

## **How Could Water Rights Be Wrong?...Phoenix AMA Safe Yield Musings**

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### **ABSTRACT**

Under the Arizona Groundwater Code (Code) groundwater rights in all shapes and forms have and will continue to be granted in active management areas by the Az Department of Water Resources (ADWR). Some of these rights are "grandfathered rights" (good forever) while others are groundwater withdrawal authorities (of limited duration...up to 50 years). Hardly a day goes by that the ADWR does not issue another groundwater withdrawal authority or convert an irrigation grandfathered right to a nonirrigation grandfathered right or pumping credits under the assured water supply program.

For example, for two hundred dollars (\$150 application fee and \$50 permit fee), I can obtain a general industrial use permit for 500 acre feet per year to irrigate a new golf course on the outskirts of Sun City or the City of Peoria. I will pay an annual withdrawal fee of about six dollars per acre foot and I will comply with the conservation requirements of the Phoenix AMA Third Management Plan. As long as I do not cause unreasonable harm to my neighbor's well due to my new pumping I am good to go. I have conformed to the Code, the AMA Management Plan, and the newly revised and adopted Well Impact Rules...so what's the problem? How could my groundwater right be wrong? Here are a few hints...a few discussion points.

1. The above-referenced Code calls for the attainment of "safe-yield" by 2025 in the Phoenix AMA,
2. The Assured Water Supply Rules require new subdivisions to demonstrate a 100 year supply of water (primarily renewable supplies not groundwater),
3. All Phoenix AMA water budgets projected to 2025 show significant overdraft..not safe yield.

Are groundwater rights a problem? Does our problem grow larger every day? Are rights wrong?