



ARIZONA
LAND AND WATER RESOURCES

November 18, 2022

Attn. Director Thomas Buschatske Arizona Department of Water Resources 1110 West Washington, Ste. 310 Phoenix, Arizona 85007

Director Buschatske,

On behalf of several large property owners in the Hualapai Basin, I would like to offer a few points of consideration on the deliberation of forming an Irrigation Non-Expansion Area (INA) for the Hualapai Basin. I would also like to thank you and ADWR staff for the professional and informative presentation at the Mohave County Board of Supervisors auditorium on November 12, 2022.

We all agree that protecting our groundwater supply and water quality is essential to a robust quality of life for everyone. Balancing property rights, economic development and sustainable growth has been a cornerstone of Arizona policy making for decades and now once again you are faced for a third request by Mohave County and the City of Kingman to deviate from the hydrological evidence that there is ample water at the present time to support ongoing agricultural operations and implement an INA.

First, I would like to address a few misconceptions about the information provided by Mohave County and the City of Kingman that create a false narrative about the current state of farming in the Hualapai Basin. It has been mentioned that the basin is being “overrun” by “large corporate farmers”.

This is not correct; all the farmers, save one, are family owned and operate companies owned by generational farmers that are Arizona property and business owners. They bring important revenue and jobs to the area that otherwise would not exist. Only one entity is owned by a foreign corporation and represents only a minority of the farm activities being conducted in the basin.

Also of importance is the incorrect reference by the County and City that a total of 80,000 acres being owned or controlled by agricultural interests. This reference is also found in the ADWR Matrix and latest USGS reports. This statement is false and not substantiated by any facts. It is true that at one time in years past, a specific property owner had large holdings in the basin and sought to farm them, but since has disposed of these holdings in various fashions and now most of them are owned by non-farm entities. In the Red Lake playa area at least 20,000 acres are owned by non-farm entities, several of which I represent in this matter.

Currently most of the farm operated acreage is already in production and my estimates are that less than 10,000 acres remain that are not in production at this time, which is far from the statement's 80,000 acre estimated.

Second, I would like to challenge the USGS water use assumptions for the current water consumption by farm operations. Several of the farm operators mentioned at the recent meeting, water usage for irrigation has been cut dramatically due to continuing drought conditions. Water usage has been reduced by one third in most instances through improved irrigation techniques and improved operations and more current information supplied by Peacock Nut Company demonstrates that the actual water use does place the aquifer into a status that would support the formation of an INA at this time.

The latest USGS report grossly overstates the current water usage, and I would encourage ADWR to partner with these farm operators and monitor the water consumption for at least a year to get an accurate measurement of it, before taking any action to form an INA. All the farm operators welcome such action by ADWR and would eagerly participate in it.

Additionally, I would ask you to please reflect on the September 2006 "Desert Communities" analysis for adequate water supply, which to this date, is the most comprehensive analysis of the Hualapai Basin Aquifer and note that the changes in the basin are based on incorrect assumptions by USGA and ADWR on the current withdrawal rate by the farmers.

Through this detailed analysis, ADWR granted almost 170,000-acre feet of annual withdrawal from the aquifer for residential subdivisions. I understand that the basin conditions have somewhat changed, but to what extent? Enough to justify ADWR to ignore this report and subsequent approvals for the 170,000 annual withdraws completely?

Public opposition to the formation of the INA is much greater than support for action at this time and we feel that the data presented by USGS/ADWR needs to be reconciled with real world verification by monitoring the farm wells for a period of twelve months to get actual water use calculations in order to support the formation of the INA or not.

To act now is premature and not supported by factual data.

Additionally, we feel that meeting be public meeting held on a holiday is not valid under Arizona law and requires ADWR to re notify the meeting on an appropriate date in order to comply with Arizona law. Any action by ADWR based on the recent public hearing will face legal challenge and potentially delay any decision by ADWR

In closing, I understand the continued political pressure being placed on you to take immediate action to form an INA, however I ask you not to do so, but to take a different course on the matter and call for a summit with all the concerned parties and in an open and transparent manner, craft a sensible, legal, and appropriate water policy for the Hualapai Bains Aquifer. The farm operators want to work with ADWR, City and County to address the concerns and create a set of sustainable water policy that leverages the use of effluent and recharge basins to preserve the aquifer for future generations and preserve the quality of life in Mohave County.

Sincerely,

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CC: Honorable Governor Doug Ducey



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