

# Presentation Summary

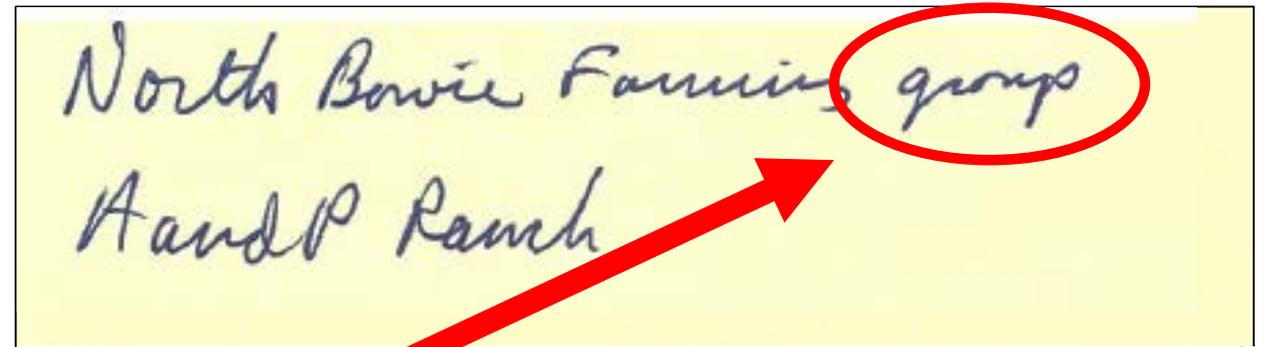
- Can be found at [www.SanSimonWater.com](http://www.SanSimonWater.com)
- All supporting documents are included
  
- *“Any further accusations, rumor, or innuendo of any sort will not be ignored.”*

# Petitioners Have Not Met Requirements

- ARS 45-433 – Local Initiation for Designation
  - A(1) – Not less than 25 **Irrigation Users** of groundwater or  $\frac{1}{4}$  of the **Irrigation Users** of groundwater.
  - North Bowie Farming is 1 user, no statute saying that individual entities controlled by same person(s) equals individual use.
  - Best case comparison is FICO = 1 user
  - This was not the intent of the statute.

# North Bowie Farming

- Same Owners/Managers
- Same Address
- Documents submitted to ADWR indicate “Group”



North Bowie Farming group  
A and P Ranch



**NORTH BOWIE**  
— FARMING —

**Mark A. Cook**  
Managing Member

PO Box 65  
1446 N. Donahue Road  
Bowie, AZ 85605

Office: (520) 847-1301  
Mobile: (520) 730-9433  
Mark@northbowiefarming.com

# A&P and Company **11 of the 16 petitioners**

- North Bowie Farming –
  - A&P Ranch
  - Four Star Pistachio
  - H&R Farms
  - San Simon Estate Land Company
  - Pista Land Company
  - J&P Pistachio Ranch
  - R&R Orchards
  - S&H Farms
  - WPD Pistachio
  - Whitetail Creek Orchards -
  - HFT Pecan Orchard

## Investor Capital Being Sought

24 Million (€2)

4.9 Million (€3)

4.9 Million (€4)

4.9 Million (€5)

60 Million (€6)

**98.7 Million**

52 Irrigators (ADWR Count)

Considering 1 opposed to 11  
Reducing the number to 42

25% of 42 = 10.5 Irrigators

If A&P was counted as 1, the  
total number of petitioners  
would drop to 6

6 Petitioners...

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549  
FORM D

Notice of Exempt Offering of Securities

1. Issuer's Identity

CIK (Filer ID Number)

[1552952](#)

Name of Issuer

[Whitetail Creek Orchard, LLC](#)

Jurisdiction of  
Incorporation/Organization

[ARIZONA](#)

Year of Incorporation/Organization

Over Five Years Ago

Within Last Five Years (Specify Year) [2012](#)

Yet to Be Formed

Previous  
Names

None

Entity Type

Corporation

Limited Partnership

Limited Liability Company

General Partnership

Business Trust

Other (Specify)

11. Minimum Investment

Minimum investment accepted from any outside investor [\\$120,000](#) USD

13. Offering and Sales Amounts

Total Offering Amount [\\$60,000,000](#) USD or  Indefinite

Total Amount Sold [\\$0](#) USD

Total Remaining to be Sold [\\$60,000,000](#) USD or  Indefinite

Clarification of Response (if Necessary):

# ARS 45-402.22 – Definition of Irrigation non-expansion

"Irrigation non-expansion area" means a geographical area which has been designated pursuant to article 3 of this chapter as having **insufficient groundwater** to provide a reasonably safe supply for the irrigation of the cultivated lands at the **current** rate of withdrawal.

# Security Fraud or Misrepresentations to ADWR

- 98.7 Million Dollars being raised
- You cannot attempt to raise 98.7 million dollars for agricultural based corporations and at the same time claim there isn't enough water to meet current withdrawal rates...?
- Which is it?

# “A&P and Company Plans for Growth”

- “After purchasing additional land, Dr. Heuler has now planted 2,000 acres and has plans to have another 5,500 acres in nearby San Simon planted by 2015.”
- Source –
  - Farmer Credit Profile of Dr. Bart Heuler, 2013 (t:1)

# “A&P and Company Plans for Growth”

“... and he has standing orders from European and Asian buyers for well in excess of total annual production – in short, they’ll buy as much as he can produce.”

- Source –
  - Farmer Credit Profile of Dr. Bart Heuler, 2013 (t:1)

# “A&P and Company Plans for Growth”

- “Because A&P Growers is a farmer owned non-profit cooperative, the benefit to the growers is clear. The Arizona growers have been paid more in the last few years than at any time in the last thirty years.”
- Source –
  - Farmer Credit Profile of Dr. Bart Heuler, 2013 (t:1)

## Farm Credit Services Newsletter – 2010 (t7)

- “We can produce better quality pistachios, with higher production per acre, at a lower cost in Arizona. **We have the water**, the organization and the mechanization to make it work, and we’ll have the most productive trees in the world.”

- Dr. Bart Heuler, A&P Ranches

# Prior Acts

- **U.S. Court of Appeals for the Ninth Circuit - 874 F.2d 815 (9th Cir. 1988)**
  - Plaintiffs - Niles D. CHAPMAN and Patricia J. Chapman
  - Defendants - **G. Barton HEULER**, Comworld Production Partners, et al., Defendants-Appellees.
- "...action alleging fraud, securities, and RICO (Racketeer Influenced and Corrupt Organizations Act) violations by defendants."

# Lack of Supporting Documents

- As of today, none of the petitioners have provided any documentation to support their position... why?
- In preparing the petition, the documentation, evidence, and facts should have already been well known and available, why wait?
- How will this effect other Sub-Basins already in worse shape than the San Simon Sub-Basin (Precedence)
- Does this open the petitioners to liability of any financial loss/hardships to any party effected by the temporary INA?
- What is there to hide? Why was this done without public support/knowledge?

# CitizenVisa.Weebly.Com (t8)

- EB-5 Program – Allows foreign nationals to invest 500K+ into American Companies, in return they receive a visa

## Pistachio Orchards - a Thriving Commodity



**Dr. Brent Hueler, A&P Ranch**

### **PROJECT OVERVIEW**

A narrow band of farmland in Southern Arizona now produces the finest, most coveted pistachios in the world. Citizen Visa has identified some of the few remaining land parcels located in the heart of this region. We seek to acquire and develop this virgin land into prime pistachio orchards. According to Dr. Brent Hueler, A&P Ranch spokesperson, Arizona only has available 10,000 acres of land suitable for pistachio production, of which nearly half is already in production. California, which produces 98% of all the pistachios in the United States has nearly 200,000 acres in production, but is suffering from water shortages, poorer growing conditions, environmental and political pressures and less favorable weather conditions. Arizona production also has over 20% higher yields per acre on average compared to California farmland. The remaining Arizona land suitable for pistachio orchards will not last very long. Citizen Visa must move fast in order to take advantage of this valuable long term business opportunity.

# Tree Growers and Water Regulations

- This is like Union Pacific Railroad petitioning for a noise ordinance in Bowie and San Simon...
- “I believe the establishment of an INA is an important step to ensure a prosperous future in the valley for the entire community,” - Mark Cook Arizona Range News May 13<sup>th</sup>, 2015







