



## HB 2056 Factsheet (Water Conservation Notice; No Forfeiture)

### Water for Arizona Coalition, January 12, 2021

- On the heels of 20 years of drought, and recent commitments to import less water from the Colorado River, the last few years have made clear that Arizona needs to make the most of every drop of water in order to maximize economic, community, and environmental benefits across the state.
- This bill will result in additional water flowing in our Arizona water courses, to the benefit of ecosystems, other water rights holders, and a wide range of downstream water users.
- Arizona's current forfeiture statute creates a risk—or in some cases a perceived risk—that a surface water user choosing to conserve water may forfeit valuable water rights.
- This limits farmers' and ranchers' flexibility and provides a disincentive that prevents irrigators and water rights holders from modernizing irrigation systems and engaging in other programs and practices to conserve water.
- The current forfeiture law provides that in some cases a water right *may* be forfeited after five years of non-use.
- There has been uncertainty and even ongoing litigation about when this law applies. As a result, some water users are confused, and others see a risk in reducing their use at all for any period of time. Some have already participated in projects to reduce or temporarily suspend their use and would be happy to increase or extend their conservation practices beyond five years—if they were certain they wouldn't risk losing their water right.
- A measure like this one can help give farmers, ranchers, and other surface water users the flexibility they need to engage in common-sense water conservation practices while feeling fully confident that their water rights will be protected.
- Reducing the threat and fear of forfeiture through a measure like this one will help to remove harmful disincentives and will encourage water users to implement best practices to conserve water throughout the state—this will free up additional water that can support the diverse needs of Arizona farms, communities, businesses and the environment.
- This bill does not alter any priorities of existing water rights, and all junior and senior water rights holders may use available water as they do now under current law.

*The Water for Arizona Coalition is comprised of Arizonans who support policies and innovative practices to ensure a reliable water supply to meet the state's needs. Collectively, we have over 60,000 Arizona members, as well as hundreds of hunter, angler, business, and outdoor recreation partners around the state. Learn more at [waterforarizona.com](http://waterforarizona.com).*

