

Water Right



As we come into spring, we like to hope that those April showers will bring us May flowers. In parts of the U.S. like the arid Southwest, however, that rhyme is meaningless. Water has been the great uncertainty in the Southwest for hundreds of years, but now, with 21st-century issues of water rights, budgetary constraints and aging infrastructure, the situation begins to look grim.

The region currently remains in drought conditions that vary from moderate to extreme, according to the U.S. Drought Monitor. Last December, a report

released by the U.S. Department of Interior projected that demand for water in the Colorado River basin—which serves California, Arizona, Nevada, Utah, New Mexico, Wyoming and Colorado—would outstrip supply by 2060.

Various strategies have been considered to solve Southwest water supply problems over the years. The Central Arizona Project (CAP), a 336-mile canal supported by a system of pipes and tunnels, was completed in the early 1990s and brings water from the Colorado River into Arizona. This led to a water rights legal battle between Arizona and California, the outcome of which was a ruling that Arizona's CAP rights are secondary to California's—however, Arizona has “more senior” rights to the river itself, and if the CAP ever begins to dry up, the state can pay to lease older water rights from such sources as American Indian tribes. The price that consumers would pay for this water would likely be astronomical—but they won't have a choice.

Newer notions have played with the idea of augmentation, or importing water to the Southwest. A recent report from the U.S. Bureau of Reclamation struck down a suggestion to build a trans-Kansas pipeline that would bring water from the Missouri River to Colorado River basin states. The citizen-submitted idea was dismissed on the basis that importing the water would be prohibitively expensive, politically divisive and take decades to pull off (although it was given points for “technical feasibility”).

Another more localized augmentation idea—touted in early March at the Global Infrastructure Leadership Forum—was the Augustin Plains Ranch project, which would transport 54,000 acre-ft of water from a massive underground lake in New Mexico to other communities in the state through a water reclamation system, which would have to be built. The project needs an official hearing by the New Mexico State Engineer, in accordance with the state's water rights practices, for a full assessment to move forward.

These new ideas might not end up being solutions, but they are a step in the right direction. The innovative and proactive thinking behind them can evolve into concrete projects that will shape the future of water in the Southwest and around the world.

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