

# Water board one step closer to securing new water rights

Written by Tracie Sullivan, [St. George News](#)  
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*Water running in the Pine Valley area from the test pump in 2016, West Desert, Utah | Photo courtesy of Central Iron County Water Conservancy District, St. George News / Cedar City News*

**CEDAR CITY** – The Central Iron County Water Conservancy District board members took one step closer Thursday night to securing new water rights for Iron County, a move officials say has been a long time in the making.



*Working on the test pumps in the Pine Valley area in 2016, West Desert, Utah | Photo courtesy of Central Iron County Water Conservancy District, St. George News / Cedar City News*

Board members unanimously voted Thursday during their monthly meeting to move forward with a proposed agreement pending the approval of the other parties and to give the attorneys the freedom to negotiate further details with Beaver County and the School and Institutional Trust Lands Administration for water rights in the West Desert.

The action comes after years of a long-standing courtroom battle and years of negotiations between the three agencies for water in the Pine Valley and Wah Wah Valley.

The legal challenges came after Iron County officials declined to participate in the Lake Powell Pipeline project because of the high price tag associated with it, instead choosing to place its future in three applications filed in 2006 for water rights in these areas and Hamlin Valley – which is not in dispute at this time.

Protests from Beaver County, which also had interest in the water that was in part located within its borders, the mining company Utah Alunite and Utah School and Institutional Trust Lands Administration came in shortly after CICWD filed the applications. Utah Alunite later withdrew from the lawsuit.

The state engineer eventually approved the CICWCD's filings in 2014, awarding the agency the right to import up to 6,525 acre-feet from Wah Wah Valley and 15,000 acre-feet from Pine Valley. Hamlin Valley still remains undecided.

Since then, CICWCD has remained tied up in litigation.

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“That water is our last straw in being able to import water from another basin,” Cedar City Paul Cozzens said, who also sits on the CICWCD board. “Having the additional water from the West Desert will have the largest impact on restoring the aquifer levels, provide safe and reliable drinking water and ensure a future for our children in Iron County.”

While the issue has continued to go through the legal process, the CICWCD has moved ahead with drilling test wells and working with the Bureau of Land Management in locating sensitive habitat to determine the best corridors for a pipeline. It's going to take around seven to 10 years to get the pipeline in and water pumped to Iron County, officials said.

“We still have to go through the NEPA (National Environmental Policy Act) process so it's going to be awhile before we are pumping that water, but we've continued to work on it even as we've battled the litigation and we're hopeful we're going to be able to get things done rather quickly,” Paul Monroe, CICWCD executive director, said.

But with a price tag of about \$250 million – about half the purported cost of the Lake Powell pipeline – bringing the water to Iron County is not going to be cheap. Officials argue Iron County's future is dependent on it.

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“If we don’t solve this problem, the state engineer will be forced to begin reducing water rights to restore the aquifer so we have to find ways to do that. But there’s really only three ways to restore the aquifer – conservation, importing new water and recharge – that’s it,” Cozzens said, who has served on the board for five years and is in his first year of his second term.

Cozzens’ statements come from concerns issued by the state water engineer warning that the Cedar Valley aquifer supplying most of the water to Cedar City, Enoch, Kanarrville and the unincorporated areas was feeding more water into the community than is available, resulting in overmining of the water supply.

In 2016, representatives from the Utah Division of Water Rights held a public hearing where Assistant State Engineer James Greer showed figures that the aquifer could only safely yield 21,000 acre-feet of water on an annual basis. The aquifer, however, was actually generating an estimated 28,000 acre-feet – 7,000 more than it can handle.

Water is typically measured in acre-feet, which refers to the volume of water. One acre-foot of water is equal to about 326,000 gallons, or enough water for one year for a family of four.

“We’re only getting about 20,000 acre-feet recharge to that aquifer annually every year,” Greer said.

Greer admitted to attendees that state officials are at fault for the deficit, at least in part, as they appropriated more water rights in the 1960s than were available in Iron County.

Two decades of lower-than-normal precipitation has also impacted the aquifer, he said.

State Water Engineer Kent Jones told county officials they will need to create a groundwater management plan to restore the rapidly depleting aquifer that, at current yields, cannot continue to meet water demands in Iron County. If the county is unable to do so, the state must step in and if necessary begin eliminating water rights issued after 1935, he said.

The state water engineer issued similar orders in 2007 for residents in the Beryl-Enterprise area to create a groundwater management plan after it was determined the groundwater had been pumped faster than it could be recharged.

The 118-year plan was finished in 2012 and was adopted by the state water engineer.

According to the plan, the goal was for water depletion to be reduced over time until it matched the safe yield and included the elimination of water rights, with the newest ones first.

While Greer told Cedar City News in 2016 that it will likely take Iron County a similar amount of time to finish their management plan, Monroe said he would like to see it done sooner rather than later.

“I don’t want to take five or six years to put this thing together,” Monroe said. “I’d like to see us have it finished before that time.”

A 10-member committee has already been formed to start creating that plan.

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“This (water issue) has to be a priority. We as a community have got to distinguish between our needs and wants and we have to realize that taxpayers’ money is not endless,” Cozzens said. “So while others are planning big ticket project venues in Cedar City, my eye is on bringing water to this valley and I intend to keep it there and fight anything I believe will get in the way of doing that because it won’t matter if we don’t have water coming out of the faucets. And that’s what’s going to happen if we don’t plan for the future.”

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