

SRP's

GREAT GROUNDWATER GRAB

By now, I suppose that virtually everyone in the state of Arizona has observed, to some extent, SRP's ad stating that Arizona has enjoyed 100 years of water and will continue to enjoy abundant water far into the future. With streams and water impoundments in the entire southwest drying up, how do they intend to make good on this seemingly impossible promise? The solution is inescapable-they intend to and are STEALING OUR WATER!

SRP was founded in 1907 to supply water to the farmers in the Valley of the Sun and has since been appropriated water rights to the Salt and Verde Rivers. SRP was also granted the water rights for the water that is stored in and diverted from the CC Cragin (formerly Blue Ridge) Reservoir under Certificate of Water Right ("CWR") 3696.001. A statement taken from the non-disclosure agreement (NDA) that PSWID has been asked to sign is quite telling. . . . sever and transfer a water right from CC Cragin Reservoir to PSWID for use within its service area for municipal and domestic uses and govern the amount and location of future water use, including surface water and pumping of underground water by PSWID.

First, I would like to state that I am no legal authority, especially as it pertains to water law, which I am told has varied greatly in the years since I took a graduate course in hydrology and was a legal and medical courier in the valley. I do claim to have at least a minimal ability to read and interpret contracts. You may take my opinion for what it's worth.

SRP is presently adjudicating water rights, purportedly also groundwater rights, in the Superior Court of Arizona.

1) The Superior Court has questionable jurisdiction in this case, as many of the the aquifers in question exist in other states and geologically equivalent formations are present in states and countries ranging from Canada to Mexico. Even a casual glance at the geologic cross sections for many of our national parks and monuments issued by the U. S Geological Survey will attest to this. Various federal agencies, including the U. S Forest Service, U. S Bureau of Reclamation, etc. claim jurisdiction in Arizona.

2) SRP is claiming groundwater rights based upon recharge by surface water percolation. Observation over many decades shows undisputedly, that stream and surface waters in Arizona are dependent on annual precipitation for recharge and have very little to no groundwater recharge, except that from springs.

3) The U.S. Geological Survey states that land subsidence due to groundwater pumping is permanent and irreversible. This has been reaffirmed in studies throughout the world. An Arizona State University study on land subsidence in the Valley of the Sun said that land subsidence is due to dewatering of aquifers and that this dewatering is irreversible.

4) A Northern Arizona University thesis involving Fossil Springs and Tonto Natural Bridge Springs, as well as others, states that "a small, but significant amount of groundwater flow (37%) cannot be attributed to surface recharge, according to isotopic studies". It attributes this recharge to exogenic (non-meteoric)

waters generated in the earth's crust. It also states that this recharge has occurred over a period of millions of years.

5) To the best of my knowledge, no definitive studies have been done using radioisotopes present in fallout (the basis for federal 'downwinders' compensation), DDT, thimerosal, tetraethyl lead, or any of the thousands of patented and unpatented chemicals which might potentially provide some objective measurement of the groundwater recharge which has occurred in the time in which SRP has existed. Some of these 'nasties' are the very ones that the EPA is always warning us about.

6) According to the internet, Arizona's constitution requires compensation for "takings" of private property. Presuming, as I believe, that groundwater is appurtenant to and owned by the surface landowners, the law requires monetary compensation for such taking. PSWID has the CC and N (right) to provide water for its customers.

7) I won't speculate here, but what would the unused apportioned 500 acre-feet of the CC Cragin Reservoir water which SRP sends down the East Verde River to be used in the Valley of the Sun be worth? How about the groundwater that SRP wants to acquire, not to mention the profit derived from the electricity generated by SRP's water impoundments using this water?

Submitted by Lawrence H. Bagshaw, Secretary of the PSWID board of directors.