

**Pima Natural Resource Conservation District**

**Land Management Plan**

**Policy 3**

**Affirmation of Water Rights and Policy**

**By vote of the Supervisors, the Pima Natural Resource Conservation District asserts that:**

- A. It opposes use of the Endangered Species Act, Wilderness Act, Clean Water Act and/or any other federal laws by federal agencies to usurp, seize, restrict, impede or take State-distributed, granted, assigned or treaty water rights owned by individuals, partnerships, corporations or municipalities.
- B. When a private or municipal water right is located on Federal or State land, that right must be deemed to include the holder's right of access to the source of the water and to any element of the distribution system necessary for delivery including wells, springs, streams, rivers, stock ponds, agricultural ditches, U.S. canals, pipes, and other conveyance mechanisms for maintenance purposes because denial of such access effectively constitutes an illegal, de facto, taking of the water right.
- C. Congressional legislation is needed to guarantee Arizona's premier authority to issue and protect water rights within the State and, additionally, legislation is needed to clarify that the right of access as described above is inherent in State-issued water rights owned by individuals, partnerships, corporations and/or municipalities on federally managed land.

BY

*Andrew McGibbon*  
Andrew McGibbon, Chairman

DATE

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