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Feds won't allow water for pot growers

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Alan Schreiber walks through rows of organic cantaloupe on his farm in Franklin County, Washington. Schreiber wants to grow marijuana and says growers will find ways to get water, regardless of what the federal government says.

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No federal water for pot crops

The U.S. Bureau of Reclamation says it won't provide any federally controlled water for marijuana growers in Washington state where pot is legal for recreational use. The eastern part of the state relies on water from the Columbia, Yakima and Snake river watersheds.

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Source: Washington State University, Bureau of Reclamation

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WASHINGTON — Delivering a major blow to state-licensed pot growers in Washington state and Colorado, the U.S. Bureau of Reclamation said today it will not allow any federally-controlled water to be used on marijuana crops.

“As a federal agency, Reclamation is obligated to adhere to federal law in the conduct of its responsibilities to the American people,” said Dan DuBray, the agency’s chief of public affairs.

The decision could hit particularly hard in Washington state, with the federal agency controlling the water supply for two-thirds of Washington state's irrigated land.

Growers in Colorado will be less affected because the state allows only indoor pot farms.

The ruling makes clear that the Obama administration is willing to set limits on the states' legalization experiments, even though the Justice Department said in August that it would not block their plans to tax and sell the drug.

The agency agency began informing members of Congress of its decision at 11 a.m. today.

DuBray said the federal agency will conduct its operations "in a manner that is consistent with the Controlled Substances Act," which bans marijuana.

And if the agency becomes aware of any federally-controlled water being used on marijuana crops, it will refer cases to the Department of Justice for possible prosecution, he said.

DuBray said the agency's policy will apply to all of its locations in the 17 Western states it serves, including states that have decriminalized or authorized the cultivation of marijuana. Washington state and Colorado are the only two states that have approved marijuana for recreational use, while 21 others have laws allowing it to be used for medical purposes.

The Bureau of Reclamation had been studying the issue with the Justice Department since last month, after local officials in both Washington state and Colorado asked for a legal analysis.

Anticipating that the ruling may not go their way, Washington state officials had already been discussing other ways that growers could get water.

Last month, Joye Redfield-Wilder, spokeswoman for the Washington state Department of Ecology, said that with most of growing operations are expected to be fairly small, growers may be able to drill their own wells or tap into a city water supply. Under state law, greenhouse growers can use well water if their operations use no more than 5,000 gallons of water per day, she said.

"It may or may not be a problem at all," Redfield-Wilder said.

Growers have been figuring out how they might react, too.

With marijuana being so valuable, licensed growers won't be deterred by the federal government, said Alan Schreiber, a Franklin County farmer who has applied for a license to grow marijuana for pest-control research.

"This is an annoyance and a nuisance but I can assure you _ I can assure you _ they will find water for this," Schreiber said last month. "Water, relatively speaking, is not that expensive. You can get it from a well. You can find somebody. There's wells everywhere around here."

The Bureau of Reclamation, the nation's largest wholesaler of water, is a key federal agency in the West, best known for the dams, canals and power plants it has built in the 17 states it serves.

Created in 1902 to promote economic development, it's now part of the Department of Interior and delivers water to more than 31 million people and one out of every five Western farmers. It contracts with local irrigation districts to provide the water.

In Washington state, the agency provides irrigated water to roughly 1.2 million acres of land. Much of it comes from the Columbia and Yakima rivers, providing water for the state's prime farmland.

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