

Plight of Irrigated Ag Land and their Water Rights

Water being the source of life, it was only natural that irrigation in Wyoming predated its statehood. However, it was only through irrigation that the deeded ground was broadened beyond the flood plains of the streams, creeks and rivers. Only 44.1% of Wyoming is private property. The USDA Census of Agriculture for Wyoming reported irrigated acres in 1964 at 1,571,192 acres the years since has reported a steady decline. The 2022 reported irrigated acres was at 1,272,605, a 300,000 acre decrease. One of many reasons for this is development.

The Ag industry settled this state and is still a substantial contributor to its economy. In 2022 the Total Cash receipts from Livestock, Products and Crops was \$1.9 Billion. The total number of farm/ranch units at this time was 10,544 in a state with a population of 581,381 people. Total Net Farm/Ranch Income was \$395 Million. That equates to \$1.5 Billion that farms and ranches added to the economy due to their costs of doing business.

Our industry is not immune to the changing times. Lest we forget that prior to 1980 Wyoming had a thriving Dairy Industry. Not only did most of the dairies disappear but so did the bottling companies, creameries and milk trucks. Therefore, it should be a concern to everyone that the number of farm/ranch units is in decline, between 2017 and 2022 the number declined by 1400 units. Despite the impressive economic numbers, the USDA 2024 Ag Census reports that 24% of the 10,544 farm/ranch units report less than \$1000 of products sold, 24% of the 10,544 farm/ranch units report less than \$10,000 of products sold. This equates to 5061 farm/ranch units who are not relying on ag products sold for their livelihood. 30% of the 10,544 farm/ranch units report they operate on less than 50 acres in comparison to the 36% of farm/ranch units operating on 500 acres or more.

42.4% of the States' population is older than 45 yrs and the USDA 2024 Ag Census has the Average Age of farm/ranch operators at 58.5 years. Given these statistics, the number of self-sustaining farm/ranch units will decline while the amount of **irrigable agriculturally productive property** will continue to diminish due to development.

The second cause of concern is the matter of **water rights** attached to the property being developed. Developers have the right to keep the water rights, move the water rights, or to abandon the water rights. All three are of great concern. First, by keeping the water right, they are orphaning water rights created by the roads and structures. Second it doesn't matter where they move them to, "Developers" by trade are not going to keep them in Ag production. But the Third option should be of the greatest concern to Ag producers, because of the cost to move water rights is expensive, Developers tend to choose option 3 and abandon the water rights. Irrigation Districts depend on their adjudicated water rights

to sustain themselves. As the amount of permitted water right acreage diminishes, so does their base of revenue.

Most of Wyoming's water infrastructure was built prior to 1950. These water conveyances and structures are aging and in disrepair. The cost of replacement is in the Billions of Dollars and Irrigation Districts are reliant on grants and other sources of funding for operational maintenance and repair. The process of replacing it is going to take years. Given today's trend of development it will not be economically viable or justifiable to replace this infrastructure when the **intended use** is no longer in agricultural production. The majority of an Irrigation District's parcels are less than 50 acres. The landowners of these properties are the first to object to the rising costs and rate increases to provide them with their water. They simply cannot justify the negative return on their investment.

Regarding the future investment needed to maintain the infrastructure that makes the land green and desirable, the Ag Community should consider supporting one of the following: 1) Lobby to set a minimum acreage limit to the parcel size **irrigable agricultural Lands** can be reduced to. 2) Lobby for the water rights to be transferred to lands managed by agriculture operators who can feasibly use them. Or 3) lobby for the allowance of the Irrigation District to bank the Water Rights for future transfer to land within their district that can feasibly be irrigated for production agriculture.

The Wyoming Association of Irrigation Districts welcomes your thoughts and ideas on these issues. We can be contacted at 307-439-3597. Email 307.waid@gmail.com or through the website www.waidwy.org