

# Central New Mexico Project? How a 50-year-old rule could let New Mexico use Arizona water

[Joshua Bowling](#)

***Critics say the rule could siphon Arizona's water in a time of historic drought.***

As Arizona officials laid the groundwork for the Central Arizona Project 50 years ago, they made promises that critics now say could imperil habitat, weaken river health amid worsening drought and cost taxpayers in a big way.

In a bid to secure votes in Congress for the CAP Canal, the concrete channel that supplies Phoenix and Tucson with water from the Colorado River, Arizona struck a deal in 1968 that would give New Mexico the rights to water at Arizona's expense.

Now New Mexico wants to make good on the deal and claim as much as 14,000 acre feet from the Gila River before it flows into Arizona. The Central Arizona Project would replace the water from the Gila with water from its allocation of the Colorado River.

An acre-foot is enough water to serve two households for a year.

Many conservationists oppose the idea, saying it could harm habitat for threatened and endangered wildlife and leech Arizona's water in a time of historic drought.

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A coalition of environmental groups in July released a 25-page letter

opposing the project on the grounds that "bureaucrats and politicians continue to eye this last wild Southwest river for water 'development' projects."

CAP officials acknowledge the deal was about politics, but they say it was necessary to secure Arizona's future water supplies and insist there's nothing they can do now.

The snow that falls in the Rocky Mountains provides the majority of the water for the Colorado River. But with warming temperatures, drought and increased dust settling on the snowpack, that water source is diminishing.  
(David Wallace/The Republic)

## **Fifty years in the making**

The deal was struck in the mid-1960s in "a year of dogged, plodding progress" for Arizona's future on the Colorado River. Written records tell stories of litigation, debates and accusations of taking the copper state's water for "ransom" as Arizona struggled to win approval for the massive water project.

Arizona needed support from other Colorado River states if it was going to get CAP through Congress and off the ground. The vote count in Congress was razor-thin. As Colorado River states argued over what CAP would be and how it would work, debate gave way to politics.

An annual report from the now-defunct Arizona Interstate Stream Commission detailing the events from 1965-1966 reveal a promise that would rear its head decades later.

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New Mexico officials at the time believed the state was entitled to its "fair share" of the Gila River system, even though only 5,000-10,000 people lived in western New Mexico's Gila watershed at the time. A New Mexico water

official said that state recognized Arizona's "dire need" for water and "deeply regrets" asking for a favor, records show.

Their request: a "New Mexico Unit" of the CAP to use some of Arizona's water from the Gila River watershed.

Officials from both states agreed on it.

Five decades later, New Mexico wants to call in its marker.



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Gila River restoration project

## 'It's politics'

"There's that old adage in the West," said Mike Evans, Desert Rivers Audubon Society conservation director. "Whiskey's for drinking and water's for

fighting."

Officials in the 1960s were crafting the Colorado River Basin Project Act, which would ultimately pass in 1968. To get it through, they had to cut deals.

The parties agreed that New Mexico could take an extra 18,000 acre feet of water off the Gila River. The number has since been whittled down to 14,000 acre feet.

*"It's politics in the original instance and politics in the renewed instance."*

**Tom McCann,**  
**CAP**  
**deputy**  
**general**  
**manager**

The agreement was revisited nearly 40 years later under the 2004 Arizona Water Settlements Act, which allowed New Mexico users to divert Gila River water that would otherwise flow downstream into Arizona. In exchange, Arizona would deliver water from CAP canal to users downstream who had relied on the water from the Gila.

"When we were negotiating the Gila River settlement, New Mexico wanted to make this a little more concrete," said Tom McCann, CAP deputy general manager. "In the process of that, it went from 18,000 (acre feet) to 14,000, which is good for us and good for Arizona."

New Mexico in 2014 notified the Secretary of the Interior that [it intended to pursue that deal](#). The Interior Department executed an agreement in 2015 and has until the end of 2019 to finish an environmental analysis and address other factors that could keep the project from moving forward.

"It's politics in the original instance and politics in the renewed instance," McCann said.

A New Mexico Unit would deplete CAP's allocation by about one percent total, he said.



The Central Arizona Project canal flows through Pinal County near Picacho Peak. *(Photo: Mark Henle/The Republic)*

## Costly construction

When the agreement was made more than 50 years ago, New Mexico officials wanted water. The next time around, they also wanted money, McCann said.

The Arizona Water Settlements Act set aside [\\$66 million toward a New Mexico Unit](#), and an additional \$34 million if the Interior secretary signs off on it by the end of 2019. That deadline can be extended until 2030 if it's delayed for reasons beyond New Mexico's control.

Engineering and legal fees have [siphoned \\$13 million](#) from the New Mexico Unit fund. The project's total cost could dwarf the available federal subsidies, possibly reaching a total of \$800 million to \$1 billion, not counting operational costs, according to [a U.S. Bureau of Reclamation report](#).

CAP wouldn't have to foot any part of the bill.

"From a financial standpoint ... it has nothing to do with us," McCann said.

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## 'We don't have enough water to go around'

The promises were made in a different time. Arizona and much of the Southwest are roiled by intense drought and climate change. Experts say it's the worst drought in several hundred to 1,200 years.

Conservationists fear the project would make bad conditions worse, especially as [state water managers work to finish a drought contingency plan](#) in time for the next state legislature.

"It's wanting to stick more straws into the pool of water and suck it up," Evans said. "And we don't have enough water to go around as it is right now."

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Critics opposed to the project say it could weaken wildlife habitat, worsen drought conditions and take water from users who depend on it.

"We've already had one civilization crash in the Valley because of a lack of water," he said. "Just look at the Hohokam."

If the project goes through and New Mexico takes the full 14,000 acre feet from the Gila River, CAP would replace it with 14,000 acre feet of Colorado River water, McCann said.

The Center for Biological Diversity, along with more than 30 other groups in Arizona and New Mexico, published [a 25-page letter](#) in July opposing the New Mexico Unit.

"Residents and visitors have used the Gila and San

***Mike  
Evans,  
Desert  
Rivers  
Audubon  
Society  
conservati  
on director***

Francisco rivers for thousands of years," it says. "More recently, urban and agricultural interests have been seeking to take more than the river can give."

And while the state is struggling with drought, conservationists also fear this could threaten important habitat and recreational areas.

"Imperiled fish, birds and other wildlife need the river's water too, as do people who find solace and refreshment in fishing, birding, rafting and hiking," the letter says.

CAP neither endorses or opposes the New Mexico Unit. The agreement was in place decades before current CAP water managers were in their roles, and they don't have any standing to get involved, McCann said.

"We did this for political reasons," he said. "We needed New Mexico to pass it."

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Salt River Project announced in June that water use among its users has

decreased by one-third since 1980, even though Arizona's population has doubled since then. Wochit

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