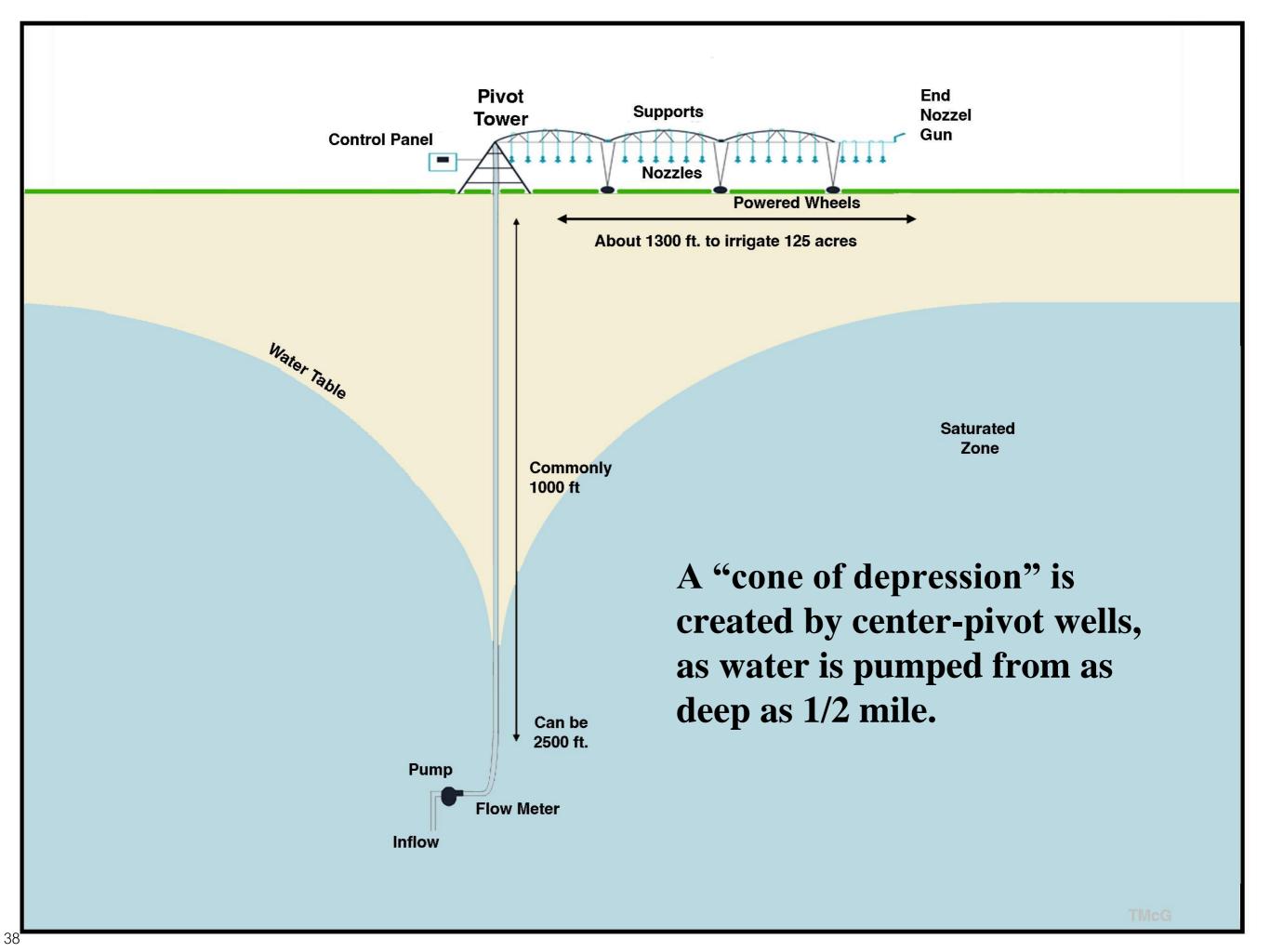
The circles are easy to spot during commercial air travel.

They are increasingly common throughout the desert southwest.

Most are outside the regulations of Active Management Areas.







Withdrawal of water from aquifers sometimes makes nearby wells run dry.

Industrial farms
can drill deeper
wells to extract
"fossil water,"
but rural
homeowners
can't afford such
deep wells.

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Arizona's Next Water Crisis:

Eight Corporations Involved in Industrial Farming in Rural Arizona

Arizona Republic, December 2019

Color Key: Foreign (3), Other USA (4), Arizona (1) (Some are joint ventures)

- 1. Riverview LLP (Minnesota) Near Wilcox (Probably the largest; up to 150,000 cattle, 420 wells) Growing water intense alfalfa, wheat, and silage corn to feed their dairy cows on the property
- 2. International Farming Corporation, Wenden & Salome (North Carolina) Alfalfa cattle feed
- 3. Fondomonte, Almaria, Vicksbug to Salome (Saudi Arabia) Alfalfa cattle feed
- 4. Al Dahra ACX, Wenden & Hyder, Red Lake Ventures, near Kingman (United Arab Emirates)
 Alfalfa cattle feed
- 5. Peacock Nuts LLC, Kingman area (Las Vegas & US Investors), Pistachios
- 6. International Farming Corporation (North Carolina) & Integrated Ag, near Wenden (Scottsdale) and leased to Aldahra (products to Saudi Arabia), Alfalfa
- 7. Kingman Farms, Near Kingman (Las Vegas)
 Formerly alfalfa, but currently hemp & baby potatoes (Which require less water)

Rob O"Dell & Ian James, Arizona's Next Water Crisis, (series) The Arizona Republic, December 2020, These 7 industrial farm operations are draining Arizona's aquifers, and no one knows exactly how much they're taking https://www.azcentral.com/in-depth/news/local/arizona-environment/2019/12/05/biggest-water-users-arizona-farms-keep-drilling-deeper/3937582002/



We wouldn't allow Arizona water to be shipped out like this...



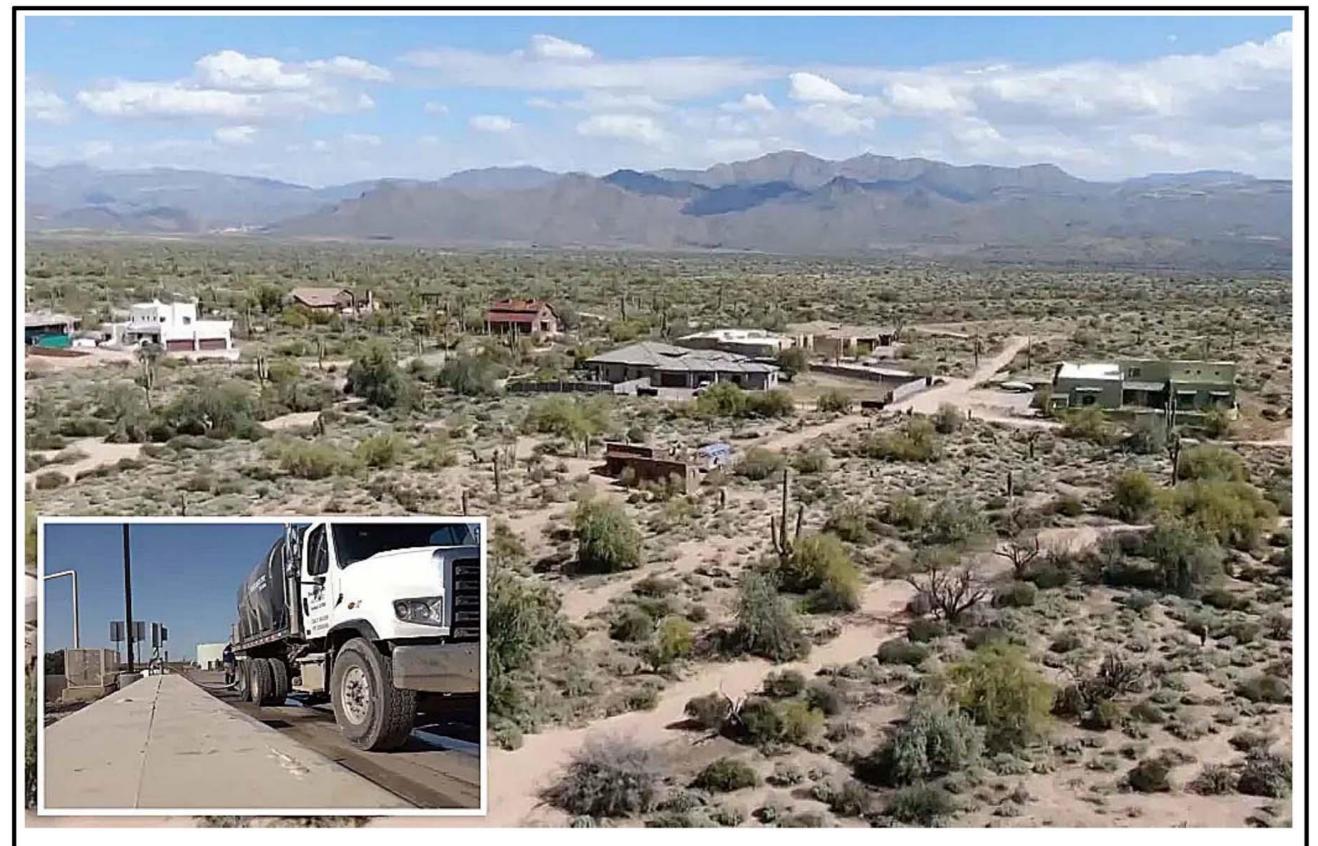


...so we turn the water into animal feed and export it.



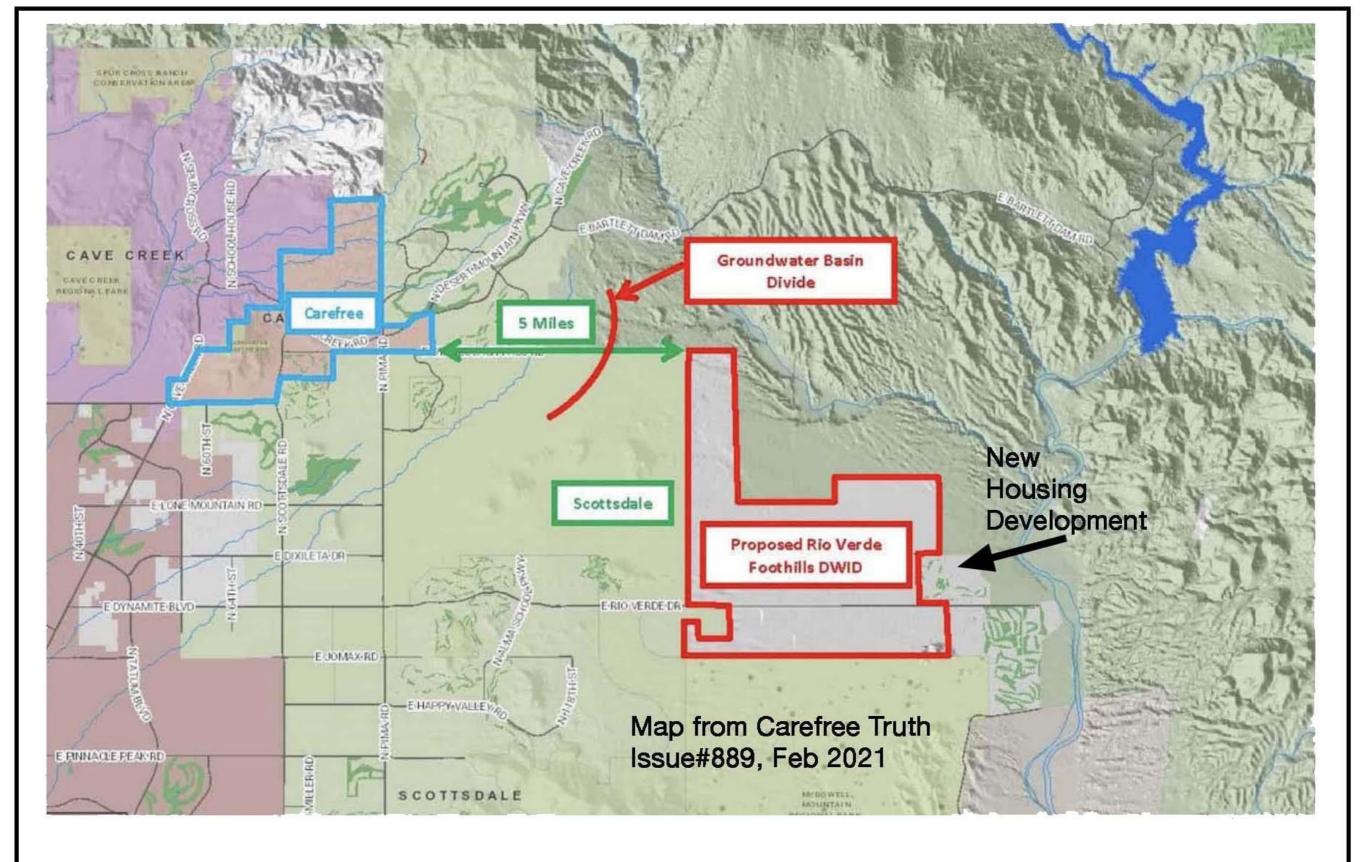
In 2022 the governor allowed a Saudi Arabian company to lease state land for as little as \$25 per acre per year. This allowed them to extract unlimited groundwater to grow animal feed that is shipped to the Persian Gulf. This contract is now under review.

www.youtube.com/watch?v=7kj29qM1d1U



Residents of Rio Verde Foothills purchased homes enabled by lot splits on county land north of the

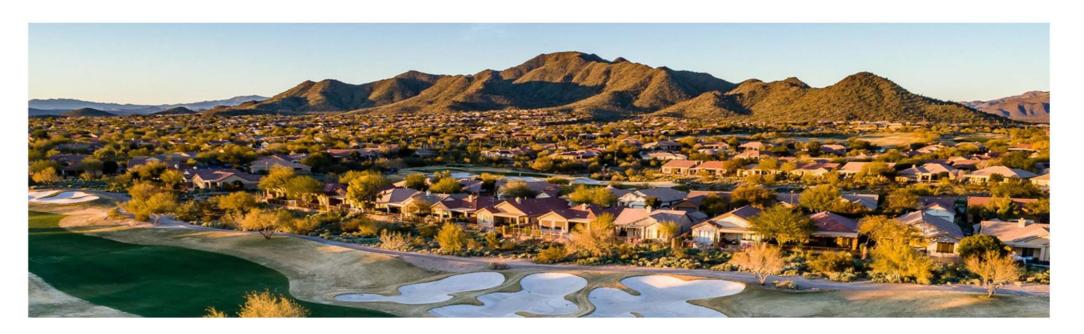
Scottsdale city limits. Unlike larger developments, homes on lot splits do not require a "100 year assured supply." Although they were given notice, residents were allowed to temporarily haul in Scottsdale water. In order to prepare Scottsdale for a water shortage, hauling was terminated.



Rio Verde Foothills could have formed a DWID (Domestic Water Improvement District), but some balked at the high cost. Maricopa County negotiated with Scottsdale to resume supplying water. But Scottsdale insisted on guarantees that their own citizens would not be disadvantaged by incurring extra costs, having to supply uncontrolled residential growth or loss of their own allocated water.

The Central Arizona Groundwater Replenishment District (CAGRD) allows a housing development to extract local groundwater in an AMA with a commitment to replace it. It's a "workaround" allowing developments to be built where groundwater extraction is normally prohibited. CAGRD grew from 4 developments in 1995 to 1,248 subdivisions in 2022. Anthem is a CAGRD project with 10,000 homes.

Homeowners are responsible through their water supplier to pay for water to constantly replace the groundwater. It's controversial because the groundwater recharge doesn't have be where it is withdrawn. This can result in the collapse of the local aquifer.

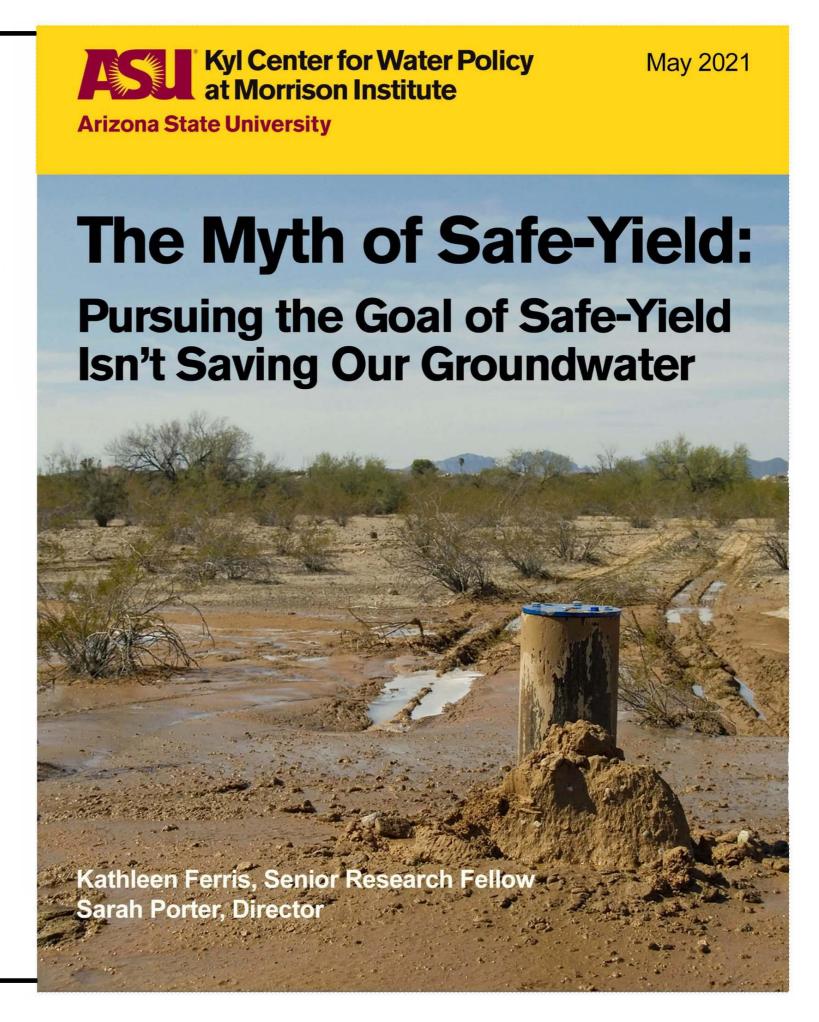


https://www.cagrd.com/enrollment, ttps://www.realliving.com/rentals/1748-W-MORSE-Drive-Anthem-AZ-85086-289186601, https://cals.arizona.edu/arec/sites/cals.arizona.edu.arec/files/publications/2006-03ferrismegdaleden.pdf, https://www.cagrd.com/documents/enrollment/CAGRD-Member-Land-Enrollment-Summary.pdf Bowling, Joshuua, The Arizona Republic, February 23, 2020

The ASU Kyle Center has published on-line reports about Arizona water supplies. Groundwater is especially critical. A critical goal is to equalize withdrawal with recharge for sustainable use.

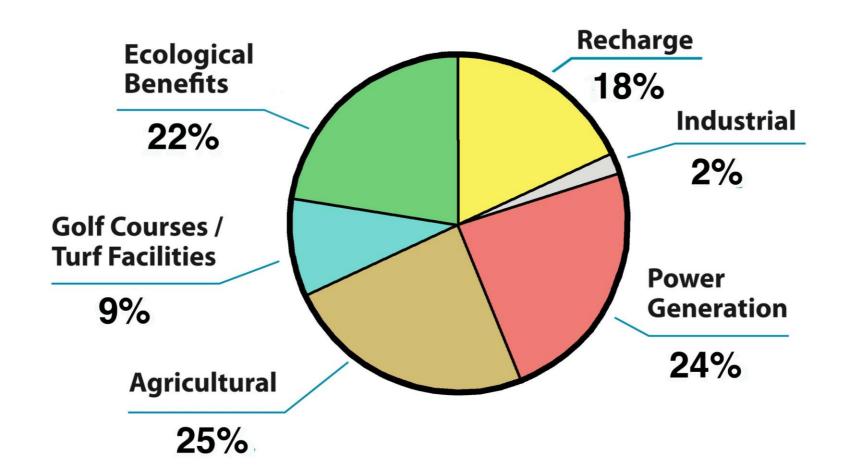
Because of historic uses, contracts and state-wide policies, Arizona is using more ground water than is being replaced.

Three other booklets are also available at the Kyle Center for Water Policy website.



Part 4

Reclaimed Water (Effluent)



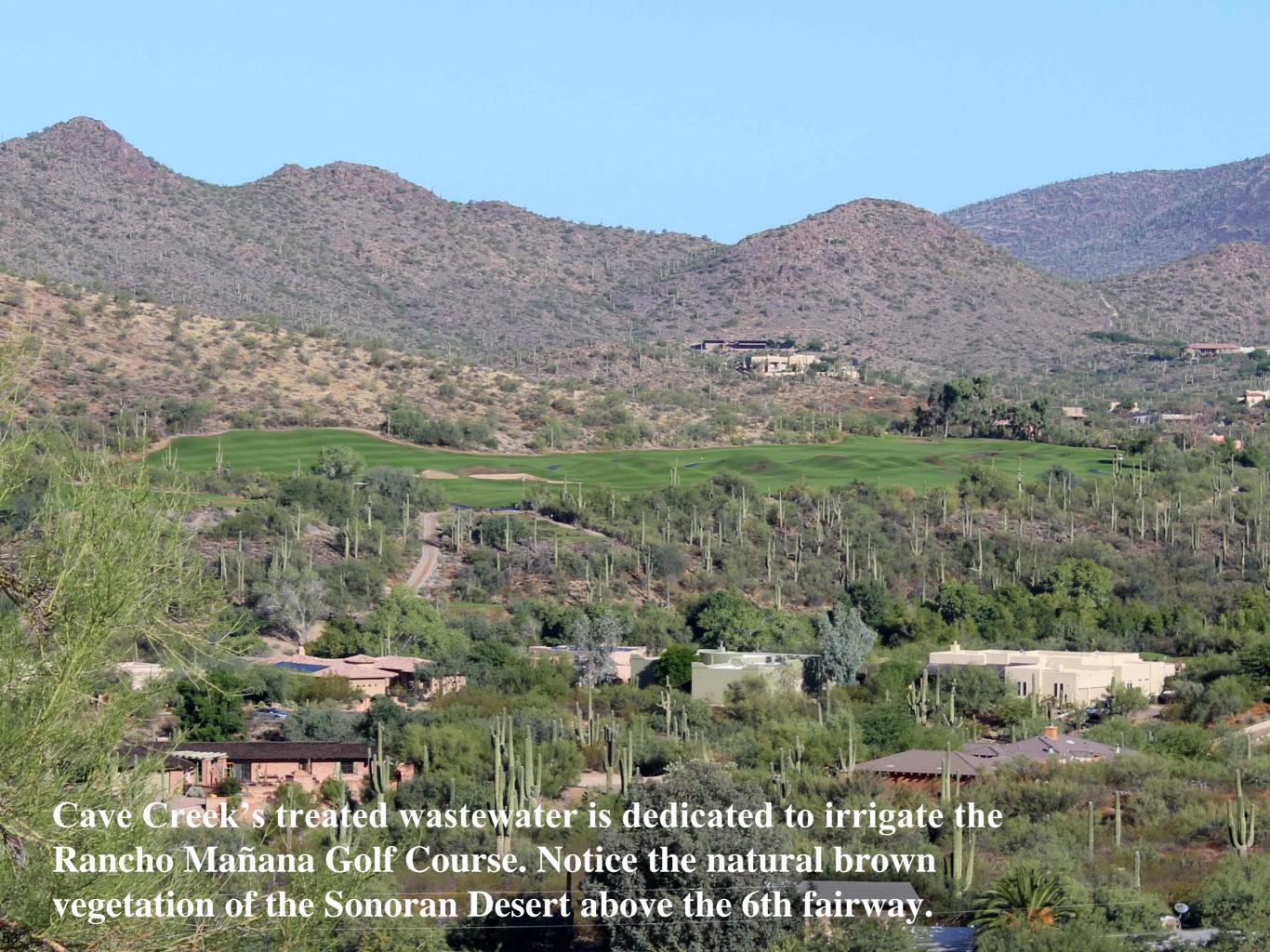
Treated wastewater is a valuable commodity in the desert. Here are the six major uses for effluent in Phoenix. This includes cooling water for the Palo Verde nuclear power plant west of Phoenix.

In fact, reclaimed water can be made more pure than traditional potable water supplies such as groundwater and surface water.

https://uaatwork.arizona.edu/sites/default/files/2014_wrrc_arroyo.pdf

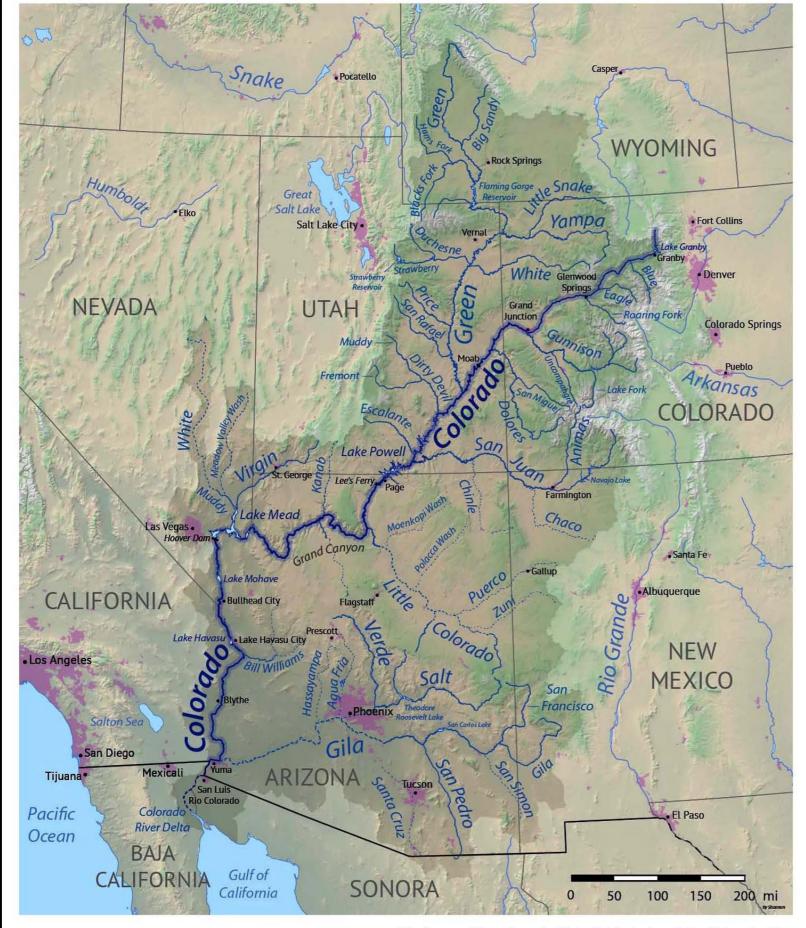






Part 5

Follow the Colorado River



The Colorado River starts high in the Rocky Mountains of Colorado.

It is not a large river.
It drains 8% of the
United States, but
has only 1.2% of the
water volume. Yet the
Colorado River serves
40 million people.

The Columbia River has the same size watershed as the Colorado, but carries 12 times as much water.

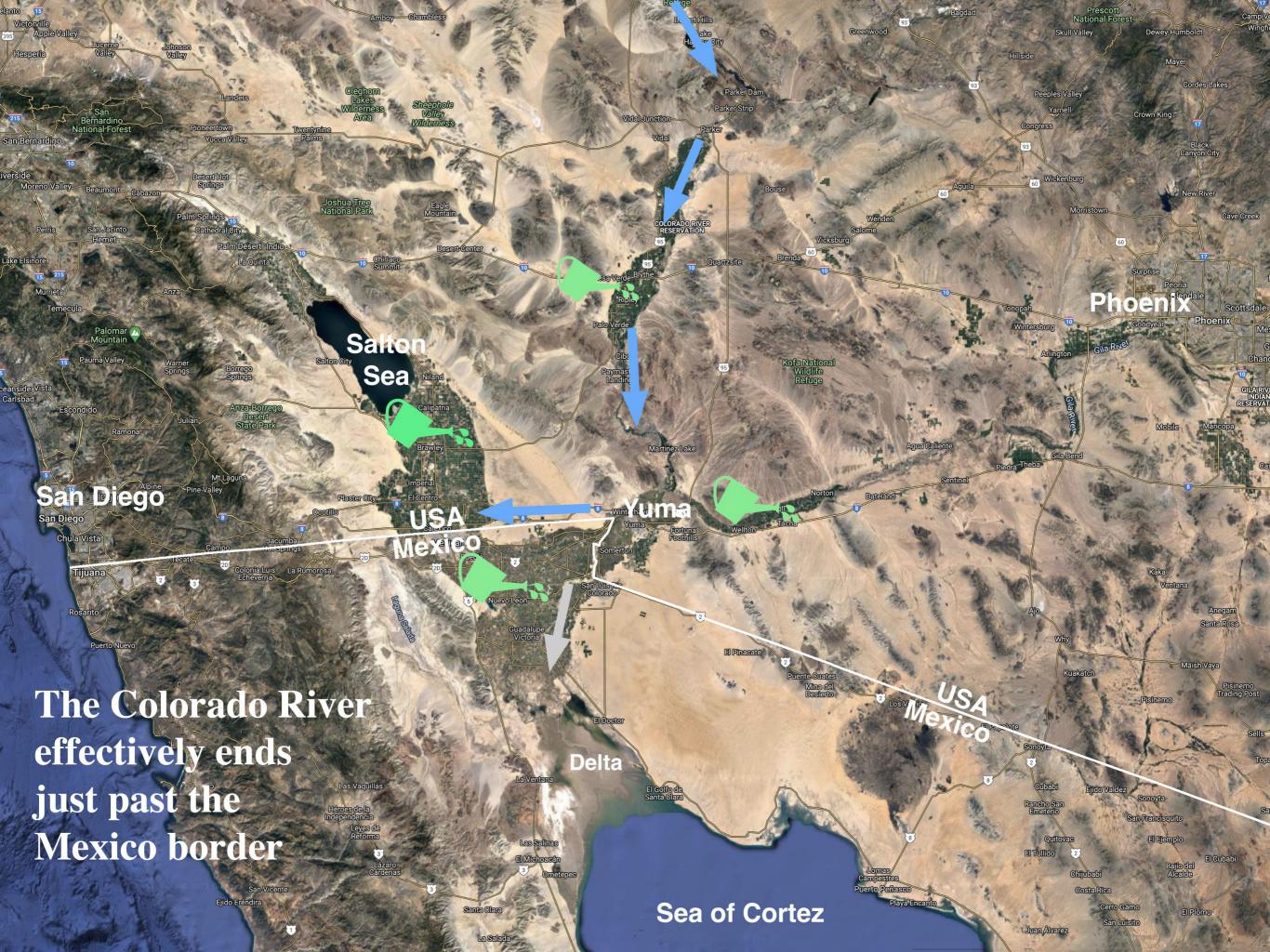
http://www.wikiwand.com/en/List_of_tributaries_of_the_Colorado_River

85-90% of the total water in the Coloraro River comes from annual snowpack in the Rocky Mountains. Between there and Mexico it is completely used up.

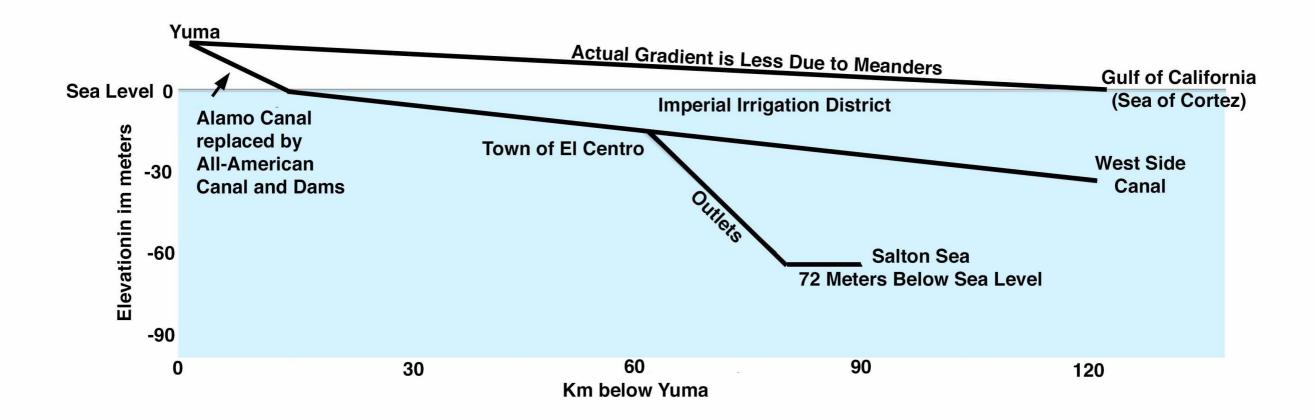


After the Colorado River leaves the Rockies, discharge begins to decrease.

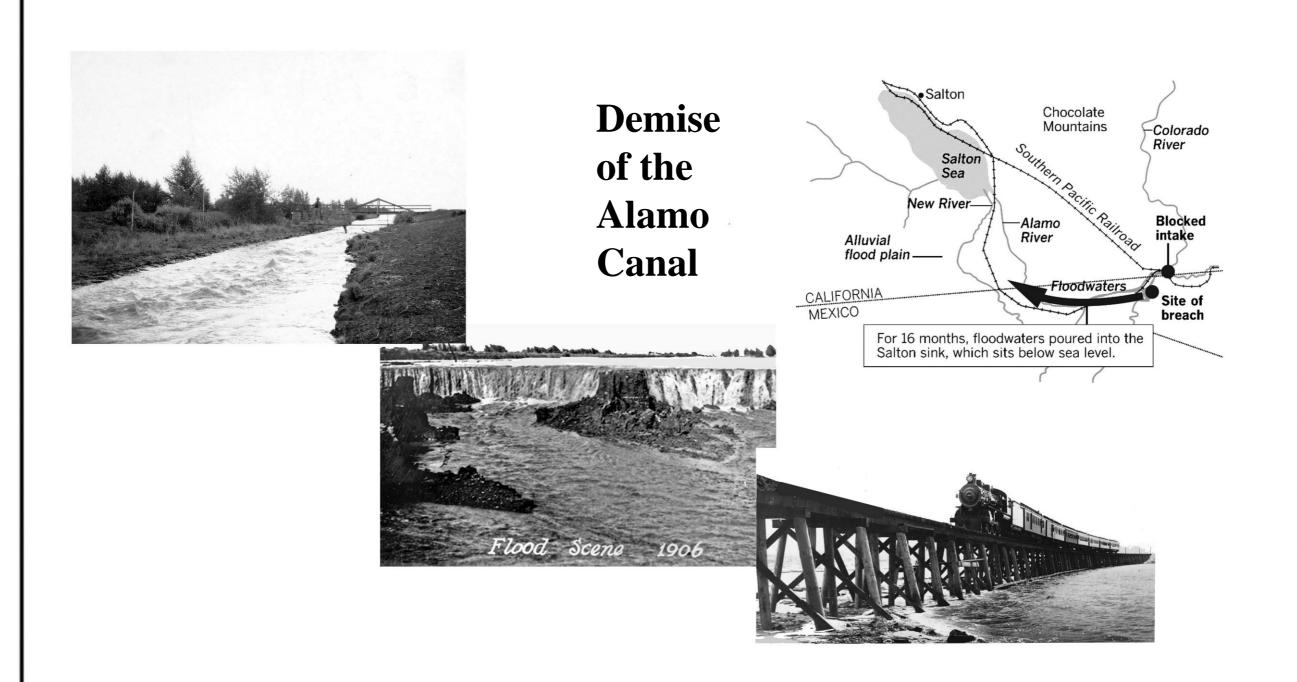




A profile of the Colorado River below Yuma shows that the gradient is steeper west into the Imperial Valley than it is to its natural terminus into the Sea of Cortez.



Note that the path down the Alamo Canal is steeper than the path out to the Sea of Cortez. That's why the whole river so easily jumped into the Alamo Canal and made the Salton Sea.



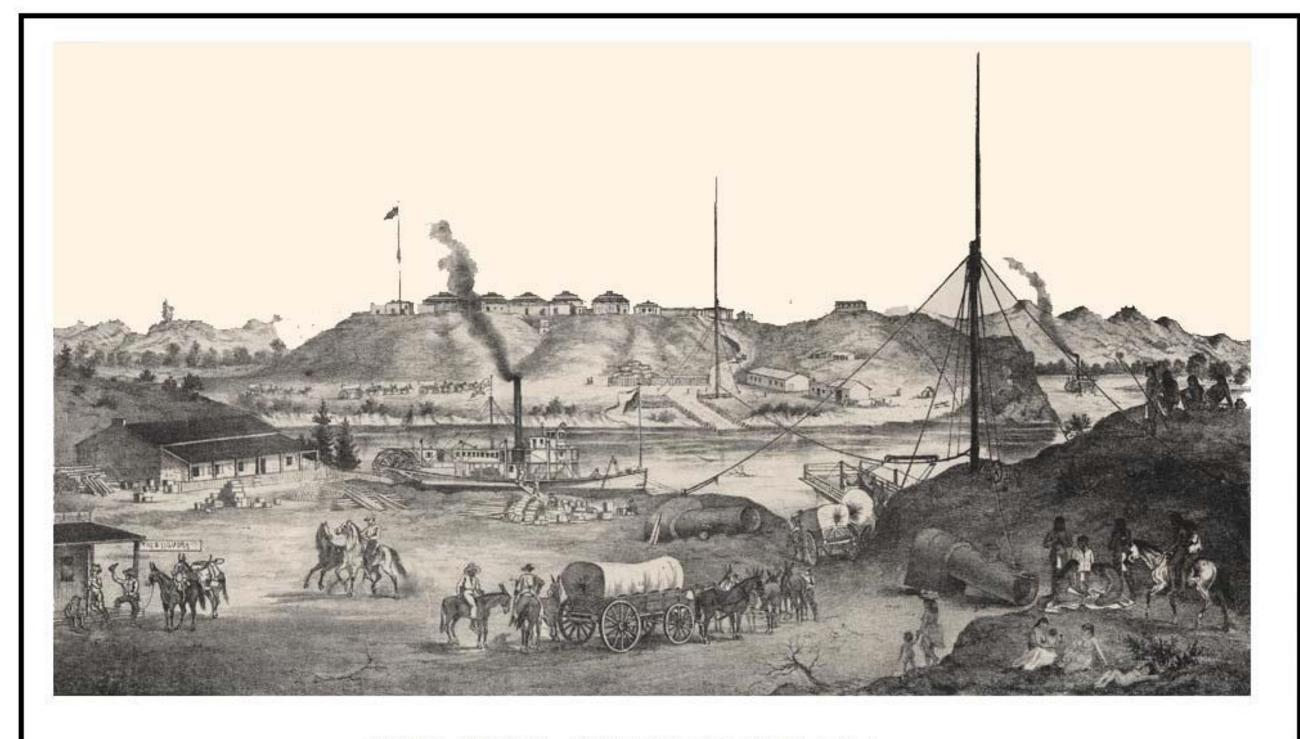
The original canal to irrigate California's Coachella/Imperial Valley was built in 1900. Floods overwhelmed the intake from 1904 to 1906. Flooding created the Salton Sea, 200 feet below sea level. It was replaced by the All-American Canal with better control gates.





Part 6

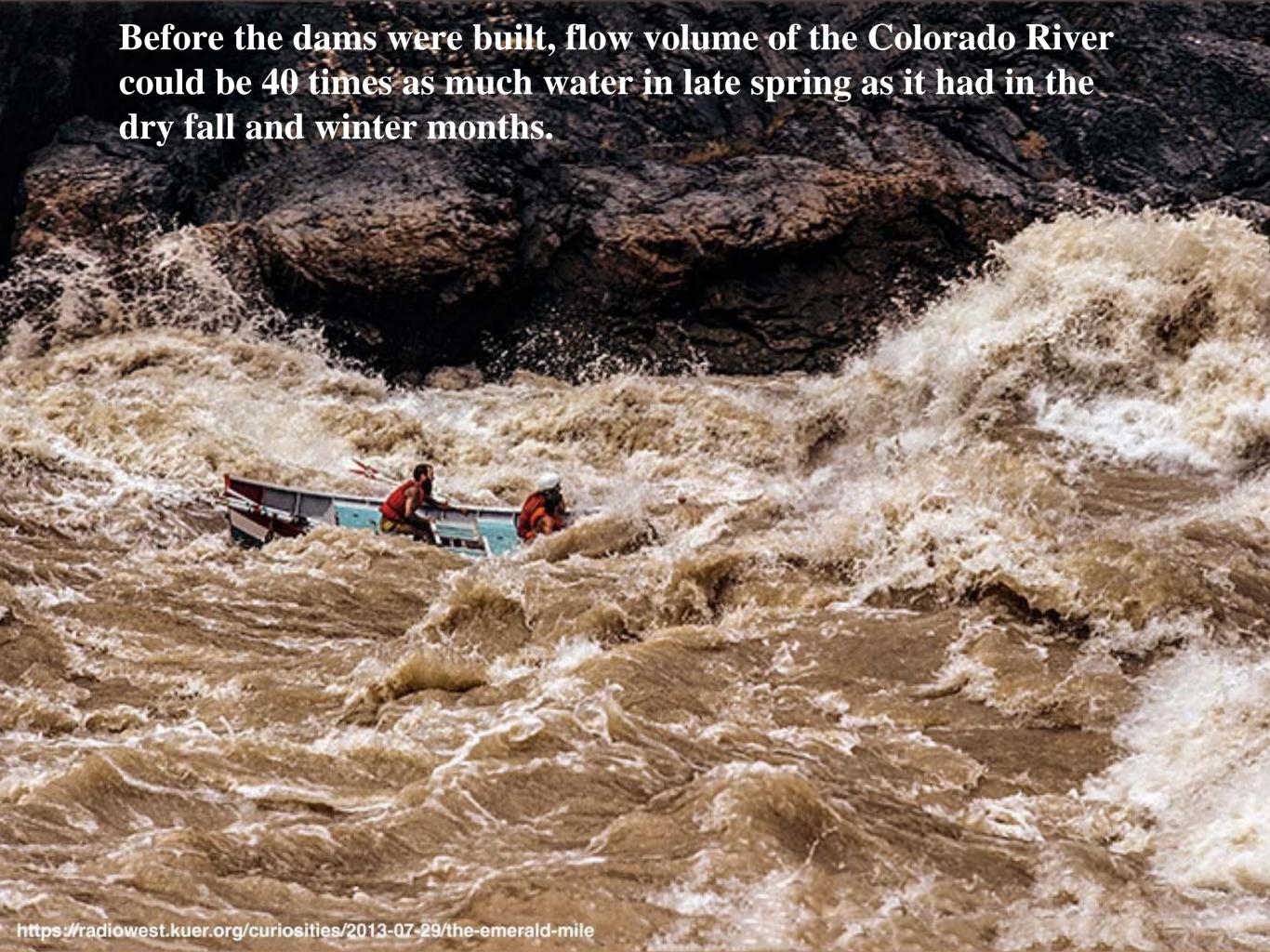
The Colorado River in History



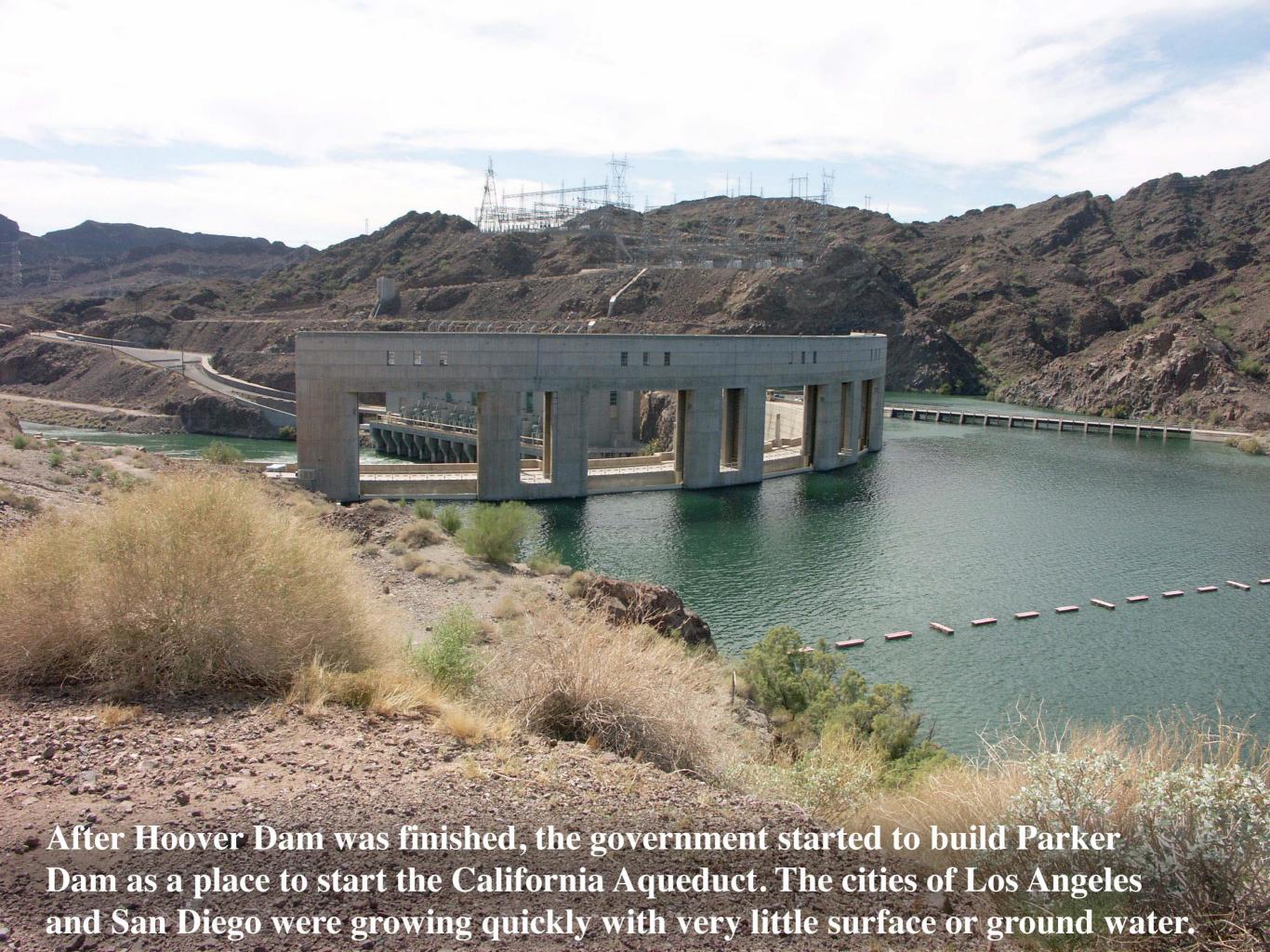
FORT YUMA COLORADO RIVE CALA

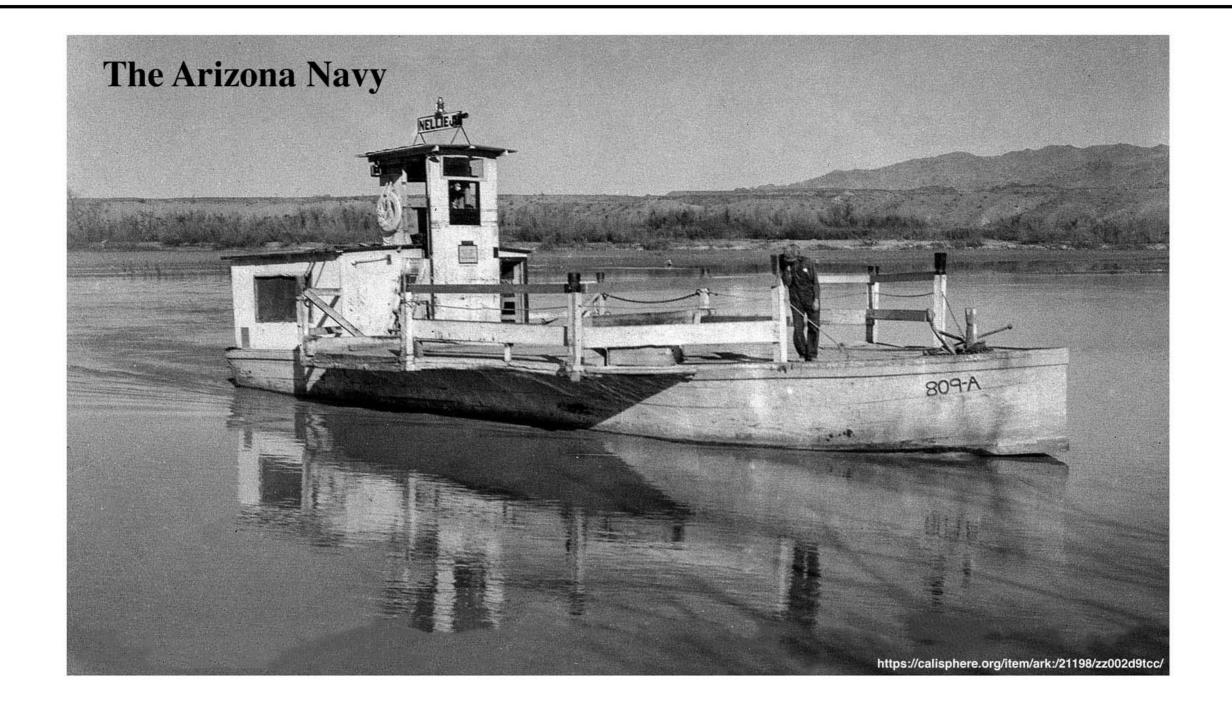
From 1852 to 1909 shallow draft boats could travel 300 miles up the Colorado River past present day Las Vegas depending on water flow conditions.







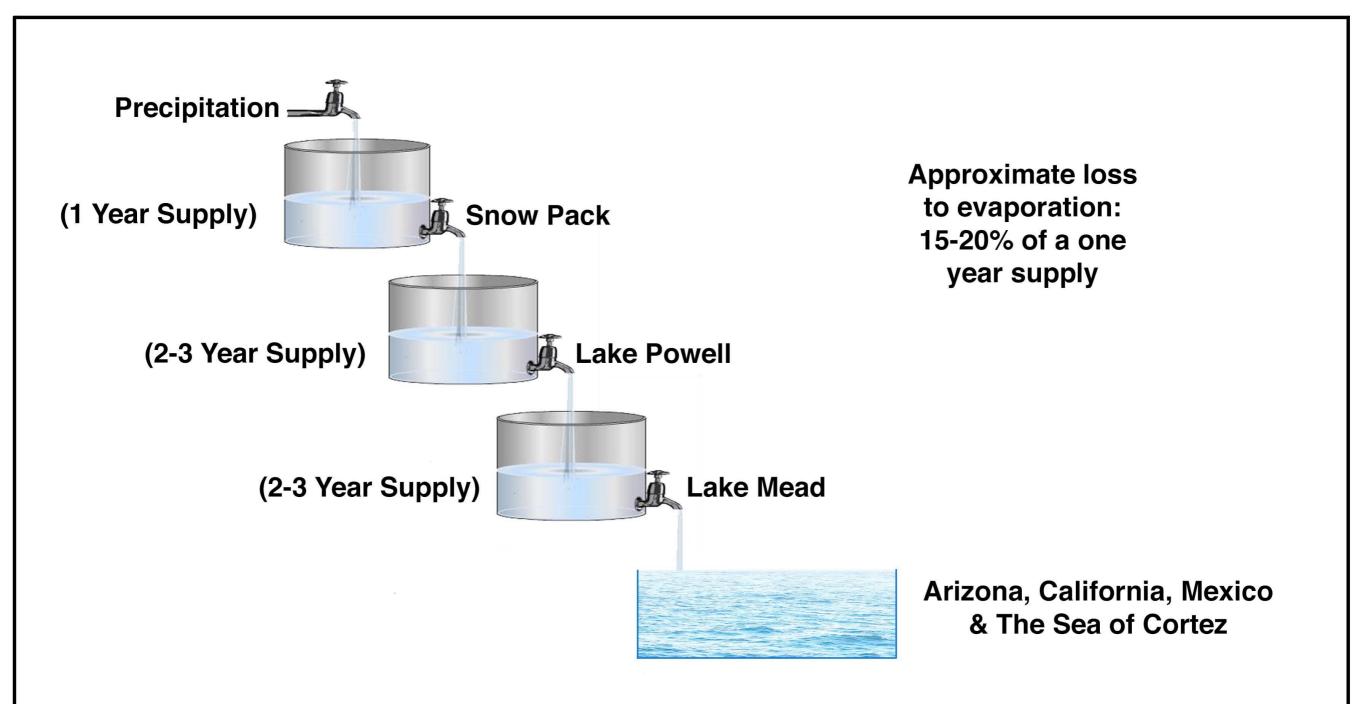




In 1934 Arizona Gov. Benjamin Baker Moeur declared martial law because the government did not have permission to anchor Parker Dam on the Arizona side. He called out the National Guard with 40 riflemen and 20 machine gunners to defend Arizona's water. Arizona had no way to pump it's water up to where it was most needed. But it didn't want California to steal the Arizona allotment. Two ferry boats owned by "Navy Admiral Nelle T. Bush" became entangled by cables and had to be rescued by "the enemy;" California.

Part 7

The Colorado River as a Storage System

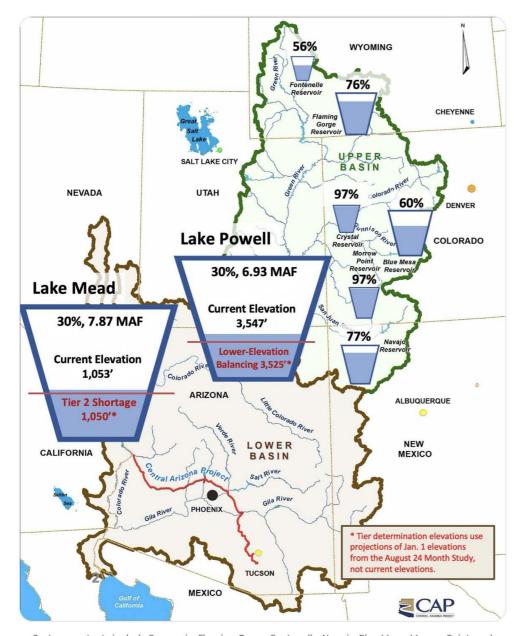


This is a simplified model of the Colorado River as a storage System from the Rocky Mountains to the Sea of Cortez. Water lost to evaporation, now estimated as 1/8 of the water, is not shown.

COLORADO RIVER WATER SUPPLY REPORT

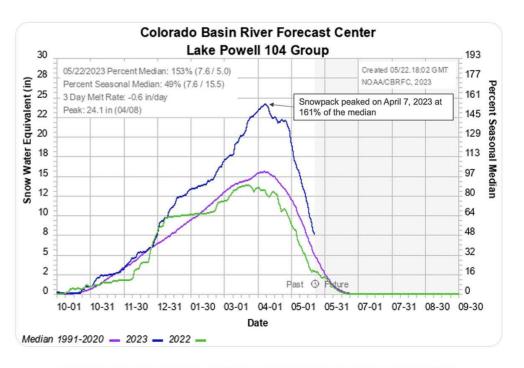
System Contents*: 21.92 MAF

As of May 22, 2023 Last Year System Contents: 20.44 MAF

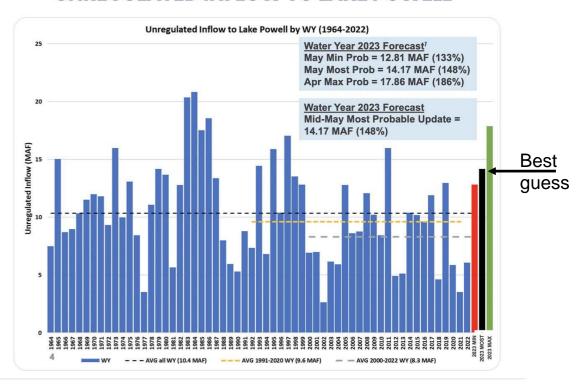


System contents include Reservoirs Flaming Gorge, Fontenelle, Navajo, Blue Mesa, Morrow Point, and Crystal, and Lakes Powell, Mead, Mohave and Havasu and is shown in million acre-feet (MAF).

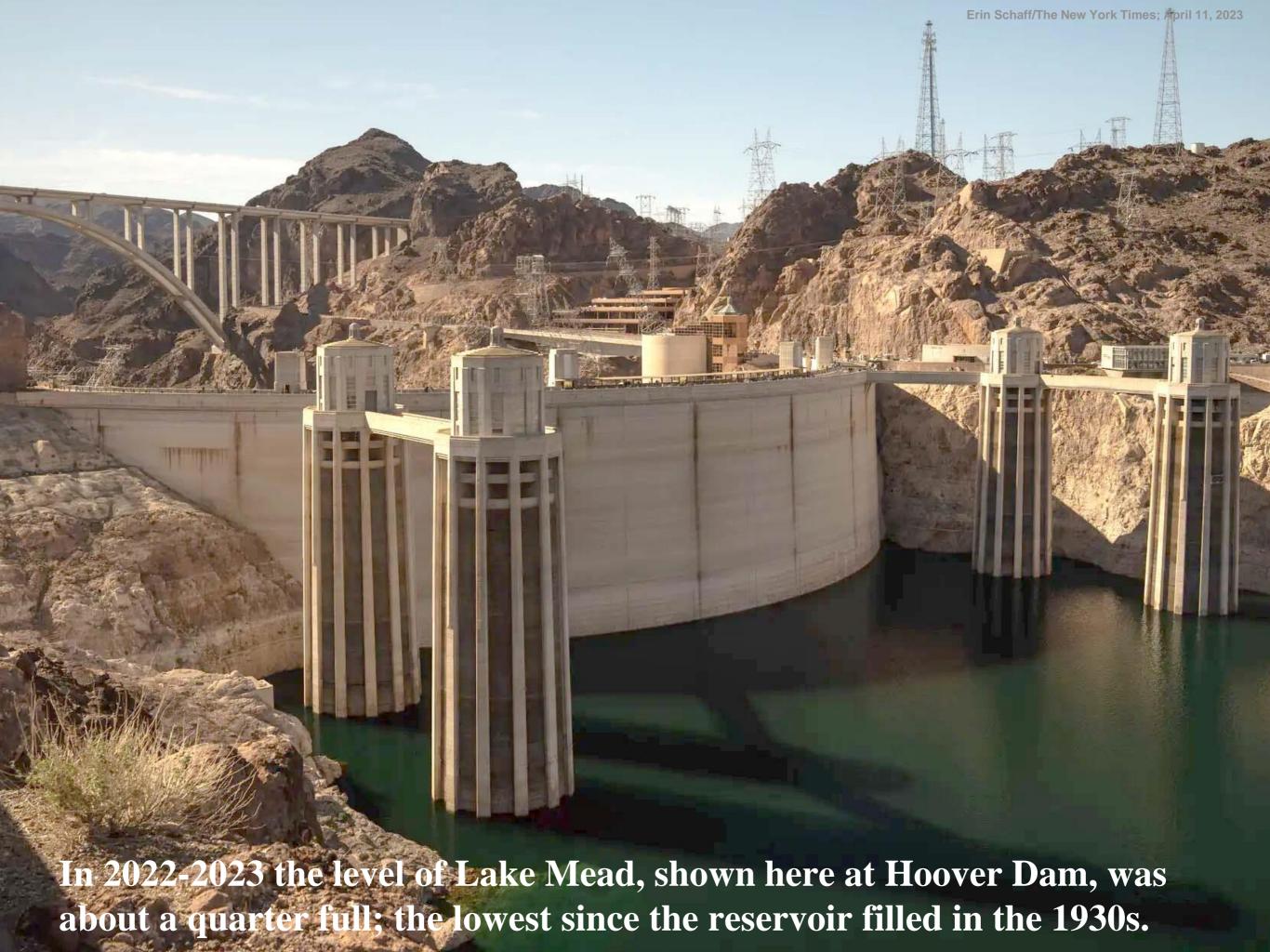
SNOW ACCUMULATION



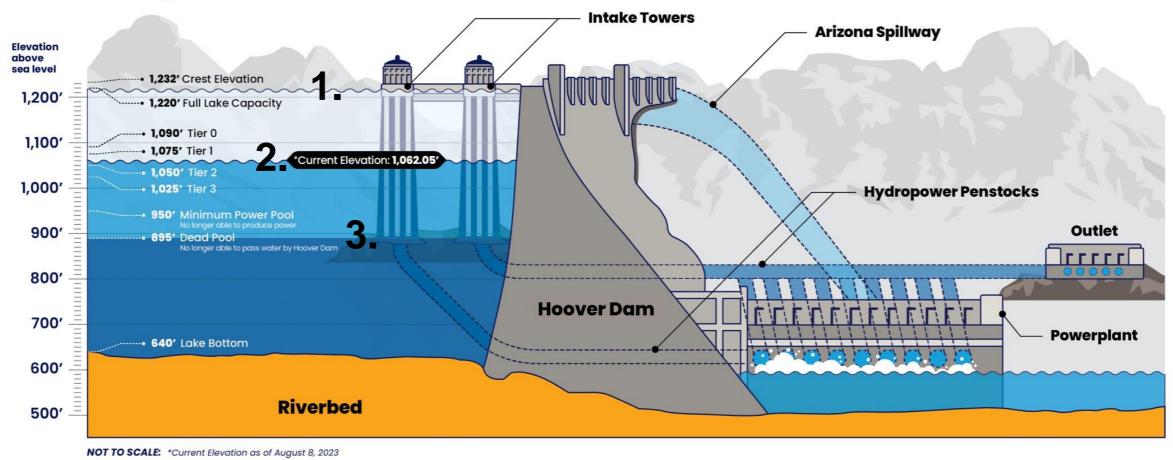
UNREGULATED INFLOW TO LAKE POWELL



These graphics show that 2023 was an excellent year for mountain snowfall. But much of the snow evaporated due to climate change.



Key Elevations



Notable elevations of Lake Mead at Hoover Dam

- 1. Full Lake Capacity (It was near this level in 1983 and 1999)
- 2. Elevation in August, 2023, after our 20+ year drought
- 3. Dead Pool (Below this level no water can pass through.)

(Note that because of the shape of the bottoms of the reservoirs, Dead Pool is far below half full.)

In May 2022 the ramp of the Lake Powell Bullfrog to Halls Crossing ferry had been closed for years. At capacity, the water would be close to the blue sign, and most of the land you see here would be under water.



Part 8

The Law of the River

The Law of the River:

The "Law of the River" is a huge accumulation of regulations consisting of scores of compacts, federal laws, court decisions, joint decrees, contracts, and regulatory guidelines worked out among the seven Colorado River Basin States. Conflicts among the regulations abound.

Since 1922, as conditions and needs have changed, it is in a constant state of flux.

It can be a lawyer's dream or nightmare.

("Water's 'fer fightin' over.")



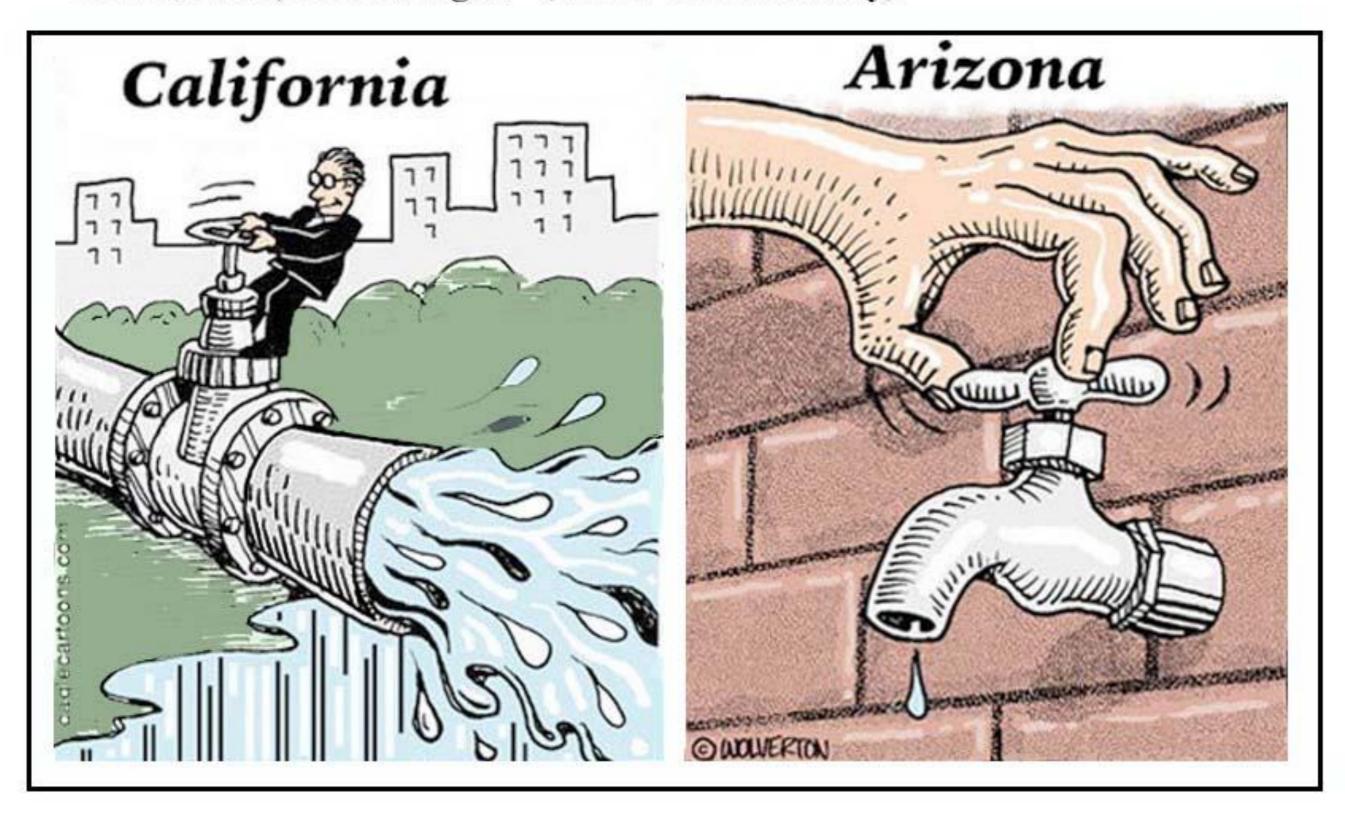


Eastern United States Water Law - Riparian Rights: You "borrow" water by virtue of your shoreline property.



Western United States Water Law - Prior Appropriation:

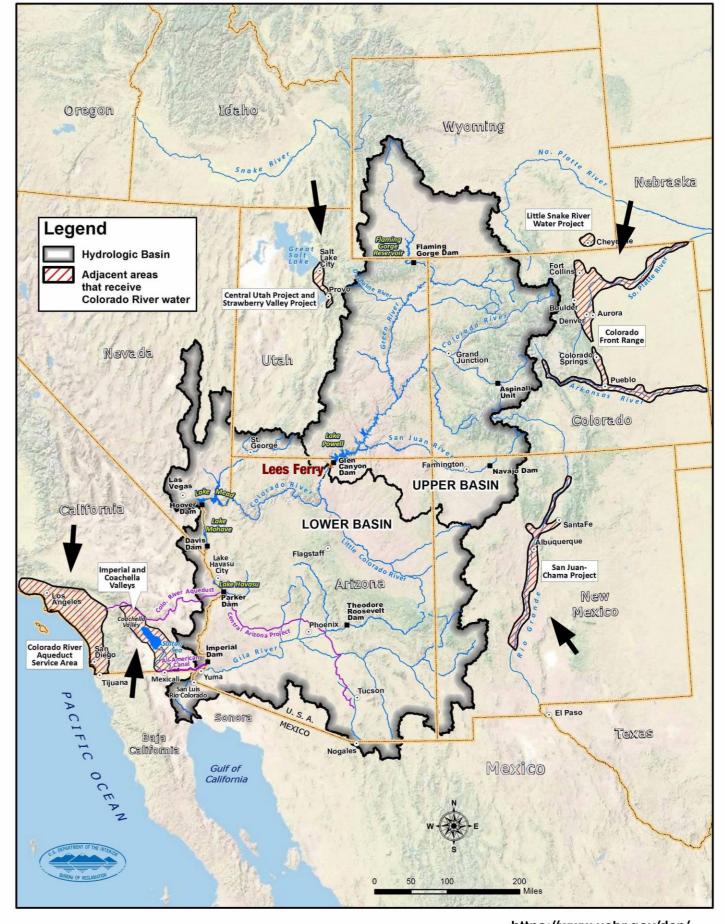
"First in time, First in right." (Water as a comodity)



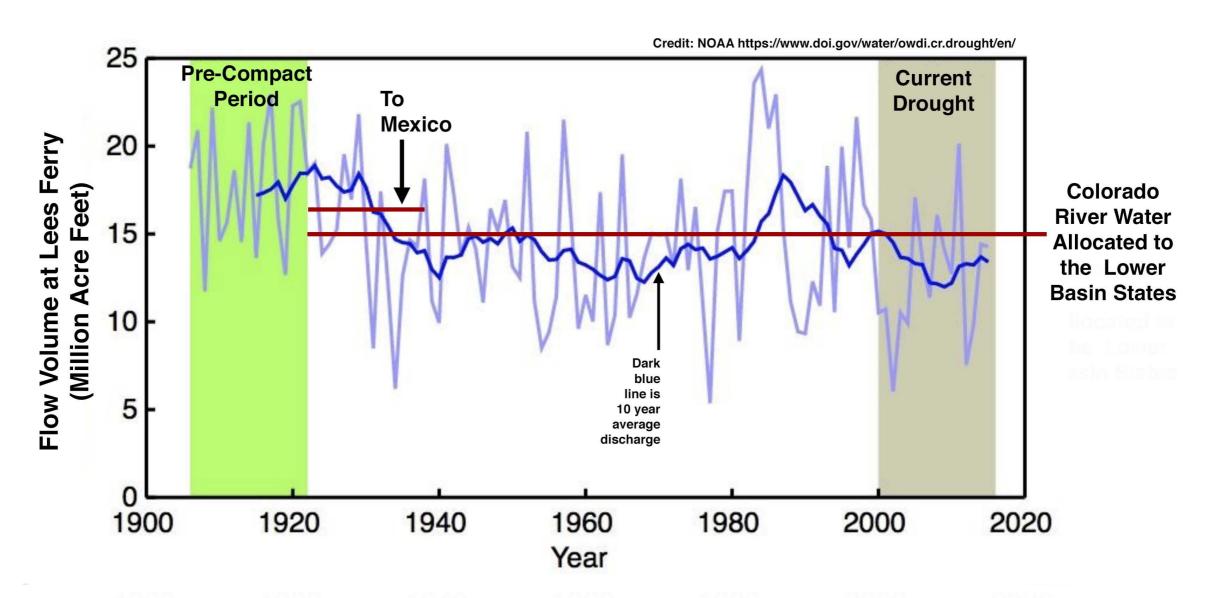
The Colorado River Compact of 1922 divided the watershed into four Upper Basin States and three lower basin states. The boundary is at Lees Ferry.

The upper basin states were expected to send 7.5 million acre feet (MAF) of water to the lower basin states.

Arizona did not initially sign the Colorado River Compact due to inclusion of the Gila River. But Arizona later claimed it was entitled to 2.8 MAF.

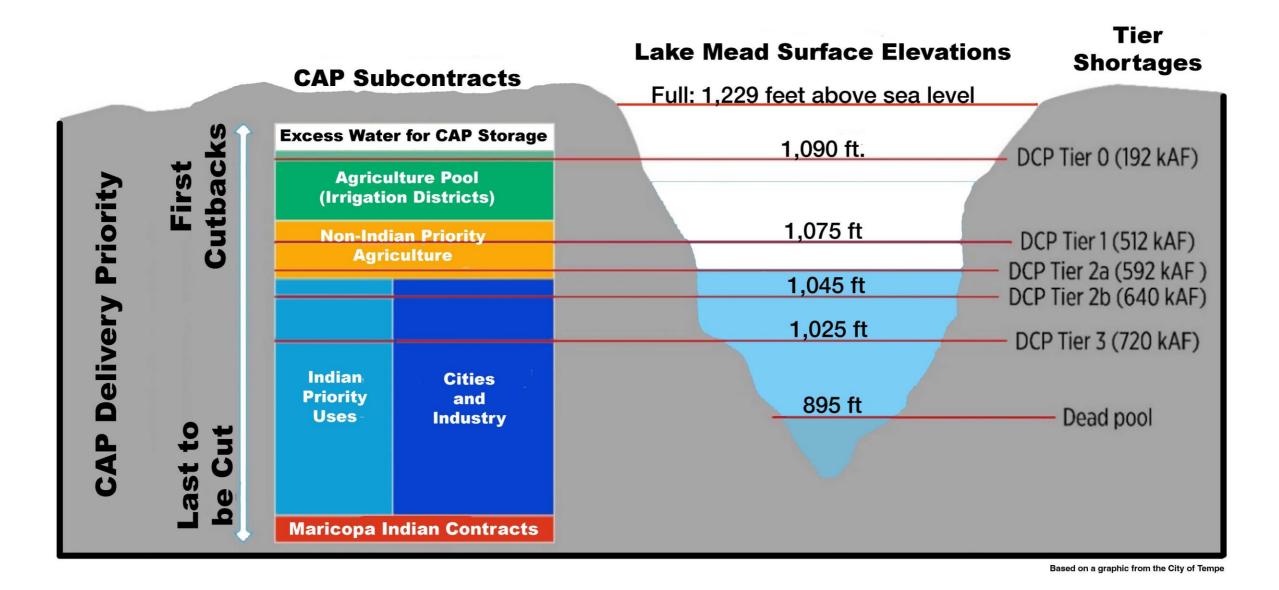


https://www.usbr.gov/dcp/



Colorado River water was allocated (red lines) to the states and Mexico based on discharge in the early 1900s. These were relatively wet years. (green) Since then discharge has been lower. (white) But most of the years after 2000 have been drought years. (brown)

Bottom line: the river is over-allocated.



The colored, left side of this graphic shows user priorities for CAP water. (The highest priorities are on the bottom.) For example, cities and towns and Indian reservations generally have a higher priority than agriculture.

The right side shows various water levels of Lake Mead at which particular users are impacted. They are called Tier levels. Red lines indicate when restrictions can be expected in the various priority groups. As conditions have been changing, so have the Tier level restrictions.

The Secretary of the Interior directed the Basin States to formulate a plan to save 20% of current water use. In spite of conflicting rights, six of the seven states negotiated a preliminary agreement in 2022. But California will not "buy in." California cites its prior appropriation and senior partner status.





Negotiating Colorado River water is similar to a "zero sum game." In order for one state to win, someone else must lose. But it's even worse. The total "pot" (river discharge) is decreasing. The Law of the River gives Arizona a weak hand to play with.

On What Basis Should, or Is, Colorado River Water Apportioned?

1. Prior Appropriation

(California historically used the most in the Imperial Valley.)

2. Water Source

(Colorado contributes the most water from the Rocky Mountains.)

3. Watershed Area

(Arizona, even without the Gila watershed, has the most.)

4. Population

(The population of California nearly twice the population of all the other Colorado Basin states combined.)

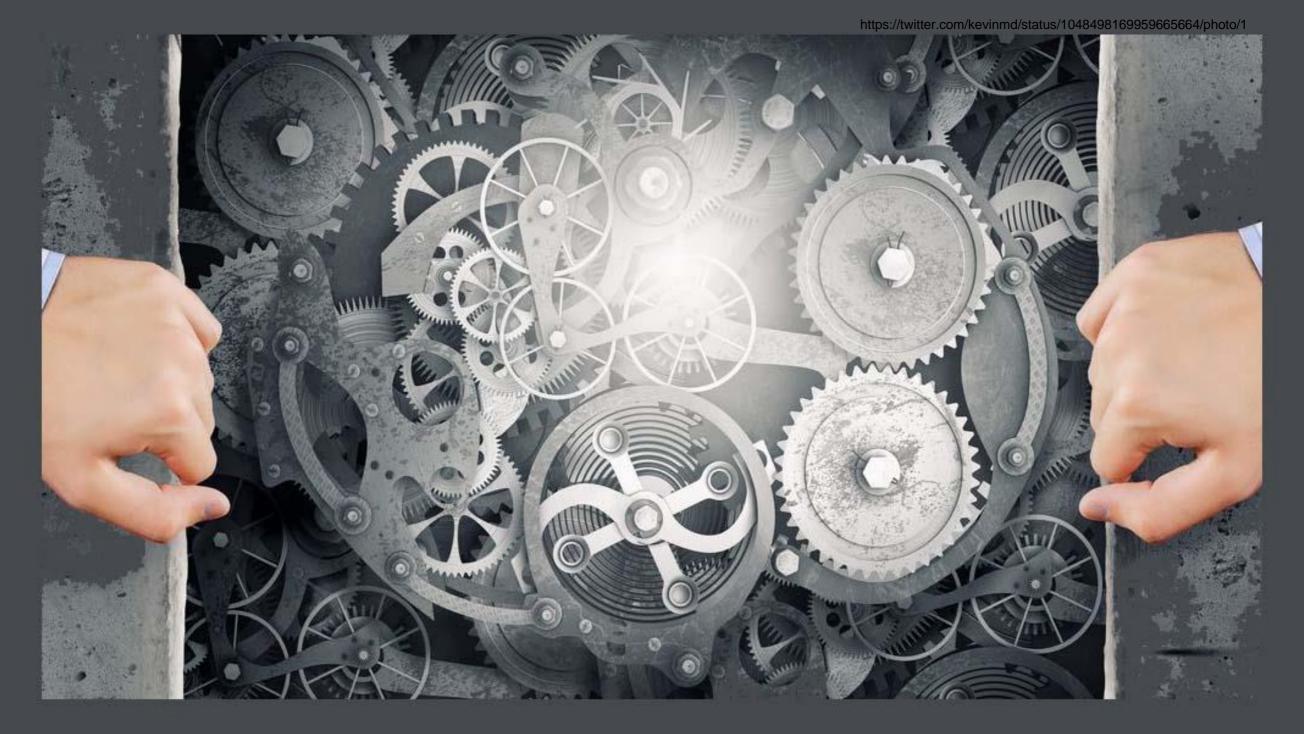
5. Dependence

(Arizona and Nevada have the least alternative sources and these are the two states with the greatest growth in population.)

6. Historic

(The Colorado River Compact, Boulder Dam Contract, Arizona vs California.)



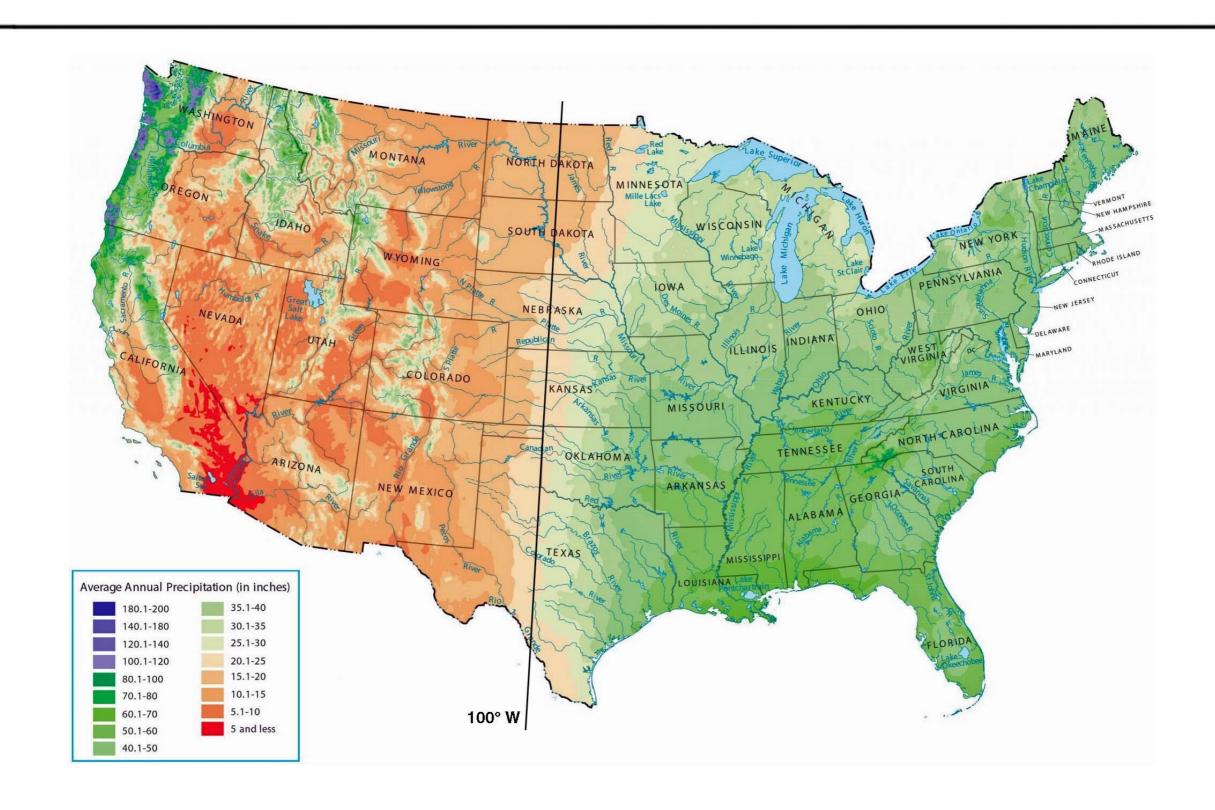


So many moving parts:

- 1. Yearly variations in weather
- 2. Climate Change/Global Warming
- 3. Balancing dozens of reservoirs
- 4. Department of the Interior policy
- 5. State and tribal allocations

Part 9

The Bad News and the Good News

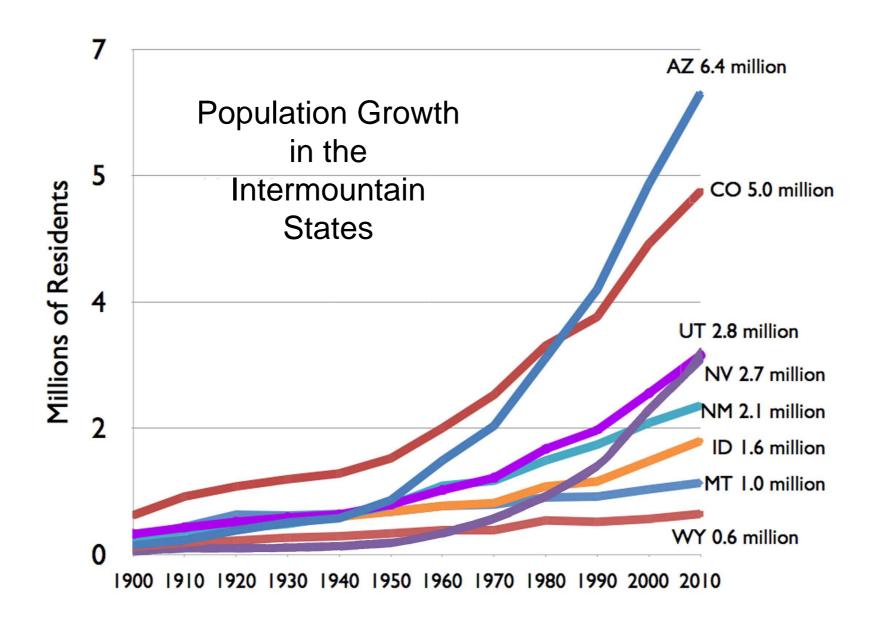


John Wesley Powell cited the 100th meridian as separating the moist Eastern climate from a climate requiring irrigation for agriculture.



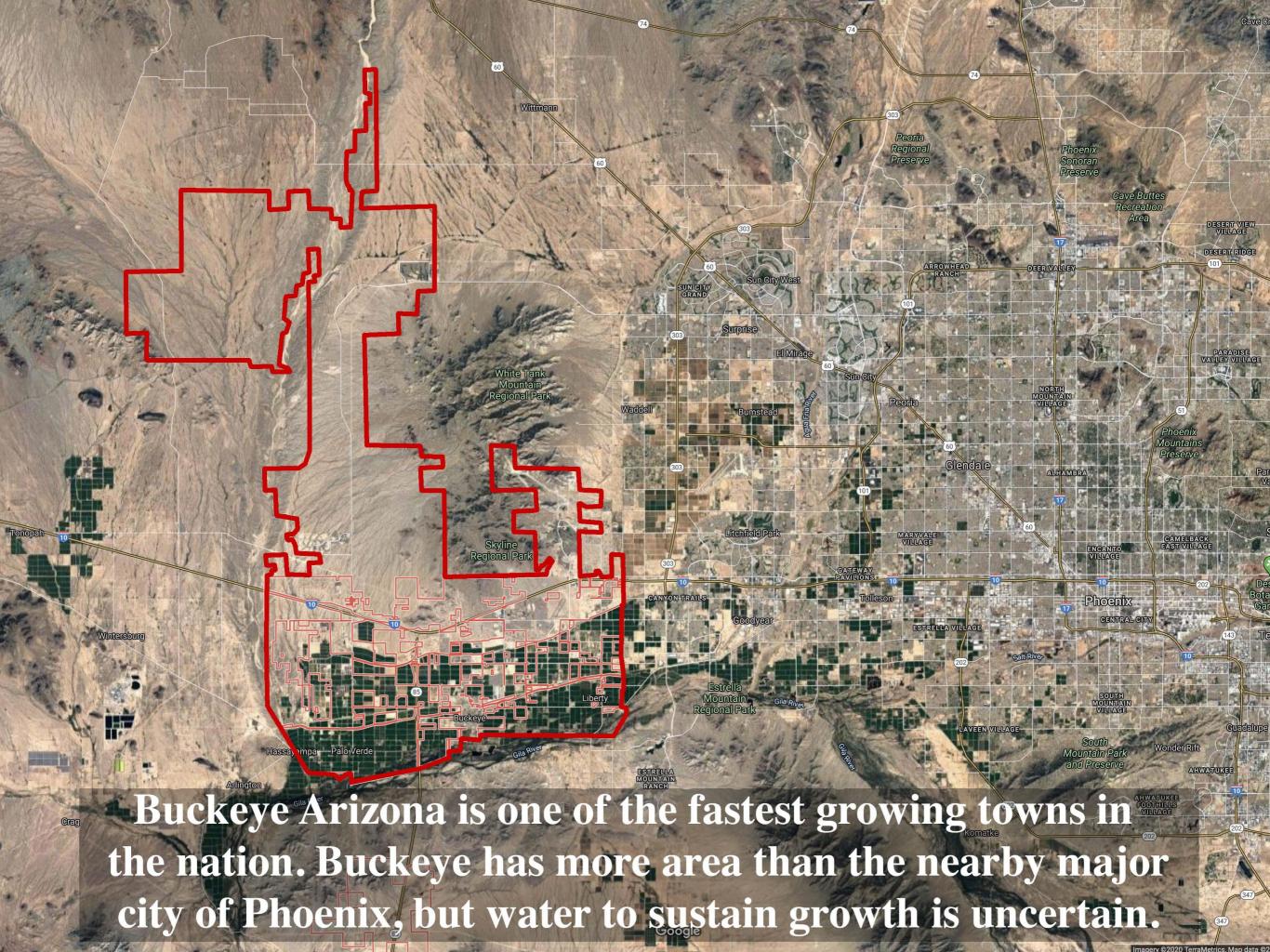
Arizona has done too good a job of convincing people it's a great place to move to.

Arizona Highways Toroweap Overlook, Lower Grand Canyon

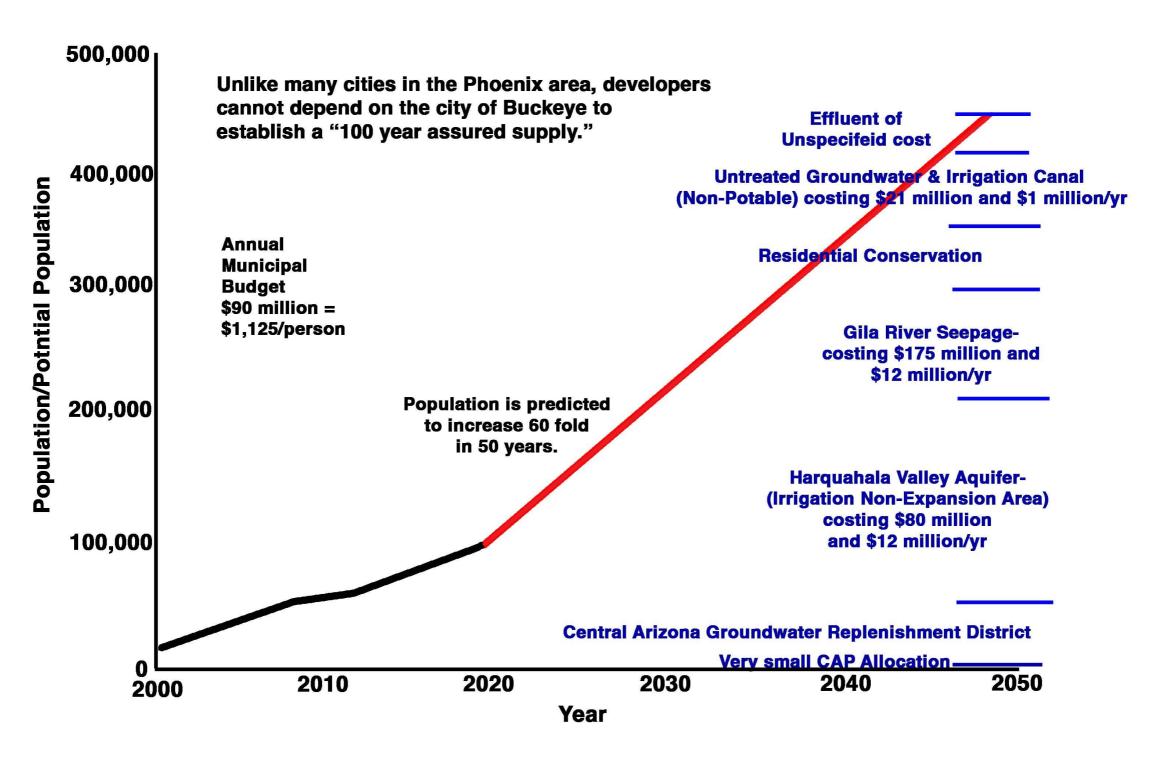


Arizona has the fastest population growth among all the US Intermountain States. Widespread use of air conditioning in the late 20th century had a huge impact on Arizona's growth.

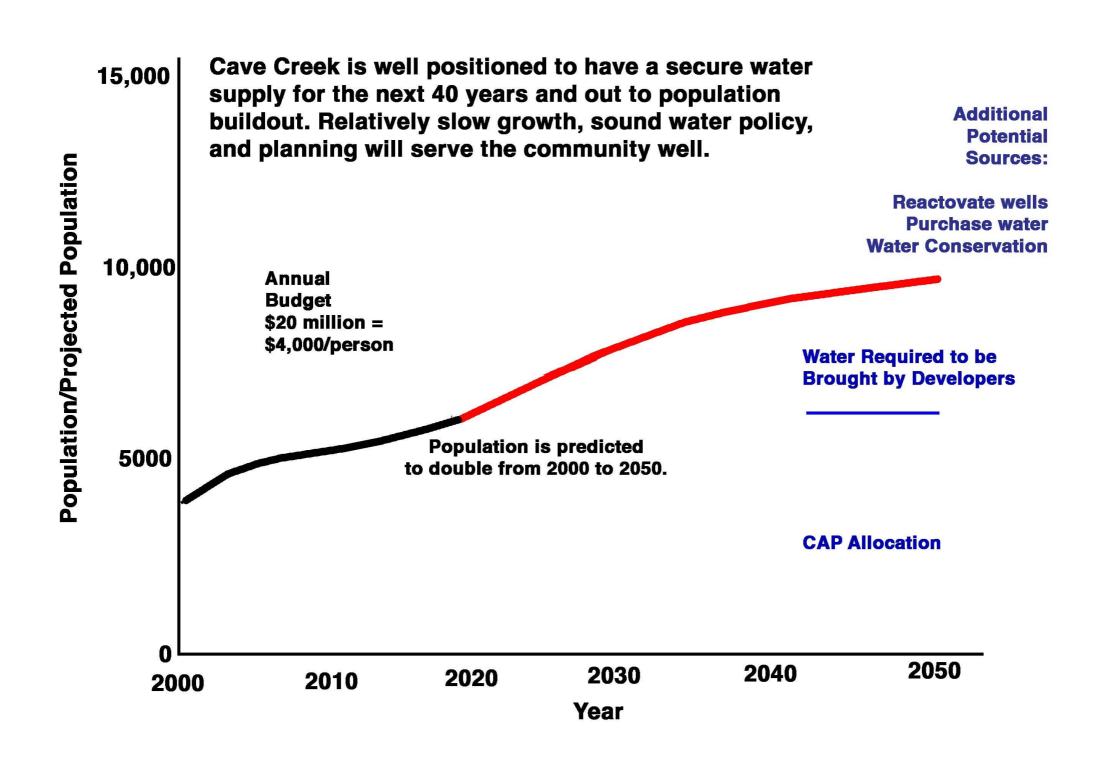
https://gardner.utah.edu/utah-population-achieves-3-million/



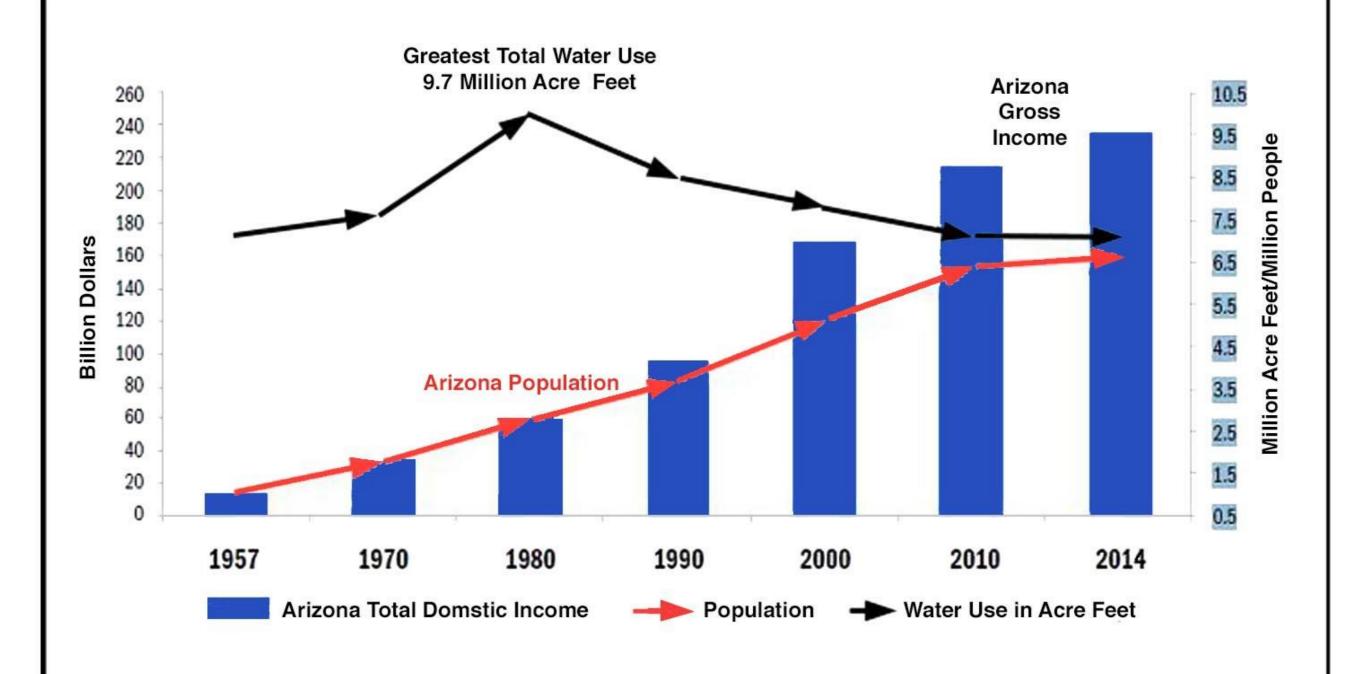
Buckeye's Population Growth and Water Supplies 2000-2050



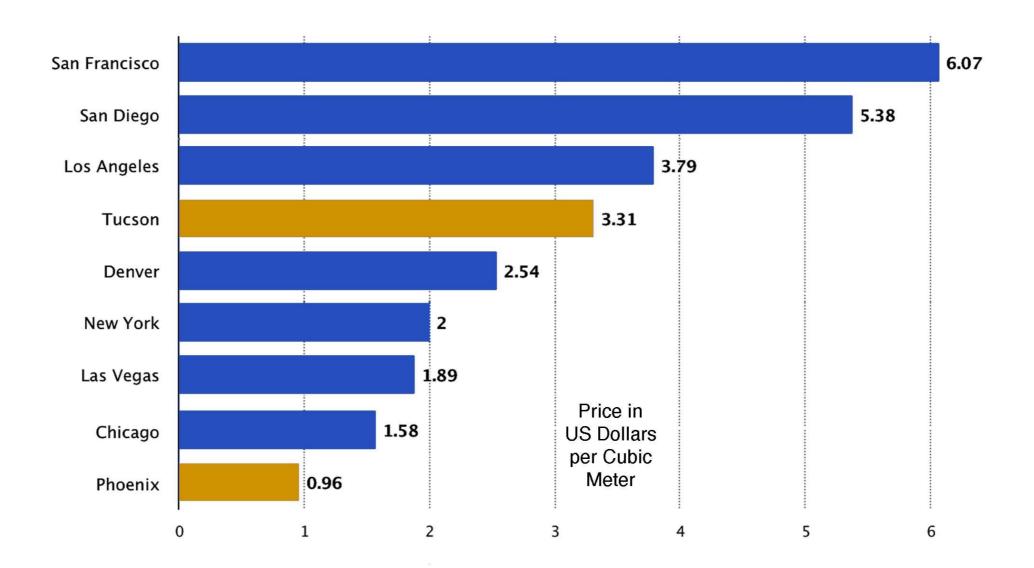
Cave Creek's Population Growth and Water Supplies 2000-2050



Although the population and gross income of Arizona have steadily increased, water usage in Arizona has actually decreased slightly since the early 1980s as water is being used more efficiently.



If water in Arizona is kept relatively cheap, conservation of water by individual Arizona customers will not be a high priority Compare Arizona rates with the largest cities of California.



Part 10

Solutions

Basically,

Arizona can't control economic growth and population.

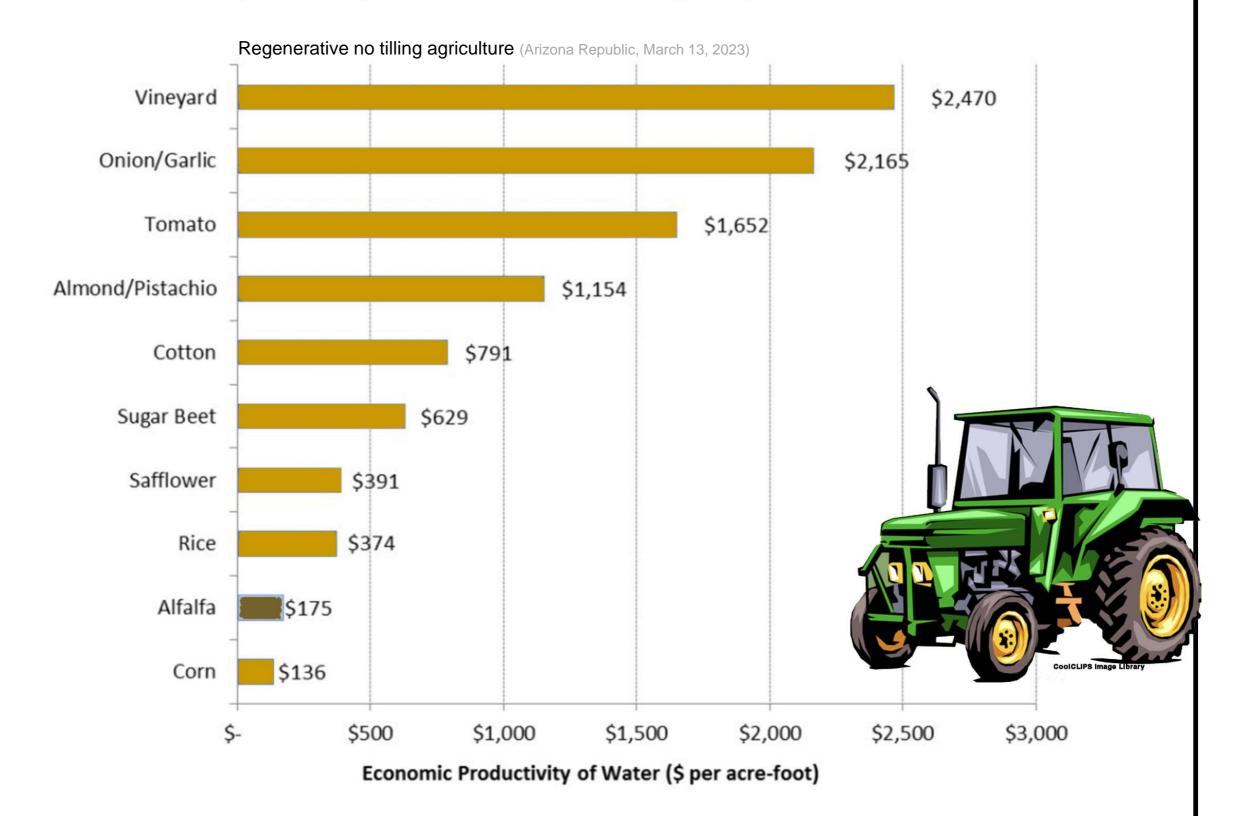
Arizona can't control how much water is available.

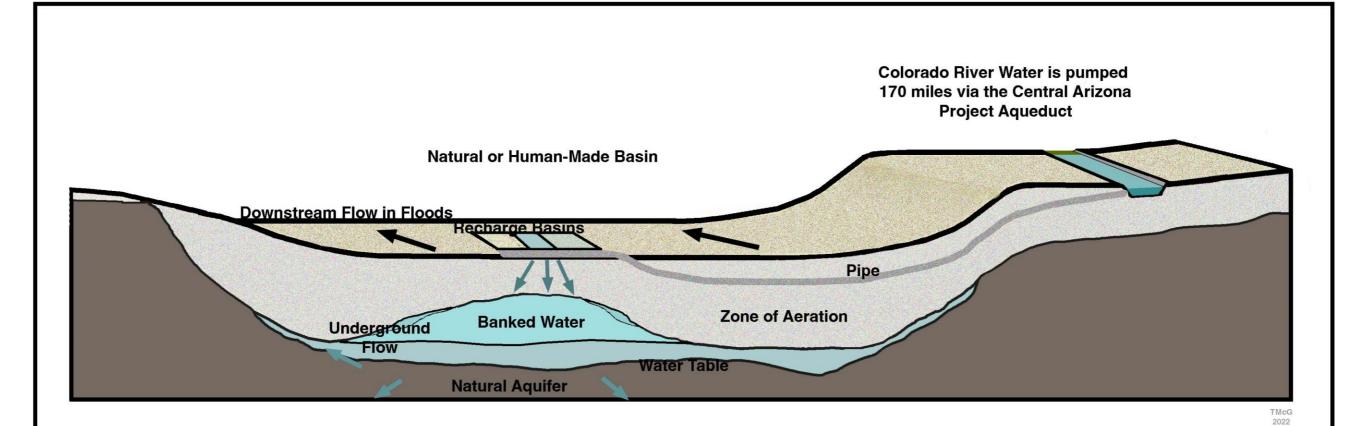
Arizona (alone) can't control climate change/global warming.

But we can control how our water is used.



Crops can be changed from high-water use per dollar like alfalfa, to crops that yield a better value per gallon of water.





The Cave Creek Vice Mayor organized a water policy seminar in 2021.

Following the seminar, by early 2023, the Town of Cave Creek has banked a one year supply of water. This will give Cave Creek customers "water credits" to augment supplies when they are needed in the future. The most active banking/recharge sites are located near the CAP aqueduct, northwest of Phoenix.

The Phoenix water interconnect, now being constructed, will give the town water security if our water line up from the CAP canal is interrupted.

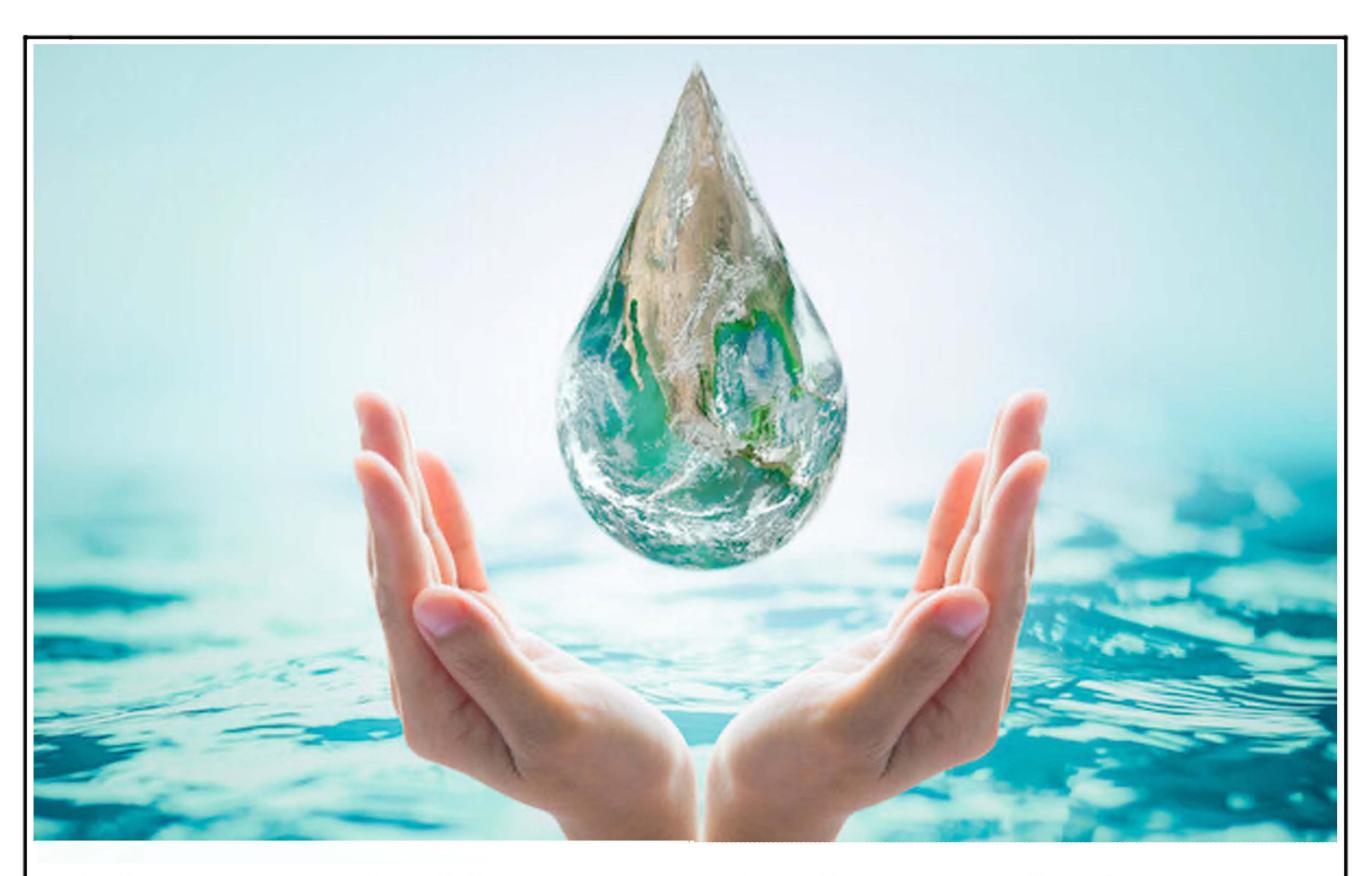
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brine from desalination can harm the aquatic environment. It would take 10 or more years and the cost could be 10 times the present bulk rate for water. Furthermore, we have no ocean coast in Arizona and California has told us it won't desalinate water for Arizona. Mexico is being considered to desalinate their portion of the river allocation, leaving more for Arizona.





In 2022, the Arizona legislature passed a bill to establish a long-term, \$1 billion program to explore ways to preserve and increase Arizona's water supplies. Among the options are negotiations, desalination and conservation. But specific details are not in it.



Conservation: The most available water resource is the part we don't use.

Tom's suggested solutions...

- 1. Adjust water pricing to long term goals, not supply costs. This will encourage conservation, and xeriscaping. It will motivate farmers and all other users to make more efficient use of water.
- 2. Require water supply awareness through educational institutions and public media.
- 3. As citizens, vote and demand accountability to a long-term integrated water strategy.
 - 4. Require that all communities have public participation in groundwater planing. This will encourage the owners exempt (small, unregulated) wells to conserve.
 - 5. Coordinate state and federal water agencies, agricultural users and builders.
 - 6. Meter all major wells to enable analysis and craft realistic regulations.
 - 7. Make all of Arizona an Active Management Area with AMA regulations.
 - 8. Protect aquifers by requiring recharge in the same place where usage occurs.
 - 9. Adjudicate all watersheds to establish long-term water rights.
 - 10. Make a plan for desalination and establish potential locations.
 - 11. Plan conservative use of water for all foreseeable contingencies including accelerated climate change.

Part 11

Appendices



Our latest water authority: John Oliver.

True in essence, if not in many "critical details," this may be a more effective (and certainly more irreverent (!)) message than you're getting from your elected officials. When your most effective sources include HBO's John Oliver, we have a communication issue. (It's R rated!)

https://m.youtube.com/watch?v=jtxew5XUVbQ (06/26/22)

Thanks to JP!

Bibliography:

Arizona Department of Water Resources & Central Arizona Project, *Joint Briefing: Lower Basin Drought Contingency Plan*, June 28, 2018 https://www.cap-az.com/documents/departments/planning/colorado-river-programs/Steering-Committee-AZDCP-08-23-18.pdf

Arizona Republic, The newspaper published roughly a dozen feature articles for at least a 3 month period by reporters lan James, Rob O'Dell and Joshua Bowling. Most of them featured industrial farming outside the AMAs, Buckeye's planning for water demands to keep up with accelerating population growth and land purchase for water transfers from the Colorado River to the Phoenix-Tucson corridor. Some are referenced on individual slides.

August, Jack L. Jr, Dividing the Waters; Mark Wilmer and Arizona v California, 2007

Culp, Peter W, Glennon, Robert, Libecap, Gary, Shopping for Water, Stanford Woods Institute for the Environment, The Hamilton Project. Oct 2014

Davis, Tony, Arizona's Plan to Withdraw Years Worth of 'Banked' CAP Water Lagging, Arizona Daily Star, Decembr 11, 2018

Doorn, Peter L. & Péwé, Troy L, Geologic and Gravimetric Investigations of the Carefree Basin, Maricopa County, Arizona, Arizona Geological Survey, 1991

Fleck, John, Water is for Fighting Over (and Other Myths about Water in the West), Island Press, 2016

Glennon, Robert T, Water Follies, Groundwater Pumping and the Fate of America's Fresh Waters, 2002

Halloway, Jim, Director, Babbitt Center for Land and Water Policy, *Arizona Groundwater Management Reflections & Lesson Learned*, ~2011 https://www.getches-wilkinsoncenter.cu.law/wp-content/uploads/2018/06/Jim-Holway.-AZ-GMA.pdf

Hogan, Cave Creek could be nearly tapped out, East Valley Tribune, 2006 https://www.eastvalleytribune.com/news/cave-creek-could-be-nearly-tapped-out/article_56be202f-805e-5b6b-8015-bed688928070.html

Kyle Center for Water Policy, ,The Myth of Safe Yield, The Elusive Concept of an Assured Water Supply, The Role of CAGRD and Replenishment Lessons from the Past https://morrisoninstitute.asu.edu/content/kyl-center-water-policy

Kuhn, Eric & Fleck, John, Science be Dammed, University of Arizona Press, 2019,

O'Dell, Rob & James, Ian, These 7 industrial farm operations are draining Arizona's aquifers, and no one knows exactly how much they're taking, Arizona Republic, Dec 11, 2019, https://www.azcentral.com/in-depth/news/local/arizona-environment/2019/12/05/biggest-water-users-arizona-farms-keep-drilling-deeper/3937582002/

Outcalt, Chris, Colorado River water use may have to be slashed by a quarter to avert crisis, federal official warns, The Colorado Sun, Jun 16, 2022

Owen, David, Where the River Runs Dry: The Colorado and America's Water Crisis. New Yorker, May 18, 2013

Reisner, Marc, Cadillac Desert: The American West and Its Disappearing Water, 1986

Shannon, Noah Gallagher, New York Times, *The Water Wars of Arizona*, July 19, 2018, https://www.nytimes.com/2018/07/19/magazine/the-water-wars-of-arizona.html

Stern, Charles V. & Sheikh, Pervaze A. of the Congressional Research Service, Management of the Colorado River: Water Allocations, Drought, and the Federal Role, Updated August 16, 2021 https://sgp.fas.org/crs/misc/R45546.pdf

Town of Cave Creek, The Cave Creek Water System (Web page updated as needed) https://www.cavecreek.org/DocumentCenter/View/2176

University of Arizona, 85th Arizona Town Hall, Arizona's Water Future: Challenges and Opportunities, 2004

Other references are shown as URLs on various slides.

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