

From: [roberta serface](#)
To: [Sharon Scantlebury](#)
Subject: Final input for INA
Date: Friday, July 17, 2015 5:13:49 PM
Attachments: [letter inre INA SAn Simon Valley.doc](#)

Attached please find my final input comments.

Thank you.

Roberta Serface

July 17, 2015

Since writing the letter below I have read the new information and there are troubling signs that point to the idea that a few large tree orchard (water suckers) owners have. First, one of them has been in trouble before in regards to a California issue of some kind. Details to me are vague however it would seem that in light of this information, more information needs to be gleaned before anyone makes a permanent ruling on whether land owners can use their land and water for the reasons that they purchased it and have paid land taxes on it. Below are several statements made in public media that should be taken note of:

“Recently, Fico and A and P Ranch, large multimillion-dollar corporations and business have moved into the basin. **They had assured us there was abundant water for all to use for hundreds of years, However after their last trees were planted and all their wells secured, they changed their tune to the sky was falling and so is the water. They have petitioned the state for an INA (irrigation non expansion area).** What will an INA do? The first action of the INA will stop anybody who has not irrigated in the last five years from ever irrigating again. This is a permanent change. Wow! **So everybody in the valley who has not contributed to any water depletion whatsoever will immediately lose virtually all their rights to any water.**” REALLY?

“The real gem is that the state will not deem this problem sufficient enough for an active management area (AMA). **That means the people who are using the water will not be managed, and the state will look away. Fico and A and P Ranch will be given an open ticket to use as much water as they please, or should I say, steal as much as they please.**” REALLY?

From a newspaper article in June: “Weeds and grass grow in a section of land that San Simon rancher Shelby Ray accused **J and P Pistachio Ranch manager Mark Cook of irrigating recently to avoid future Irrigation Non-expansion Area restrictions.**”
REALLY?

Roberta Serface

June 4, 2015

TO: DIRECTOR of AZ Dept. Water Resources
sscantlebury@azwater.gov

IN RE: Proposed INA: San Simon Valley Sub-Basin

Dear Sir:

I have owned my 40.12 acre parcel (402-77-006-5) of land within the San Simon Valley, Cochise County, since 1980. I purchased this piece of land for my retirement so that I could have a nice place to perhaps grow a vineyard or small orchard and a nice garden. I have looked forward to being 'self-sustaining' when I retire. I have not had a well drilled because I didn't think I needed to until moving onto the land. Now I am almost ready to do what I have planned for 35 years only to be confronted with the fact that a few (2-3) farmers in that area believe that they should be the only ones with a right to use the underground aquifer!

That is not only absolutely absurd, but also very frightening to think that someone, who may or may not have been in that area for a long time, cares nothing about other property owners and whether they may have the ability to use the same water that they are using.

For those 35 years I have paid taxes for the schools and fire just like they have and just because they have been pumping out the groundwater for their use in orchards, etc. certainly does not mean that they can now have the ability to say "we can use the water because we have been using it and you can't now because you haven't been using it". If anything, they are the ones that should be restricted in water usage from the aquifer because they are the ones that have been depleting it by irrigating their large orchards and fields and not being water conscious!

When I first purchased the newly sub-divided Miller Ranch land (my grandparents were actually friends of those ranchers and my relatives have lived in that area since the early 1900's!) I was given information about the underground aquifer that stated the water was 200' below the surface and would be guaranteed to still be there. I believe I still have the paperwork that states that. And that was even before the Gila groundwater issue in the 1990's.

If the Department has studied that groundwater basin and now it is well-below that level, you can bet that those same big orchard owners are the ones that have lowered it, so it makes no sense that the State of Arizona would even allow a few greedy farmers, who want nothing more than to keep all the water in the aquifer to themselves and to heck with anyone else wanting to use it for irrigating, and make a law where no other landowner could use the water for anything other than domestic use! Senseless greed does no one any good.

I certainly wish for the Director, Thomas Buschatzke, to make the right decision for the San Simon Valley and decline to designate an INA. It would be wrong, pure and simple. Perhaps there should be some restrictions made on the amount of water one landowner/farmer can use per year, but please do not make it where smaller land owners cannot use the water that we purchased rights to when we bought our land.

Thank you.

Respectfully,

Roberta K. Serface