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May 8, 2015

Certified Mail/Return Receipt Requested

Arizona Department of Water Resources
Attention: Sharon Scantlebert, Docket Supervisor
3550 North Central Avenue
Phoenix, AZ 85012

RECEIVED
MAY 11 2015
LEGAL
DEPT OF WATER RESOURCES

Ladies and Gentlemen:

I am writing to address the hearing scheduled for May 16, 2015 in Bowie, Arizona, relating to the Petition to establish an Irrigation Non-Expansion Area (INA) for the San Simon Valley Sub-Basin. I believe that the result of granting this Petition would be to reward existing farmers at the expense of other land owners that have not yet farmed their land. My family has owned about 260 acres of undeveloped land a few miles south-west of San Simon for over 40 years. My parents (Walt and Jane Schwedes, since deceased) purchased the land in Township 14, Range 30, Parcel 9 in 1973 when their son, my brother, was living in Tucson. If the INA petition is granted, it will unfairly wipe out the value of our land.

We understand the need to regulate the use of underground water in southeast Arizona, especially since the water level has been dropping. It is ironic, however, that the petitioners of the INA, who are a major cause of the reduction in ground water levels, have now requested that they and certain other existing farmers have a monopoly on future water use. If the INA Petition is granted, it would reward those who have depleted the water supplies of the San Simon Valley Sub-basin at the expense of all other land owners.

Furthermore, the INA Petitioner would, if granted, constitute a taking of our right, and the right of others similarly situated, without compensation, to extract water from land that we own, and it would transfer that right to the petitioners for the INA. This is patently unfair. The fact that the petitioners have expended capital that has enabled them to extract so much water that they lowered the water table should not give them the right to obtain a monopoly on the underground water supplies at the expense of other land owners. Any state law that would permit such a result is contrary to principles of fairness and should be void.

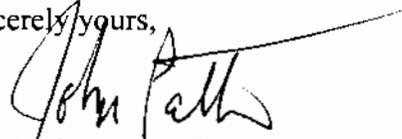
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A much fairer approach would be to regulate the amount of water that may be withdrawn from all land in the affected area, on a per acre basis, which would permit the expansion of acreage under irrigation. The amount of water that could be withdrawn on a per acre basis could be adjusted as land is added to or subtracted from the total land under irrigation. This approach would encourage wise irrigation methods that would help to conserve the area's water resources while at the same time applying the rules to all land owners equally.

Thank you for the opportunity to be heard concerning the INA Petition for the San Simon Valley Sub-Basin.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John D. Patterson, Jr.", with a long horizontal flourish extending to the right.

John D. Patterson, Jr.

JDP/kap