



## Arizona Farm Bureau Federation

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November 17, 2022

Arizona Department of Water Resources  
Attn: Sharon Scantlebury, Docket Supervisor  
1110 West Washington Street, Suite 310  
Phoenix, Arizona 85007  
Submitted via email to [sscantlebury@azwater.gov](mailto:sscantlebury@azwater.gov)

### **RE: Petition to Designate a Subsequent INA in the Hualapai Basin**

Dear Director Buschatzke,

On behalf of more than 2,300 farm and ranch members across the state, we appreciate the opportunity to comment in opposition to the designation of an Irrigation Non-Expansion Area (INA) in the Hualapai Basin. For the following reasons, we urge the Department of Water Resources (“the Department”) not to designate an INA as requested.

#### **The Department’s Data is Fundamentally Flawed**

The statute authorizing the Director to designate an INA requires a finding of “insufficient groundwater to provide a reasonably safe supply for irrigation of the cultivated lands in the area *at the current rates of withdrawal.*” ARS § 45-432(A)(1) (emphasis added). We assert that the Department’s modeling does not accurately reflect current rates of withdrawal, and therefore must be adjusted before an accurate determination is made.

This conclusion is based on testimony and information provided at the public hearing on November 12, 2022. There, and in [written comments](#), agricultural users and water managers explained that the Department’s models are based on water use numbers that greatly exceed actual usage. In some cases, the model’s water use estimates exceeded actual use by more than 2 acre-feet per acre.<sup>1</sup> With assumptions so divergent from current use data, it is clear that the Department’s model needs to be adjusted before it can make an accurate estimation of the basin’s 100-year irrigation water supply.

The Department, in accordance with its statutory directive to “give full consideration to public comment,” should revise its hydrologic estimates with the precise data it has been supplied by area farmers. Until it does so, any decision to designate an INA is inappropriate.

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<sup>1</sup> These numbers are drawn from the public comments filed on behalf of Peacock Nuts, LLC. We agree with those comments and incorporate them herein.

## **The Department's Data Does Not Justify Imposing an INA**

Even if the Department does not adjust its modeling criteria to more accurately reflect agricultural usage, it should still decline to designate an INA in the Hualapai Basin. At the November 12 hearing, the Department presented a detailed report on the current hydrology of the basin. The conclusions made by this report do not support a conclusion that there is insufficient groundwater to provide a reasonably safe supply for irrigation.

For example, the monitoring wells highlighted by the Department in its hydrology presentation showed the depth to water changes over time in three wells. In one well (GWSI Site ID 352518113454001, the change in depth-to-water between 2010 and 2022 was approximately 30 feet, a decline of 2.5 feet per year. In a second well (GWSI Site ID 351554113590701), the decline over the same time period was between 20-30 feet, or between 1 and 2.5 feet per year (with, it should be noted, fluctuations during the time period in which the well levels actually increased). In the third monitoring well, levels were nearly static. According to prior decisions from this Department, these numbers do not indicate a basin in crisis such that an INA is warranted. In 2020, the Department determined that declines in well levels ranging between 0.6 and 1.25 feet per year did not support the imposition of an INA. (See [ADWR letter to Mohave County Board of Supervisors](#), dated May 28, 2020). Similarly, in 2016, the Department declined to designate an INA when well levels were found to be in decline of between 3 and 5 feet per year. (See [ADWR Letter to Mohave County Board of Supervisors](#), dated October 28, 2016). The data presented by the Department does not indicate a significant change from the past two refusals to designate an INA. Accordingly, a designation continues to be inappropriate and unsupported by statutory authority.

## **An INA is Contrary to Sound Economic Policy for Mohave County**

Finally, while we maintain that the plain language of the law requires the Department to refrain from designating this INA, our position is also supported by the policy considerations at play. Sound economic and agricultural policy cuts against the imposition of the INA. Agriculture is a major source of jobs, tax revenue, community support, and cultural significance in the Hualapai basin. To limit any potential growth of this industry is to limit the future success of Kingman and Mohave County.

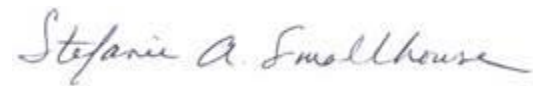
The actual water use data provided by the farms in the basin proves, without a doubt, what we have argued all along: farms are excellent stewards of the basin's water resources. Three of the farms used less than one acre foot per acre of water on their trees. A more established orchard used fewer than two feet per acre. These numbers were made possible by the substantial investments these farms have made in irrigation technology and soil health to ensure they use every drop of water wisely. We should not limit the potential of good stewards such as these.

Moreover, it is important to remember that water use is not water waste. It's not only important to celebrate the efficiency of agriculture, we must also remember that the resources agriculture does use are targeted to produce something we all need: food. These farms are laser-focused on using as few water resources as possible to produce food, in this case, high-quality nut crops. Not only does this help ensure that all of us have access to an abundant, affordable food supply, it also drives further economic development in Mohave County. Harvest crews will live, work, and spend money in the basin. Processing and manufacturing plants necessary to prepare the crops for our tables will drive job creation and

additional tax revenues. We urge the Department not to limit Mohave County's potential to be a significant contributor to American food security.

For these reasons, we urge the Department not to designate an INA in the Hualapai Basin.

Sincerely,

A handwritten signature in cursive script that reads "Stefanie A. Smallhouse".

Stefanie Smallhouse, President  
Arizona Farm Bureau Federation