

**From:** [Carry Morgan](#)  
**To:** [Sharon Scantlebury](#); [Dr Morgan](#); [Cheryl Morgan](#)  
**Subject:** Comment In-put for San Simon INR  
**Date:** Wednesday, May 20, 2015 12:59:12 PM

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Ms. Sharon Scantlebury, Docket Supervisor,

I am Dr. Carry G. Morgan, representing the interest of myself and the Desert Star Ranch (AKA the Braidfoot). A review of the petition, Arizona State Statues, presentations, and narratives presented at the 16 May 15 Public Hearing allowed me to formulate a position of opposing the designation of an Irrigation Non-Expansion Area (INA) for the San Simon Valley Sub-basin.

I view this petition not as an effort to preserve water in the basin but as a veiled attempt to control commerce at the expense of the other current and future landowners, and the tax bases of the cities in the proposed INA, Cochise County, and the United States.

The manner in which the State Statues are written enabled the petitioners to manipulate the data for their own purposes. I observed Ms. Griffin at the Hearing; I would encourage the Arizona Department of Water Resources (ADWR) to enter into a dialogue with Ms. Griffin to propose legislation to better focus the statue to prevent such matters. Specifically:

- Counting guidelines on what constitutes a “Petitioner”. It makes good business sense for the North Bowie Farming Group to establish themselves as a Group for investments, etc. This allowed each member of the Group to be counted as a single petitioner with the same goal of their Group. This is creates an unfair advantage.
- ADWR statistical analysis uses the term, “at current usage”. Current usage is projected for unspecified periods of time. ADWR’s presentation focused on historical data; however, no extrapolation for the future. Many of the presentations did calculations for the future based on present day data. This methodology does not allow for factors such as changes in the climate, weather, populations, or types of crops and their associated water usage.
- The implementation of a temporary probation is unfair to the non-petitioners. The Statue gives the Petitioners exactly what they are pursuing—elimination of competition. The non-petitioners had no opportunity to prepare for such a closure as the documented actions of the Petitioners.

- The ADWR should declare the States' position as to status of a Water Shortage prior to issuing a temporary probation. Is there a water shortage or not?
- Refine the provisions of the "substantial capital investment". This clearly favors the petitioner since they are driving the start date of the "date of the Notice of Initiation of Designation Procedures". The individual owner and future owners had no opportunity to consider a substantial capital investment.

Should the INR be established; the State is providing the petitioners and their foreign investors and markets an opportunity to drive agriculture and water usage in the San Simon Sub-Water basin at the expense of the general population and future investment.

Dr. Carry G. Morgan