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ARIZONA DEPARTMENT OF WATER RESOURCES

PUBLIC COMMENT HEARING ON
PROPOSED ACTIVE MANAGEMENT AREA:
WILLCOX GROUNDWATER BASIN

* * * * *

willcox, Arizona

November 22, 2024

HEARING OFFICER: Casey Allman

Prepared by:
Dorothy A. Schulte, RPR
Certified Court Reporter
Certificate No. 50459

PERFECTA REPORTING
602-421-3602

(ORIGINAL)

1 BE IT REMEMBERED that pursuant to notice, a
2 public hearing was held at the willcox Community
3 Center, 312 West Stewart Street, Willcox, Arizona, on
4 November 22nd, 2024, commencing at the hour of 1:00
5 p.m.; and transcribed from audio/video by Dorothy A.
6 Schulte, CCR, RPR, Arizona Certified Court Reporter No.
7 50459, in and for the State of Arizona.

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willcox, Arizona
1:00 p.m.

P R O C E E D I N G S

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7 MR. ALLMAN: Good afternoon, everyone.
8 For the record, today is November 22nd, 2024, and the
9 time is 1:26 p.m. We are at the willcox Community
10 Center, 312 West Stewart Street, Willcox, Arizona
11 85643.

12 This is the time and place for the public
13 hearing on the Director's Order Initiating Proceedings
14 to Consider Designating the Willcox Groundwater Basin
15 as an Active Management Area.

16 My name is Casey Allman. I am the Active
17 Management Area Establishment Supervisor at the Arizona
18 Department of Water Resources, and I will be the
19 hearing officer for today's hearing.

20 With me today from the Department is Natalie
21 Mast, AMA Director, who will provide an overview of the
22 AMA Designation Process, Background and Regulatory
23 Features; and Ryan Mitchell, the Department's Chief
24 Hydrologist.

25 Ryan will provide an overview of hydrology in

1 the Willcox Groundwater Basin.

2 Also, with me today from the Department are
3 Lucas Bennett, Deputy Counsel; Shauna Evans, Public
4 Information Officer; Madison Moreno, AMA Establishment
5 Coordinator; Jose Rivera, Technical Support; and Sharon
6 Scantlebury, Docket Supervisor.

7 The Department's Director, Tom Buschatzke, is
8 not in attendance today. It is a long-standing policy
9 of ADWR Directors to not attend public meetings
10 regarding matters under their consideration so as not
11 to create an impression of weighing the verbal comments
12 more heavily than written comments. It is critical for
13 the Director to maintain objectivity and provide equal
14 opportunity for comments, so in matters under the
15 Director's consideration, the Department has typically
16 made other staff available to provide information and
17 to accept comments, as you see here today.

18 I will also take time to acknowledge the
19 elected officials who are present at this hearing.
20 State Representative Gail Griffin, State Representative
21 Lupe Diaz, State Representative Stephanie
22 Stahl-Hamilton, State Representative Stacey Travers and
23 County Supervisor Peggy Judd.

24 If I've missed anybody, please feel free to
25 stand and introduce yourself.

1 Today's public hearing will be transcribed by
2 a court reporter, so it is important for speakers to
3 please speak up and speak slowly so that the court
4 reporter can accurately record your comments.

5 If anyone has difficulty hearing me or a
6 speaker, please let me know.

7 The transcript will be made available to
8 ADWR's Director and will be posted online as soon as
9 available. Comments already submitted to the Docket
10 Supervisor are available on the Department's website
11 and will be part of the Director's consideration. The
12 website Director's address -- or the website address is
13 ad -- [azwater.gov/find-info-on/how-do-i/willcox-](http://azwater.gov/find-info-on/how-do-i/willcox-groundwater-basin)
14 [groundwater-basin](http://azwater.gov/find-info-on/how-do-i/willcox-groundwater-basin).

15 At this hearing, ADWR will provide
16 presentations on this public hearing process; an
17 Overview of the AMA Designation Process, Background and
18 Regulatory Features; as well as an overview of the
19 hydrologic information about the basin.

20 For those in person, if you haven't already
21 done so, please sign the sign-in sheet on the table
22 near the entrance. There are also speaker cards on the
23 table. If you would like to speak today, please fill
24 out a speaker card if you haven't already done so and
25 submit it -- and submit your card to Sharon Scantlebury

1 or any other staff present from ADWR.

2 For those on the webinar, we have provided a
3 link to a virtual speaker card in the chat box and on
4 the screen. The chat box can be opened by clicking the
5 speech bubble icon at the bottom of your screen. If
6 you would like to speak via webinar today, submit your
7 virtual speaker card, and staff will call on you when
8 it is your turn to speak. Everyone was muted on entry
9 to the webinar. You will be unmuted when it is your
10 turn to speak.

11 For those participating via telephone and not
12 on the webinar and you would like to make a verbal
13 comment -- apologies -- please state and spell your
14 name and we will call on you when it is your turn to
15 speak. If you would not like to make a comment, please
16 simply stay silent. We will call on telephone
17 participants to speak after the webinar participants.

18 Persons presenting comments at the hearing,
19 whether in person or virtually, will be subject to a
20 three-minute time limit to allow for as many speakers
21 as possible during today's hearing.

22 The hearing will be conducted in a formal
23 manner. As I mentioned previously, the contents of
24 this hearing will be transcribed by a court reporter.
25 A copy of the transcript of the hearing will be

1 available for review at the Department's office and
2 will also be posted on the Department's website when it
3 is available.

4 At the conclusion of this hearing, I will be
5 accepting any written comments or documentary evidence
6 that anybody -- anyone may wish to submit to the
7 Department regarding this process. The Department will
8 also accept written comments via fax or email prior to
9 midnight today. Written comments, submitted up until
10 midnight today, should be submitted to the Department's
11 Docket Supervisor, Sharon Scantlebury, by email to
12 docketssupervisor@azwater.gov or by fax at (602)
13 771-8686. A copy of the public notice with Sharon's
14 contact information is posted on the Department's
15 website, and her business cards are located at the
16 table near the entrance if you would like one.

17 On September 26, 2024, ADWR hosted a public
18 meeting and informal session on the status of the
19 Willcox Groundwater Basin, which included presentations
20 regarding hydrologic conditions and management options.

21 Public questions and comments from that
22 meeting or otherwise submitted to the Department were
23 incorporated into an FAQ section on the Willcox
24 Groundwater Basin page on ADWR's website.

25 Next slide, please.

1 Based upon hydrologic information and public
2 comments received, the Director signed an Order on
3 October 23rd, 2024, to initiate procedures to consider
4 designating the Willcox Groundwater Basin as an AMA.

5 In the same Order, the Director also ordered
6 a public hearing. Today's public hearing is to receive
7 evidence both orally and written, as to the following
8 criteria:

9 One, active management practices are
10 necessary to preserve the existing supply of
11 groundwater for future needs.

12 Two, land subsidence or fissuring is
13 endangering property or potential groundwater storage
14 capacity.

15 And, three, the use of groundwater is
16 resulting in actual or threatened water quality
17 degradation.

18 The Department will also present the factual
19 data in its possession in support of the proposed
20 subsequent Active Management Area, pursuant to A.R.S.
21 State Statute 45-413(C).

22 Next slide, please.

23 We see here the map of the Willcox
24 Groundwater Basin that was included in the public
25 notice. This map defines the boundaries of the

1 groundwater basin that is subject to the proposed AMA.

2 I will hand the mic over to Natalie Mast, the
3 AMA Director, for her presentation of AMA Designation
4 Process, Background and Regulatory Features.

5 MS. MAST: Thank you, Casey.

6 And good afternoon, everyone. My name is
7 Natalie Mast. I am the Active Management Director at
8 ADWR. I will provide a presentation that explains the
9 AMA designation process, an overview of what an AMA is
10 and what is required in an AMA, and some procedures
11 related to the establishment of a subsequent AMA.

12 Next slide, please.

13 The legal structures for Active Management
14 Areas were established under the 1980 Groundwater
15 Management Act, which created ADWR, imposed groundwater
16 regulations in the initial irrigation non-expansion
17 areas and Active Management Areas or AMAs, and
18 authorized the establishment of new AMAs and INAs by
19 either local initiation or by designation of the ADWR
20 Director.

21 Sir, we have time for comment at the end of
22 the presentations. We'd like to continue at this
23 point. Thank you.

24 Existing --

25 Sir, sir, if you're not going to behave

1 respectfully, we're going to ask you to leave. Thank
2 you.

3 The initial AMAs created by the Groundwater
4 Management Act were Prescott, Phoenix, Pinal, and
5 Tucson. The Santa Cruz AMA was split out from the
6 Tucson AMA in 1995, and is by statute still considered
7 an initial AMA because it did nothing to change -- or
8 excuse me -- because it did not change the geographic
9 footprint of those initial AMAs. The establishment of
10 the Douglas AMA in December of 2022 was the first ever
11 subsequent AMA.

12 Next slide. Thank you.

13 The Groundwater Management Act created a
14 tiered regulatory structure. This slide is not
15 comprehensive but can start to give an idea of the
16 additive nature of this structure.

17 A few provisions such as the registration of
18 all wells apply statewide. In Irrigation Non-Expansion
19 Areas or INAs, additional provisions apply, like, as
20 the name provides, a prohibition on newly irrigated
21 acres.

22 In Active Management Areas or AMAs, still
23 more provisions apply, including a requirement to
24 obtain a grandfathered right or withdrawal permit for
25 most uses of groundwater, assured water supply

1 requirements, mandatory conservation programs designed
2 to reduce withdrawals of groundwater, and well spacing
3 provisions.

4 This slide shows some of the water management
5 tools that provide protection in an AMA.

6 Mandatory measuring and reporting for
7 non-exempt wells functions to provide good data, which
8 supports water management decision-making in an AMA.

9 Well impact analysis is required for new
10 non-exempt wells in an AMA and functions to limit
11 negative impacts of new wells on nearby existing wells.

12 Mandatory conservation programs are designed
13 to reduce withdrawals of groundwater in the AMA, and
14 can be made incrementally more stringent over
15 successive management plans to help the AMA move toward
16 its management goal.

17 Assured water supply requirements require
18 that new developments can demonstrate a 100-year water
19 supply before they can be built, providing protection
20 for prospective home-buyers.

21 As I mentioned before, a new AMA can be
22 created by a process initiated by the ADWR Director.
23 That process is summarized on the screen.

24 When that process is initiated, an order is
25 published by the ADWR Director and a hearing is

1 scheduled. This triggers a prohibition on the
2 expansion of irrigated acreage for the area in
3 question. I'll talk about -- I'll talk more about that
4 on the next slide.

5 And for this consideration of whether to
6 establish an AMA in the Willcox Groundwater Basin, the
7 formal legal process was initiated on October 23rd, and
8 that triggered this irrigation non-expansion provision.

9 No sooner than 30 days and no later than 60
10 days after the hearing is announced, a public hearing
11 is required to be held in the basin in question, at
12 which ADWR presents factual data in support of the
13 proposed AMA and takes public comment. It's what we
14 are here for today.

15 Within 30 days, ADWR is required to issue
16 written findings with respect to matters considered
17 during the hearing and would typically issue a decision
18 at the same time as the findings.

19 If the Director decides to create an AMA, the
20 prohibition on the expansion of irrigated acres would
21 remain in effect permanently. If the Director decides
22 not to create an AMA, that prohibition would be lifted
23 at that time.

24 Next slide.

25 The definition of irrigation in this context

1 is important. In the context of these proceedings and
2 in the context of an AMA, “to irrigate” has a very
3 specific definition, which is “to apply water to two or
4 more acres of land to produce plants or parts of plants
5 for sale or human consumption, or for use as feed for
6 livestock, range livestock, or poultry.”

7 As I mentioned on the previous slide, this
8 process established a prohibition on the expansion of
9 irrigated acres under that definition. This is a
10 prohibition of the irrigation of any acres not legally
11 irrigated at any time during the five years preceding
12 October 23rd, 2024.

13 To say that another way, only acres of land
14 that were legally irrigated at any time between
15 October 23, 2019, and October 23, 2024, may be
16 irrigated, pending a decision by the Director on
17 these proceedings.

18 ADWR does have statutory enforcement
19 authority regarding these provisions, and that lands
20 found to be in violation of this prohibition may be
21 fined up to \$10,000 per day. Land development,
22 investment, or irrigation after October 23rd, 2024, is
23 not eligible to be considered for substantial capital
24 investment.

25 And ADWR’s Compliance team is actively

1 monitoring irrigated acreage in the basin and will
2 continue to investigate any potential violations.

3 In considering whether to designate the
4 Willcox Groundwater Basin as an AMA, the Director will
5 consider the following statutory criteria as well as
6 public comment and any recommendations made by local
7 political subdivisions.

8 If any of these criteria exist in the basin,
9 the Director may designate the area as a subsequent
10 AMA:

11 Number one, active management practices are
12 necessary to preserve the existing supply of
13 groundwater for future needs.

14 Number two, land subsidence or fissuring is
15 endangering property or potential groundwater storage
16 capacity.

17 Number three, use of groundwater is resulting
18 in actual or threatened water quality degradation.

19 This slide shows a timeline summary of the
20 establishment process, if a new AMA is created.

21 As mentioned before, the prohibition on the
22 expansion of irrigated acres would become permanent.
23 Additionally, all withdrawals from non-exempt wells
24 would be required to be measured. And on a future
25 slide, I'm going to define what specifically a

1 non-exempt well is.

2 All withdrawals from non-exempt wells would
3 be required to be measured, using an approved measuring
4 device or method. These measurements and other water
5 use information must be submitted to the Department
6 annually by March 31st. These provisions would become
7 effective immediately if an AMA is established.

8 within 30 days of the creation of an AMA,
9 ADWR is required to propose a management goal for the
10 AMA.

11 within 15 months of the creation of an AMA,
12 anyone claiming the right to withdraw or receive and
13 use groundwater pursuant to a grandfathered right would
14 be required to submit an application for a certificate
15 of grandfathered right. Anyone who did not submit an
16 application by the deadline would be deemed to have
17 waived and relinquished any right to use groundwater
18 pursuant to a grandfathered right.

19 within 2 years of the creation of an AMA,
20 ADWR would adopt a management plan containing mandatory
21 conservation requirements designed to reduce
22 withdrawals of groundwater. The requirements in that
23 plan would become effective at least two years after
24 that adoption.

25 This slide is not comprehensive. If an AMA

1 is created, ADWR would work through these and other
2 establishment processes to develop and implement the
3 regulatory framework necessary to administer the AMA.
4 This does take time, and ADWR would work to engage
5 local stakeholders in these processes and to
6 communicate these timelines.

7 Finally, this slide is intended as a
8 clarification. There are a lot of details to the
9 regulatory requirements associated with an AMA --
10 rights, measuring and reporting, conservation
11 requirements, et cetera.

12 And it's important to note that those
13 requirements apply to those using groundwater from a
14 non-exempt well. Those using groundwater from an
15 exempt well are exempt from these requirements.

16 An exempt well has -- has to check three
17 boxes: Has a pump capacity of 35 gallons per minute or
18 less, uses less than 10 acre-feet for non-irrigation
19 purposes, and is not being used to irrigate two or more
20 acres of land.

21 If it cannot check all three of those boxes,
22 then it's a non-exempt well and that water use is
23 subject to AMA regulatory requirements; but if it meets
24 those three criteria, then it's considered an exempt
25 well, and it is exempt from needing to obtain a right

1 or withdrawal authority, exempt from the requirement to
2 measure and report water use, and is exempt from any
3 conservation requirements in the management plan.

4 Those wells do still need to be registered
5 through ADWR's Wells Section and would need to document
6 any deepening or any other modifications as well as any
7 ownership changes. This specific requirement applies
8 to all wells statewide, but those wells would be exempt
9 from AMA-specific requirements.

10 With that, I'd like to thank you for your
11 patience and your attention so far, and I will hand the
12 presentation off to Ryan Mitchell to discuss hydrology
13 in the Willcox Groundwater Basin.

14 MR. MITCHELL: So I think Natalie might
15 have found a sweet spot where maybe it'll be able to
16 work, so I'll -- I'll stay over here, stay close.

17 I'd like to thank everybody for coming. I do
18 appreciate the engagement. I think this is an amazing
19 show of interest from the locals, and I think it's
20 fantastic that you're all here. Thank you for allowing
21 us to come and talk to you and speak to you.

22 Appreciate that as well.

23 As Natalie said, my name is Ryan Mitchell.
24 I'm the Chief Hydrologist, so I run the technical
25 science branch of the Department. So the folks that

1 work for me are the field geologists and hydrologists
2 and engineers, the guys that go out collect data, that
3 analyze data, that prepare groundwater flow models,
4 that kind of do the technical nerdy science stuff that
5 the Department uses for decision making.

6 See if this will work. Hey, it's working.

7 All right. So, in September, this last
8 month, we were here, and I gave a presentation that
9 covered a whole lot of hydrology information. It was
10 pretty long. It was really involved, but I do think it
11 was really informative. We're not going to go through
12 all of that stuff today. I'll just hit some of the
13 highlights from that September 26 presentation.

14 But this slide here has a link in yellow that
15 will take you to a website where not only the
16 presentation from the 26th is posted, the slides are
17 also posted, and we rerecorded the webex where we had
18 audio problems. We -- we rerecorded the presentation
19 and posted it where it was just straight to a
20 microphone, so everyone can hear everything really
21 clear. I went through the entire presentation again,
22 so the information is there.

23 We also wrote a technical memorandum and
24 posted it to the website that summarizes everything
25 that was presented hydrologically there as well. So if

1 you do want more detail or more information about what
2 land subsidence is and how it occurs, the detail can be
3 found there. And today we're just going to -- we're
4 just going to hop through some of the highlights.

5 So as a regional overview, the Willcox Basin
6 is in the basin and range physiographic province. That
7 means it's a down drop ground basin filled with
8 basin-filled alluvium, so there's sands, gravels,
9 clays, just fine grain unconsolidated stuff that falls
10 into the central basin. And over time, that central
11 basin will fill with water from precipitation,
12 snowmelt, rainfall, and that comprises the alluvial
13 aquifer of the Willcox Basin.

14 There's a large evaporative playa feature in
15 the center of the basin because the basin is internally
16 draining. That means all of the surface water and
17 streams and rain will collect in the middle of the
18 basin and then evaporates out. You guys are all
19 probably very familiar, but it is a unique feature that
20 you find here in Willcox.

21 The elevation can range from about 4,000 feet
22 at the basin floor at the lowest point up to over
23 10,000 feet near Mount Graham.

24 Oh, thank you.

25 The groundwater is considered alluvial,

1 meaning it does occur in those loose, unconsolidated
2 sediments. Because the alluvial basin is a mixture of
3 gravels and clay and other fine-grained materials --
4 sorry. I'm trying to yell too. Because it's a mixture
5 of all these multiple material types, you'll have
6 different, like, confining zones, so you'll have
7 unconfined and confined aquifer conditions within this
8 basin.

9 Precipitation ranges down at the basin floor
10 about a foot per year, 10 to 12 inches. And as you go
11 up in elevation, you get more precipitation. There's
12 about 14 to 18 inches of rainfall that you guys receive
13 up on the slopes.

14 So we have a lot of data in the basin itself.
15 Just a quick summary of what data we have available to
16 us now. There are 52 active index wells in the Willcox
17 Basin. Four of which are measured automatically with
18 transducers. We actually recently installed two more,
19 so thank you for that.

20 We have 48 of those index wells that we
21 measure annually, so some are recording continuously,
22 and that gets delivered to our data base everyday.
23 Some we send out the field hydrologist guys, and they
24 collect the measurements manually about once a year.

25 In addition to the regular annual water level

1 collection, we'll occasionally do what's called a basin
2 sweep, and that's when we come out with a huge group,
3 as many guys as we can, and we collect as many water
4 levels all through the basin in as short of a time
5 period as possible. And when we do that, we get a
6 nice, like, snapshot of the water table, of what the
7 aquifer looks like, you know, during that week or so,
8 depending how long it takes us to conduct one.

9 We've conducted basin sweeps six different
10 times, so 1990, '94, '99, '05, '14, '15 and 2021.

11 In just those basin sweeps alone, we had
12 4,600 water level measurements that we collected.

13 In addition to water level information, we
14 will also collect discharge rate data. We're not
15 necessarily interested in what the -- the pump can --
16 can yield. What we want to know is what the aquifer
17 can yield because we can back calculate that into
18 hydraulic conductivity value, and it tells us
19 information about the aquifer itself.

20 We do collect and monitor land subsidence
21 across the state and in particular in the Willcox
22 Basin. And the AZGS will actually map earth fissures
23 throughout the state, and there's significant fissure
24 activity here in Willcox as well.

25 Currently there are no active USGS stream

1 gages. Those are the ones that record water as it's
2 flowing down a creek or an arroyo or if there is a -- a
3 ephemeral water stream or shed.

4 So we -- we had some in the past that we
5 would collect data from. We haven't had an active
6 stream gage in the basin for a few years now. We are
7 working with the USGS to install a few more across the
8 state, and we'd like to get some here.

9 In addition to the empirical data, so the
10 measurements that I showed in that previous slide, we
11 also can model the basin as well. In 2018, we released
12 a model. If anyone is interested in reading more, the
13 link here will take you to the modeling report.

14 This was a model of the basin where we
15 essentially said we know the water level information
16 going back to the forties. We've got 75 years or so of
17 pumping history and of water level data. Can we make a
18 simulation that simulates the aquifer so that we can
19 start using that for planning purposes. And so we have
20 a really good fit with this model where we were able to
21 simulate all of the water level conditions across that
22 long 75-year period of record, and we found that when
23 we ran -- we -- we created the model, prepared it; and
24 when we ran it, it matched our water level information
25 that we had over the decades, and it showed about 400

1 feet of drawdown in the Kansas Settlement area, which
2 is consistent with the -- what water level recordings
3 that we've collected over -- over the decades.

4 And then the model -- we use it as a tool, so
5 it is a tool, and it can always be refined and improved
6 on, but we use it as a tool to say we may not know
7 exactly the discharge rates that everyone is pumping,
8 but we know that the water table was here and then it
9 was here and then it was here over time, and we're able
10 to then calculate, well, how much water in total was
11 withdrawn over that period of time, so we know it
12 for -- on -- on a basin wide scale.

13 And on a basin wide scale, the model is
14 estimating just under 6 million acre feet, 5.7 million
15 acre feet of groundwater has been withdrawn from the
16 aquifer.

17 And to put that into perspective, if all the
18 wells in the basin were turned off today and the basin
19 was left to its own devices, its own natural recharge
20 rate, it would take about 280 years for that amount of
21 water to recover to get back to the predevelopment 1940
22 water level.

23 So this is an example of the type of way
24 that we synthesize the information or the data and we
25 start modeling it.

1 The next few slides we're going to look at
2 individual wells and what their drawdown looks like
3 over time.

4 So the -- on the left, you'll see a map of
5 the basin itself. The red boundary is the basin
6 boundary. All the blue dots you see are wells, the
7 location of wells. The red blob, kind of in the
8 middle, is -- those are the mapped subsidence features.

9 So there's actually two features. It's kind
10 of hard to see them. There's a separation between the
11 two, but there's a northern feature and a southern
12 feature.

13 And what we're going to do, if you can see a
14 little yellow dot with an arrow going to it, this is
15 the well that we're going to look at a hydrograph of.

16 Now, a hydrograph is, as it sounds, it's just
17 a graph of the water that's in the well. On the left
18 side, you have the depth to water, so the -- the number
19 is going down as you -- it's increasing as you go down
20 because it's getting deeper. On the right-hand side,
21 you have what we call water level elevation, so that's
22 the water level above mean sea level.

23 They both tell you the exact same thing.
24 It's just one is a number that's increasing as you go
25 down, but the other one is decreasing as you down

1 because that's elevation above sea level and you're
2 getting lower.

3 Point being, we have information for a well
4 going back to, in this case, 1969 for this particular
5 well. We're going to start up in the north and work
6 our way down through the basin and look at a few
7 different wells.

8 In 1969, we had a measurement of 335 feet
9 below land surface. In 2023, last November, we had a
10 measurement of 458 feet below land surface.

11 So on the bottom, on the X axis, that's
12 actually the date, so just time is going by, but this
13 is several decades, and we have a decline of about a
14 123 feet in a 55-year period.

15 So let's move down south a little bit
16 further. Now we're in -- we're in one of the
17 subsidence features now.

18 The first measurement we have here in the --
19 all these plots will have the same map on the left.
20 And I also want to point there's a link on the bottom
21 in blue below the map. If you were to click that
22 link -- well, it's on our website as well; but if you
23 were to click that link, it will take you to an
24 interactive map, kind of like Google Maps or Google
25 Earth. And you can scroll around, look around, and you

1 can click on any of our wells and see all of the water
2 level data that we have for them. So it's a publicly
3 available, easy to navigate map.

4 I encourage everyone to take a look in your
5 area and just kind of see what is the water level
6 doing, you know, where you live or if you have any
7 other areas of interest.

8 But this particular well, 1965, 170 feet
9 below land surface. 2023, we're at 379 feet below land
10 surface, so that's over 200 feet of decline in 58
11 years.

12 Here we have a well where in 1954 -- so we've
13 got a longer period of record here -- 83 feet below
14 land surface. And then in 2023 it's a 199 feet, and
15 I'll point out a lot of these wells will have a similar
16 trend. It kind of looks like an "S" shape.

17 They'll -- there's a lot of decline in the
18 fifties and sixties. It kind of comes back up during
19 the nineties, and it'll drop back down again. And that
20 actually represents all this wet hydrology that we had
21 during the nineties. It was a very wet decade across
22 the whole state. Lots of rainfall, lots of snow.
23 The -- the -- the aquifer was actually gaining water as
24 the -- as the natural recharge was so high.

25 And then with this drop that you see at the

1 end, that means the water budget is out of balance and
2 that there's more withdrawals than there are recharge.
3 And so that's when you see water levels declining over
4 time across the whole basin.

5 That kind of signifies to us or is a signal
6 to hydrologists that the water budget is out of balance
7 and that the outflows are exceeding the inflows.

8 But we look at this well, it's a 116 feet of
9 decline in 69 years. Here we move south of the -- of
10 the lake, of the Playa, and we're now in the Kansas
11 Settlement Area. First measurement here in 1954 is 41
12 feet.

13 I want to point out that the scale on this
14 particular plot is different than the previous ones.
15 Instead of being 10 feet or so for each of those tick
16 marks, we are now looking at hundreds of feet for each
17 tick mark. So you can see the same drop, the kind of
18 leveling out and then the drop again, but this is 368
19 feet of decline in a 68-year period.

20 Here is another one in the same area where we
21 show over 400 feet of decline in a 68-year period.

22 We move a bit further to the west, similar
23 trend, the little bit of leveling and then back down
24 again; but overall this one we have 205 feet in 69
25 years.

1 And this one is interesting because there's a
2 really steep decline here in the beginning, so 1966 to
3 1981, this one showed a 114 feet of decline in just 15
4 years.

5 So when we were looking at the first couple
6 hydrographs that were up in the northern area, they
7 were 123 feet, 118 feet over a 50-, 60-year period.
8 This particular well saw the same amount of drawdown
9 but in just a decade and a half.

10 And then you have that kind of -- that
11 recovery period where the -- where some water was
12 coming in and you see it level out, but then you see it
13 kind of dropping off again.

14 And if we look at just the last 13 years just
15 to see what the -- the rate is because it's actually
16 increasing year -- every year. It's getting steeper.
17 But this particular well had another 111 feet in just a
18 13-year period.

19 So these are really rapid, to scale, really
20 rapid declines.

21 Another way to look at the water level data
22 over time -- so those were all individual wells. So we
23 say -- we're taking a single point and we're looking at
24 what its water table is doing over time.

25 Another way to do it is to look at the entire

1 basin and map out -- remember when I said we did those
2 basin sweeps where we'd come out, where we would hit as
3 many wells as we could, and then we'd get an idea of
4 what the surface looks like and what the water table
5 looks like, and then we'd say let's fast forward.

6 In this case, we did from 1990 to 2021, so
7 let's fast forward 31 years and see what did the water
8 table do. Did it go up? Did it go down? Did it stay
9 the same?

10 And this map that you're seeing here are
11 contours of the water level change over that 30-year
12 period.

13 So where you see the concentric circles, the
14 rings, those are contour intervals that are actually
15 telling you that the water level has changed a lot in
16 that spot. Those little bullseyes are actually local
17 cones of depression.

18 So we noticed that over the 30-year period,
19 the water table, especially in the Kansas Settlement
20 Area, had over 200 feet of drawdown across the whole
21 area, not just on single points, but across the whole
22 area, greater than 200 feet within that 30-year period.

23 Another data point that we like to consider
24 or look at when we check -- when we're assessing the --
25 an aquifer system, we want to know what the water

1 budget is, how the aquifer is performing. Is we look
2 and see, well, do we have any wells that are dry.
3 That's something that's more intuitive, a bit easier to
4 understand, is my well -- it used to have water in it,
5 now it doesn't.

6 This map you see here show all of the index
7 wells that our field hydrologists have gone out to to
8 measure where they had collected measurements before in
9 the past, so year after year they come back out. They
10 always get a water level. Then they come out one year
11 and the well is now dry. They'll flag it in our
12 data -- in our database. They'll tag it in the system.
13 They'll keep checking it to see if it ever comes back
14 up, but these are wells that across the Willcox Basin
15 that we used to monitor and now they are dry. There
16 are 71 of them in Willcox.

17 And one question I posed to my staff was,
18 well, what about just recently, what about in the last
19 ten years, just -- just in the last decade. In the
20 last ten years, of the 71 wells, 29 of them had gone
21 dry just in the last ten years, so that tells me that
22 the rate is accelerating. 29 of the wells. That's
23 approximately 40 percent of them.

24 So the first map is going back to the
25 forties, so there could have been a ton of wells back

1 then that went dry years ago, but almost 30 that went
2 dry just in the last ten years.

3 And as I said, these were wells that our
4 staff would go out and try to measure and then find
5 that they were dry.

6 You can report your own wells that do go dry,
7 and this -- this QR code and the link will take you to
8 the form that you would fill out. So if you have a
9 well on your property or a well of your own that does
10 go dry, I'd encourage you to report it because we do
11 include it in -- in our database like this.

12 So far in Willcox we've only had one person
13 report a dry well. That was about three or four years
14 ago, and it was an unregistered well. So it wasn't
15 even in our system. It was some -- it was a well from,
16 you know, pre 1940 cable tool well that no one knew was
17 even there. But beyond that, no one's yet to report
18 any additional dry wells to us.

19 So it might have been hard to hear, but one
20 of the criteria that Natalie spoke about for
21 consideration of an AMA is land subsidence and earth
22 fissuring.

23 Land subsidence is a phenomenon that occurs
24 when the water -- the saturated alluvium that's been
25 full of water for, you know, millennia has been

1 dewatered or gone dry, and the soil will start to
2 compact, and it'll start to compact over this -- we
3 said 400 feet in some areas of the water level
4 declining, that means 400 feet of just a little bit of
5 compaction, but you've got a whole lot of it, and it
6 represents itself at the surface as lowering of the
7 surface elevation.

8 So the land is actually going down over time
9 in areas where the aquifer is being depleted.

10 And, like I said, if you want the full
11 explainer, the pre -- other videos, the other
12 presentations that we gave -- give a lot of detail. So
13 I'm going to jump right to the maps and just show you
14 guys what the subsidence in willcox looks like.

15 This here is a map of the willcox Basin in
16 the -- just for the last 14 years. We have hundreds of
17 these subsidence maps across the state on our website.
18 So if you want to see different periods of time, if you
19 want to see just in a five-year period, going back 30
20 years, if you want to see different time scales, we
21 have a whole map series. I encourage you guys to go
22 check it out.

23 But in the last 14 years alone, we have seen
24 and measured between 47 and 55 inches of subsidence, of
25 lowering of the land surface elevation in the areas

1 here where you see the color.

2 I believe there's someone in the back that's
3 playing a video that's disrupting some folks, so if you
4 could please keep the audio, cell phone videos off or
5 at least quiet for now, it would be much appreciated.
6 Thank you guys.

7 So, as a reminder, land subsidence is a
8 function of the alluvium compacting from being
9 dewatered. So this is kind of telling you where the
10 dewatering has occurred and then the -- the collapse of
11 the soil.

12 So another thing that we look at besides just
13 -- just total land subsidence, we want to know what is
14 the rate of subsidence because it's like a car driving
15 down the highway, you're going a certain speed, is
16 that -- are you speeding up or are you slowing down?
17 Is the rate of the -- of subsidence maintaining, is it
18 the same year after year?

19 So this map here is a measurement of the
20 subsidence that occurred in a one-year period during
21 1996, and you can see anywhere that's white or not
22 within the polygon, there was no measured subsidence.

23 The really faint kind of yellows and browns
24 you're seeing is about .4 to 1.2 inches in that
25 one-year period. So subsidence was occurring in the

1 nineties, but it was -- it was occurring at a pretty
2 slow rate.

3 And this is the last -- this last year, so
4 from a twelve-month period in 2023 to 2024, we're
5 seeing almost three inches of subsidence year over
6 year, and that rate of subsidence is increasing.

7 So to us that is significant. That means
8 that if everyone were to stop pumping today and
9 disappear out of the basin, the land would continue to
10 subside for a few decades before it stabilized. So
11 this is a problem that we want to try to address now
12 and not let exacerbate any further.

13 Here's an iconic photo. When the
14 geophysicists go out there and they say, hey, here's
15 what the elevation used to be and here's what it is
16 now -- This is Brian Conway. He is the manager of our
17 Geophysics Surveying Unit, a very brilliant
18 geophysicist. He's holding up the -- the sign that's
19 showing eleven and a half feet of subsidence from 1969
20 until today.

21 And a few other signs or pieces of evidence
22 that land subsidence is occurring are things that we
23 call floating well pads. So at the -- this is a well,
24 a well head; and when this well was drilled and
25 installed, they poured the cement pad at the surface as

1 a footing and sometimes to put their pump on.

2 And over time, this area, the water levels
3 declined, the soil started to compact, and the whole
4 area is dropping and lowering, and because the casing
5 itself has some rigidity and some internal integrity it
6 will hold itself up some, so the land is dropping
7 below, and now you've got this well pad floating up in
8 the air.

9 This particular well pad is about 30 or 31
10 inches off the ground right here. That doesn't mean
11 that there has only been 30 inches of subsidence here
12 because chances are the casing is catching at depth;
13 and when it does collapse at a deeper depth, it will
14 crinkle the casing like a soda can. That's why this
15 particular well doesn't have a pump on it anymore. I
16 have a feeling they probably can't get down it any
17 longer.

18 But this is a visual sign that you can see,
19 oh, yeah, the land is actually subsiding, it is
20 lowering, even though it's imperceptible because it's,
21 you know, a few inches year over year, it's kind of
22 hard to notice, but here's a -- here's a piece of
23 evidence.

24 Here's another one. Kansas Settlement Area.
25 Here's another one where the pad was lifted up. It was

1 so heavy that it kind of broke under its own weight.

2 Here's a different one.

3 And these photos are just to show, you know,
4 like we have -- we have the satellite imagery or
5 measurements of -- of the land subsidence occurring,
6 but there's also boots on the ground, physical evidence
7 of it as well.

8 In addition to subsidence, there's a
9 phenomenon called earth fissuring, and that is when you
10 have subsidence occurring and you have an underground
11 ridge of some kind; and when the land wants to keep
12 going down but it's being held up on one side, you
13 start to kind of pull apart the soil a little bit, and
14 you'll get these hairline fractures.

15 Those hairline fractures will then erode and
16 fill with water over time and eventually they'll open
17 up as a big earth fissure, a big crack in the ground.

18 In willcox, the AZGS will map these -- these
19 earth fissures. They are related to subsidence, so we
20 do monitor them ourselves as well, but the AZGS are the
21 folks who come out and use their -- their GPS and
22 actually mark it on maps and upload all that
23 information.

24 Last summer at the -- in the end of July
25 2023, they had 48.76 miles worth of earth fissures that

1 have occurred in the Willcox Basin.

2 We know that that number has gone up since
3 then. We have earth fissures that open up after almost
4 every rainstorm, it seems like out here.

5 So this is a map that shows the two
6 subsidence features, the purple one up north and the
7 Kansas settlement feature down in kind of a teal color.

8 It's kind of hard to see, but there are these
9 little black lines that show up on the map. I'm going
10 to switch to another view so you guys can see them
11 better, but this is the distribution or kind of where
12 those fissures are occurring.

13 So, here, if we look at this version, on the
14 left, we have the southern half of the basin or the
15 southern subsidence feature. On the north we have --
16 or the right we have the northern half, and then we --
17 and I put it in red so it's a little bit easier, kind
18 of stands out.

19 But it's -- we've got about 50 miles worth of
20 mapped fissures across this basin.

21 So what do earth fissures look like? I'm
22 sure a lot of you guys know. You have the road signs
23 that say caution fissures, drive with caution, you
24 know. I'm sure plenty of folks in this room have some
25 on their property.

1 But here's one that's -- it's a big crack.
2 It opens up in the ground. It's -- this one is cutting
3 through a fence and going towards a stock pond
4 near Sulfur Hills.

5 Here's one that opened up, a ranch house in
6 Fort Grant Roads in 2023. This is an AZGS geologist
7 who's mapping it. And you can see this was a fresh one
8 that just opened up.

9 Here's one near Dragoon Road in 2019. You
10 can kind of see into it some, that there's actually
11 open void space underneath there. These things really
12 are geohazards. They're -- they're dangerous to
13 property and people and livestock.

14 The only reason -- if can you see this
15 little -- the two cracks that are continuing up -- that
16 little piece right there looks like it wants to fall
17 down too, but there's vegetation there, and so the
18 roots are likely holding that piece in place, so they
19 could be opened underneath.

20 That -- this is a kind of condition where you
21 have, like, cattle walk across, and it would fall on
22 them.

23 Here's one near Dragoon Road that's -- that's
24 actually cutting underneath the road, so the road has
25 been undermined by this fissure.

1 Here's one that's really wide. It's actually
2 a good, like, 20 feet. It opened up really wide and
3 far apart. This was a -- one of our field guys that
4 went out to collect a measurement at a well and the
5 road was gone. So he had to -- he had to stop and hike
6 it the rest of the way, but they do -- they do show up
7 and pretty rapidly.

8 Here's another fresh one. This is from -- I
9 say fresh because you can see how it's still a little
10 damp. There's some red or a little darkness to the
11 soil there. The roots are holding that piece up as
12 well. I wouldn't walk across that if it were me.

13 Here's another one cutting across a road.

14 Here's another one that had just opened up
15 that night before, and you can see that the roots from
16 the plant on the right are actually still stretching
17 across to the left.

18 Here's another one from 2021, where the water
19 is still draining but the asphalt, that piece of road
20 that was there, is actually gone.

21 So, like I said, we gave a really lengthy
22 explainer kind of presentation in September, and this
23 was meant to be just a quick highlights of that.

24 If you guys would like any additional
25 information, I'd -- I'd encourage you to watch that

1 recording again, read the technical memo, check out the
2 website, the information, the data; but as a quick
3 summary, in the Willcox Basin, groundwater declines
4 have been observed greater than 400 feet in our period
5 of record.

6 Land subsidence is definitely present and a
7 real factor out here. The rate of subsidence has been
8 increasing year after year, and there are significant
9 earth fissures that we have seen and mapped across the
10 basin.

11 And I believe I'm handing it back to Casey.

12 UNKNOWN SPEAKER: You may sit over here.

13 MR. ALLMAN: Thank you, Ryan. We will
14 now move into the public comment portion of the
15 hearing. We recognize that there maybe strong opinions
16 on the potential designation of an AMA, and we ask for
17 your cooperation with our efforts to conduct this
18 hearing in an orderly fashion.

19 We will call the names of individuals who
20 have filled out speaker cards either in person or
21 virtually in the order that they are received.

22 When the time comes, please make your way to
23 the podium. Persons with limited mobility, who would
24 like to speak, should remain in their seats, and we
25 will bring the microphone to you when it is your turn

1 to speak.

2 For those attending virtually, if you have
3 filled out the virtual speaker card at the link
4 provided in the chat box, we will unmute you when it is
5 your turn to speak.

6 Those wishing to speak, maybe subject to a
7 three-minute time limit. We ask for your cooperation
8 in respecting that time limitation.

9 We will enforce this limitation, and we will
10 move to the next speaker once the time limitation has
11 expired. We ask that others refrain -- refrain from
12 talking while a speaker is speaking and that the
13 speaker direct his or her -- her comments or questions
14 towards me rather than to the members of the public.

15 The Department will also accept written
16 comments via fax or email prior to midnight today.
17 Written comments should be submitted prior to midnight
18 today and should be submitted to the Department's
19 Docket Supervisor, Sharon Scantlebury, by email to
20 docketssupervisor@azwater.gov or fax at 602-771-8686.

21 Sharon's business card is -- can also be
22 picked up as you exit if you did not already pick it
23 up.

24 We will take a moment now to collect speaker
25 cards which have not already been turned in.

1 After that, I will begin calling on those who
2 have filled out speaker cards.

3 Is there anybody in the audience that has a
4 speaker card they wish to turn in?

5 For those participating via telephone and not
6 on the webinar who would like to make a verbal comment,
7 please state and spell your name now, and we will
8 unmute you when it is your turn to speak.

9 If you would not like to make a comment,
10 please simply stay silent. We will call on telephone
11 participants to speak after webinar participants.

12 We will unmute telephone participants now.

13 Please be advised that those presenting
14 comments at the hearing, whether in person or
15 virtually, will be subject to a three-minute time limit
16 to ensure all who wish to speak receive an opportunity
17 to do so.

18 I will now begin calling the names of the
19 persons who filled out speaker cards either in person
20 or virtually.

21 If you wish to speak and have not filled out
22 a speaker card, please fill out one of the cards at the
23 table near the entrance or by using the link in the
24 chat box and submit it to Sharon Scantlebury.

25 When I call your name, please come up to the

1 podium, state and spell your name, identify any person
2 or entity that you represent, and then give your
3 comments.

4 If you are participating via the webinar,
5 when I call your name, staff will help unmute you.
6 Please state and spell your name, identify any person
7 or entity that you represent, and then give your
8 comments.

9 As a reminder, there is a three-minute time
10 limit.

11 The first name is Jim Applegate.

12 MR. APPLGATE: I'm Jim Applegate. I'm
13 representing myself. I have three questions.

14 One, what regulation rule, law gives the
15 Governor the right to declare a valid vote null and
16 void?

17 Two years ago we voted on this. Now all of a
18 sudden she is putting out a description that says you
19 will.

20 Now, this is part of the problem that you're
21 having here.

22 It's an edict rather than by education.

23 If people would come down, you put on a
24 demonstration. I grant you there is a problem, but it
25 isn't solvable by saying "you will."

1 It says we should. It's on a get together
2 (indecipherable). My first question.

3 My second question was you showed a bunch of
4 pictures of the Dragoon area, subsidence, fissures, dry
5 wells, everything. And in those pictures, is the power
6 plant. How will the power plant be in this AMA thing?

7 Now, they're probably -- and what I was
8 told -- about the biggest user of water in this valley.

9 They are where we ought to start rather than
10 picking on me, which has the acres, but I do have a
11 well that pumps more than 35 gallons a minute. So I'm
12 going to be put under some sort of control and
13 reporting.

14 That's it.

15 MR. ALLMAN: Thank you, Mr. Applegate.
16 We do ask that you keep a pause to a minimum just so
17 folks online can clearly hear. Thank you for that.

18 Next speaker is James Graham.

19 MR. GRAHAM: Thank you for taking the
20 time to come and meet with us, and I appreciate your
21 courage. My name --

22 MR. ALLMAN: would you mind --

23 MR. GRAHAM: My name is Jim Graham.

24 MR. ALLMAN: -- speaking a little bit
25 closer?

1 MR. GRAHAM: Excuse me?

2 MR. ALLMAN: would you mind speaking a
3 little bit closer to the mic, sorry.

4 MR. GRAHAM: My name is Jim Graham,
5 G-R-A-H-A-M, just Graham Crackers. My wife and I farm.
6 we have 400 acres near Dragoon and the Cochise area.
7 we raise pistachios and wine grapes. We stand in
8 opposition to the AMA. We don't think that the AMA
9 will solve the problem.

10 We agree with almost everybody here that
11 there's a problem. It just won't solve the problem.
12 And it would create winners and losers. The winners
13 would be those who have exploited the aquifer for a
14 long period of time, outside investors that have a lot
15 of money.

16 And people like us that have a family farm
17 for over 40 years, small, we have to pay for things as
18 we can pay for them. It's a long-term plan. We start
19 with small acreage and expand it over a period of time.

20 Our farm has been expanded five times over
21 40 years. We have a vineyard. We would like to be
22 able to expand more at some point in time. The AMA
23 would not allow that. So we have winners and losers.

24 Thank you very much.

25 MR. ALLMAN: Thank you, Mr. Graham.

1 Next up Lisa Glenn.

2 MS. GLENN: I would first like to thank
3 ADWR for being here tonight. We are grateful that you
4 have come to this point.

5 My name is Lisa Glenn, and my husband and I
6 have lived in Willcox for 57 years. I -- (cutting out)
7 actual chance that we will get an AMA to further
8 sensible (cutting out) for the Willcox Water Basin and
9 (cutting out). It's been getting (cutting out) decade
10 residents of the Willcox groundwater basin (cutting
11 out).

12 (Inaudible.)

13 MR. ALLMAN: All right. There we go.

14 MS. GLENN: Sorry about that.

15 I'm sorry about that.

16 Okay. We have been asking for some
17 regulation on groundwater pumping to know avail from
18 2011 with Senate Bill 1341, which took away the earlier
19 right of the county supervisors to regulate or limit
20 the size of industrialized dairy feed lots, to 2015
21 when the legislature rejected the groundwater
22 conservation area proposal from -- for the Willcox
23 area.

24 Then again in 2020, when over 60 water bills
25 were introduced, including a bill to create locally

1 driven rural management areas, an alternative to INAs
2 and AMAs, the very thing that the majority of residents
3 have been asking for.

4 This bill was not given a chance for a vote.
5 In 2021, another rural management area bill given no
6 hearing.

7 2022, members of the Governor's non-AMA
8 subcommittee form a new group after efforts to discuss
9 rural groundwater protections are blocked.

10 2023, a local groundwater stewardship area
11 bill is introduced in the legislature, House Bill 2731,
12 Senate Bill 1306, by the House and Senate majority
13 leaders. These bills are blocked again.

14 2024, the Water Policy Council
15 recommendations are introduced as House Bill 2857, and
16 that bill is blocked.

17 Since 2011, there have been 711 new
18 non-exempt wells drilled. The most, approximately a
19 105 wells, in 2015, after Riverview came in, and again
20 in 2022, approximately a 147 wells.

21 Oh, really? Okay. Thank you.

22 May I add just one thing? We are at a point
23 that none -- none of us ever thought we would be at,
24 and we can work together to make this work for all of
25 us in a fair manner.

1 Thank you.

2 MR. ALLMAN: Thank you, Ms. Glenn.

3 Next up, Dan Stockwell.

4 I will remind you to please speak as closely
5 to the mic as you can and then, of course, state your
6 name and spell it as well for the record.

7 Dan Stockwell?

8 We will move on to Jim Verner, and then after
9 that will be Michelle Brothers.

10 MR. VERNER: Hello, my name is Jim
11 Verner. That's V -- it's V-E-R-N-E-R. I'm 82 years
12 old, and about three months ago I had a stroke, and so
13 I'm still having difficulty speaking, so I -- I ask you
14 bear with me a little bit on that.

15 Okay, I was born and raised in Phoenix. I
16 hunted, fished and -- over the whole state.

17 When I was ready to retire about eight years
18 ago, I fell in love with Cochise County (cutting out)
19 and the Pearce, Sunsites area in 2016. With its
20 gorgeous views, the Chiricahua to the east and Cochise
21 stronghold to the west, I had found paradise.

22 My earliest years growing up in the desert, I
23 understood Arizona had limited resources, water, and
24 they were to be used gently, but the evidence presented
25 in the meeting of September 26 confirmed fears about

1 the significant depletion of the aquifer in the Willcox
2 Basin.

3 We have three and a half times more water
4 than -- than (cutout) is simply not sustainable.

5 This level of -- of (cutout) many wells will
6 dry. Now, while I specifically am very opposed
7 government encroaching on our freedoms, depletion of
8 the aquifer is so severe, we must have an AMA to ensure
9 sustainability of residents as well as some
10 agriculture. And it's agriculture that I want to
11 address right now.

12 As an agronomist, I managed international
13 propagation companies. And I also had a consulting
14 company called Sustainable Ag (cutout)solutions.

15 And it's focused on air -- air -- Latin
16 America, Southern Europe, North Africa, Middle East.
17 Many (indecipherable) conferences and all (cutout).
18 Because my experience -- my expertise and experience
19 was in adapting fertilizer programs to control plant
20 stress, and what --

21 I've worked with -- with (indecipherable) and
22 crops, field crops, vineyards, trees.

23 Now (cutout) out here it's impossible to go
24 over for the details of my work and how it improves
25 water efficiency.

1 I hope I can say enough so that farmers and
2 home gardeners will help me warrant (cutout) to help
3 (indecipherable) that I'll gladly share.

4 And I think it's interesting that when I
5 first came here and I saw the climate and the water
6 condition, I went to several farms to see if they would
7 be interested in trying some of the concepts that I had
8 applied in other arid areas.

9 (Cutout) when they weren't interested, and
10 maybe it's because they thought I was --

11 MR. ALLMAN: I'm sorry, sir, you've
12 reached your three-minute limit.

13 MR. VERNER: I'm -- just give me a
14 minute. Okay. Perhaps they --

15 MR. ALLMAN: Sir, in respect for other
16 speakers here today, you've reached your limit. Thank
17 you.

18 MR. VERNER: And I don't hear very well
19 either.

20 MR. ALLMAN: We can take your written
21 comments if you'd like to provide them to us, and we
22 can -- yeah, thank you very much.

23 Thank you, Mr. Verner.

24 Next up is Michelle Brothers. After that
25 will be Robbie Sproul.

1 MS. BROTHERS: Hello, my name is
2 Michelle Brothers. I live a little bit east of
3 Willcox. And I'm sure the wells had gone dry within a
4 half mile of my house (cutting out).

5 We are all down who knows how many feet? I
6 had my pump dropped about 20 feet. Can't go any lower
7 than that.

8 Sorry.

9 I may have 20 feet of water in the well, and
10 that's it. (Inaudible.)

11 MR. ALLMAN: Miss -- Excuse me, Miss.
12 We -- we need you to speak into the microphone so that
13 folks on -- you just have to speak closer, please.

14 MS. BROTHERS: I am close. Is this good
15 now?

16 MR. ALLMAN: Yes. Thank you.

17 MS. BROTHERS: Okay. Like I said,
18 (cutout) wells that have been put in (cutout) I'd say
19 year and a half to two years in my particular area
20 within a half a mile of my house. I'm down to maybe
21 (cutout) feet of (cutout) my well -- my next door
22 neighbor is probably the same because they just started
23 having problems this year.

24 I don't care in (cutout) AMA where you are
25 showing us how these big users -- and, yeah, they need

1 it, the agriculture croppers and the ranchers. How are
2 we going to conserve? Residentials obviously aren't
3 going to do it, and they're going to be non-exempt
4 wells; but if these big users don't have some
5 conservation efforts, what good is it going to do?

6 MR. ALLMAN: Thank you, Ms. Brothers.

7 Next up is Robbie Sproul, and after that will
8 be Janet Randall.

9 MR. SPROUL: Thank you, Casey. My name
10 is Robbie Sproul, R-O-B-B-I-E S-P-R-O-U-L. You want
11 to put a star at my name because I think I can save the
12 ADWR a bunch of lawsuits with what I (cutout) here.

13 Anyway, I'm a rancher of a fourth generation
14 ranch. That ranch has been with my family for four
15 generations, since the late 1800s.

16 And we don't have issues with our wells. The
17 water isn't dropping probably because we're high in the
18 aquifer. So I think that makes me representative to
19 speak for all of this.

20 I'm on several water committees. We've been
21 working hard to try and present some solutions. And
22 thank you, Lisa Glenn, for stating the Bill. I was
23 going to state that did not pass. I'm very
24 disappointed in our legislature. They have not
25 (cutout) a bit.

1 I know water has been a big issue, but my
2 concerns are local input into the process, okay, first
3 and foremost. And, of course, the water, we all know
4 that there is a problem, definitely is, with all the
5 fissures are dangerous.

6 And the subsidence permanent is going to
7 affect the storage of our water forever. So with that
8 in mind, that's going to affect our land values.
9 Already has. We'll get worse. It's also going to
10 affect our heritage for future generations.

11 There's many farms and ranches and business
12 that have been here for generations in this valley and
13 in this aquifer.

14 So I'm here today to discuss how I feel about
15 the AMA. These are my feelings, not feelings of any
16 groups that I'm on, any committees.

17 But I needed about six or seven minutes.
18 Three is pretty short, so I'm going back.

19 Anyway, I want to address two groups today,
20 all the people behind me, all the committees that we're
21 on and all the hard work we've been putting into trying
22 to come up with a solution.

23 Okay. What I understand the AMA is a last
24 resort. You know, I understand the Director, ADWR and
25 the Governor have to do something because it's a very

1 public issue. So, hopefully, I got some solutions.
2 we'll see.

3 Anyway, the other group, it's you all, ADWR,
4 but first the -- the group behind me, I want you all to
5 think that ADWR is not our enemy. We need them.

6 We can all come up with solutions for the
7 problem, especially working together like a lot of us
8 already have, but at some point it's going to take some
9 regulation of water usage. We all understand that, and
10 that's where we need help from the ADWR.

11 Okay, so, to ADWR, first of all, you've got a
12 lot of facts and figures and data for us. You showed
13 exactly how the aquifer is -- is going down, and I
14 would request that we kind of work with your expertise
15 and knowledge.

16 I talked to Ryan about this a couple of times
17 about geology for the recharge. You know, we have the
18 hydrology and all that. But, in my opinion, the first
19 and foremost thing we should do for this water issue is
20 to work very diligently on recharge, but we need some
21 of your help for that. Okay?

22 My time up already? Oh, no. Okay, can I
23 have just 30 seconds, please, because I have some
24 important points. I'm going to just go ahead.

25 We need your help to -- to do that. Okay.

1 Okay. The current AMA isn't going to help us, but we
2 can help you come up with a plan that will. Okay?

3 MR. ALLMAN: Thank you, Mr. Sproul.
4 And, again, you're willing to write us your -- your
5 written comments as well, so thank you.

6 Next up is going to be Janet Randall, please.
7 And after that Oscar Aguilerr.

8 MS. RANDALL: My name is Janet Randall.
9 J-A-N-E-T R-A-N-D-A-L-L. To the (cutout) and the
10 audience, my name is Janet Randall, and I live at the
11 northern part of Willcox Basin, where the ground has
12 subside due to over pumping.

13 Ground in this area has subsided more than
14 two and a half feet in the last 14 years. My neighbor
15 to the west of my property has a well that has been
16 destroyed by uneven subsidence. Her well casing is
17 (indecipherable). It would cost her \$50,000 to repair.

18 My neighbor to the south is also having to
19 haul water because of the drop in the water level.

20 I had to deepen my well to the tune of
21 \$10,000 ten years ago and do not know how long I have
22 on that deepening before I run out of water.

23 Due to uneven subsidence, my house is broken
24 in half and is now unsellable and unsafe. I purchased
25 this home nearly 25 years ago, and there was no

1 evidence then of damage due to subsidence.

2 I understand that in the mid to late 1990s
3 subsidence in this area was maybe one to one and a half
4 inches per year compared to the two and a half to three
5 and half inches per year currently documented by ADWR.

6 The very noticeable damage in my home started
7 around 2012. The pictures below, which I am going to
8 submit to you, show some of the current damage to my
9 home. I wholeheartedly support an AMA to stop more
10 wells and homes from being damaged by subsidence in
11 this area.

12 Thank you for considering designation of an
13 AMA for the Willcox Basin.

14 MR. ALLMAN: Thank you, Ms. Randall.

15 Next up is Oscar Aguilerr.

16 After that will be Dawn Gruetzemacher. Sorry
17 for bad enunciation.

18 Oscar Aguilerr?

19 No Oscar?

20 Okay. Next up is Dawn Gruetzemacher. After
21 that will be Torin Hodge.

22 No Dawn Gruetzemacher?

23 Next up will be Torin Hodge and after that
24 Sonia Gasho.

25 MR. HODGE: Hi, thank you. My name is

1 Torin Hodge. It's T-O-R-I-N H-O-D-G-E.

2 I represent my farm, Day Trails, LLC. I'm
3 currently farming a small vineyard in Pearce on my late
4 grandmother's property. I studied agricultural
5 engineering at the University of Arizona as an
6 investment in my farming practices.

7 Since I graduated in 2021, I've also been
8 working as a scientist in row crop breeding, improving
9 the water use efficiency of corn.

10 Many of the vines we planted are newly
11 released hybrids, which are resistant to Pierce's
12 Disease, a devastating pathogen that poses significant
13 threat to growers in the southern United States.

14 Wines produced from these varieties will be
15 novel for this state, and I'm willing to accept the
16 risk that comes with establishing this new market.

17 To make this happen, we need (cutout) five
18 acres planted in order to qualify for the farm winery
19 license.

20 I'm also two years deep into experimenting
21 with wild Southwest grapevines species such as *Vitis*
22 *arizonica* for use as drought tolerant and Pierce's
23 Disease resistant root stocks.

24 This is a decade's long project ahead that
25 will eventually require the expansion of several

1 additional acres for field testing. The results of
2 these trials have the potential to benefit both growers
3 and breeders in this state and throughout the
4 southwest.

5 I have deep sympathy for my neighbors in
6 Cochise County whose wells have run dry. I also
7 understand there's an urgent need to protect our water
8 resources. However, this proposed AMA seems to
9 threaten both my research and my farm. If this goes
10 through, my only option maybe to seek property outside
11 of the county or even outside of the state.

12 This is something I cannot afford, and it
13 would severely delay my research or end it completely.

14 My ask is that if you move forward with an
15 AMA to please include nuance in the legislation that
16 will not only -- that will not only allow small family
17 wine growers, like myself, to continue operations, but
18 also to encourage new innovative farmers to enter the
19 industry and support our local economy.

20 Thank you.

21 MR. ALLMAN: Thank you, Mr. Hodge.

22 Next up is Sonia Gasho. And after that will
23 be Dan Pierce.

24 MS. GASHO: Water is precious,
25 particularly in the desert. Water is life.

1 MR. ALLMAN: Could you please state your
2 name and spell it for the record?

3 MS. GASHO: I'm getting there.
4 Something we all agree on.

5 My name is Sonia Gasho, S-O-N-I-A
6 G-A-S-H-O, and I am a local rancher in Pearce. I work
7 with the Cochise County Farm and Livestock Bureau,
8 Cochise Graham Cattle Growers, and I'm a local business
9 owner.

10 Two years ago, the people of Willcox voted no
11 on an initiative to enact an AMA. Governor Hobbs' and
12 Director Buschatzke's disdain of that decision is
13 insulting and appears to be from a bureaucratic
14 we-know-best dictatorial position. The people have
15 spoken and that should never be ignored.

16 Governor Hobbs and Director Buschatzke should
17 be here in person.

18 An AMA is the wrong management tool for this
19 valley. Enacting an AMA will stop irrigation expansion
20 and fulfill the public's demand for something to
21 happen.

22 In this 32nd soundbite culture, it sounds
23 like a clear-cut decision and that changes will happen
24 right away. It is not. It is a complex, difficult,
25 and nuanced decision that should not be chosen lightly

1 or as a so-called only choice.

2 It will not put water back into anyone's well
3 or fill in fissures. It won't stop the, quote, big
4 guys from farming.

5 It will stymie the wine industry's growth
6 across the state as 85 percent of the grapes are grown
7 in this area, and an AMA will freeze vineyards at their
8 current acreage. It does not allow flexibility for
9 adaptation of new technologies. It will adversely
10 affect the local economy as agriculture is the main
11 economic driver in this valley following
12 government-related jobs.

13 Over the past three years, we've often heard
14 nothing is happening. This is simply not true. Two or
15 more public coalitions like the SSWA and the RWA have
16 been formed bringing all water use sectors to the
17 table.

18 Robust conversations have taken place and at
19 least one recharge project has been funded. Two bills
20 were drafted in the legislature. Though neither
21 passed, this shows a recognition of the need for and
22 great effort to find appropriate alternatives,
23 particularly on agriculture's part.

24 This begs the question how to move forward if
25 an AMA isn't the right fit.

1 Recharge projects, irrigation districts, and
2 a residential water district should all be investigated
3 and considered for implementation. True incentives for
4 recognition of and for water conservation practices
5 must be a part of any work.

6 I call on the Director and Governor Hobbs to
7 stop giving environmental activist groups preference
8 and end partisan political party maneuvering.

9 I urge Governor Hobbs to not insist on her
10 water council's recommendations above the voice of our
11 communities and neighbors that live and work here.

12 Instead, let us come back to the table with
13 the Department, council, legislature, local workgroups,
14 and the Governor to build on the efforts already made
15 and find a legislative option that will work, not only
16 for the Willcox Basin but for all of Arizona.

17 MR. ALLMAN: Thank you, Ms. Gasho.

18 Next up is Dan Pierce, and after that will be
19 Barbara Pierce.

20 MR. PIERCE: Dan Pierce, P-I-E-R-C-E.

21 MR. ALLMAN: Sir, speak into the
22 microphone.

23 MR. PIERCE: Speak (cutout). I'm
24 talking to these people. I'm sorry.

25 But anyway, Dear Director of the Arizona

1 Department of Water Resources, in 2022, the citizens of
2 Willcox Groundwater Basin voted against an Active
3 Management Area.

4 As vineyard owners in the American (cutout)--
5 Willcox American (indecipherable) culture area, we
6 still -- we are still opposed to the creation of an
7 active managed area.

8 In the Willcox Basin, an AMA is not the right
9 solution for the problem.

10 Developing a vineyard takes a large amount of
11 money, capital and time. We're in the process of
12 developing 78 acres on the Willcox bench into a
13 vineyard, winery and tasting room.

14 We have 32 acres of wine grapes in
15 production. We are currently developing another 25
16 acres of grapevines, and we have cleared land and are
17 bringing a thousand-foot well on line.

18 We drilled and certified the well with the
19 AZDWR in 2022, and we have a 6-inch irrigation valve at
20 the high point for developing acreage and beginning to
21 lay it out.

22 The cultivation of wine grapes is sustainable
23 within work occupation. Vineyards do not draw more
24 water than the average rainfall.

25 They should be classified as sustainable

1 agriculture. With proper vineyard management,
2 unplanted areas, roads -- and rows, and
3 unagrable(phonetic) natural arroyos can be converted
4 into -- to flow into retention and recharge basins.
5 Grapes are sustainable water crop in this region.

6 Vines are drip irrigated and require eight to
7 ten gallons per day. These practices can put vineyards
8 further on the minus side of water usage per acre.
9 There's an -- wine industry is an economic engine for
10 the entire state, Cochise County, the City of Willcox.

11 It positively impacts jobs, income, business
12 revenue, and taxes. Wine tourism is direct effect on
13 local hotels, restaurants, and other businesses in this
14 region.

15 Times have changed since the legislation of
16 an AMA was enacted in 1980. It was created to manage
17 water basins that had both groundwater and service
18 water for implementation of urban development.

19 The Willcox Basin is not a -- does not have
20 surface water resources and no potential for urban
21 development.

22 A better solution than the AMA needs to be
23 developed to reduce water overdraft and improve the
24 recharge of the water in the basin.

25 Thank you.

1 MR. ALLMAN: Thank you, Mr. Pierce.
2 Next up is Barbara Pierce.

3 After that will be Robert Carlson.

4 MS. PIERCE: My name is Barbara Pierce,
5 B-A-R-B-A-R-A P-I-E-R-C-E. I am here to represent the
6 Arizona Wine Growers Association.

7 On behalf of the Arizona Wine Growers
8 Association, A -- AWGA, we'd like to express our
9 opposition to the designation of the Active Management
10 Area within the Willcox Ground Basin.

11 The implementation of such a program would
12 have a devastating effect on the Arizona vibrant grape,
13 and wine industry and prevent it from realizing its
14 potential.

15 As the industry more fully develops in recent
16 decades, it was with express intent of finding
17 cultivating wine grapes that require low water usage
18 and are fit for Arizona's dry conditions.

19 Therefore, the AWGA feels that subjecting
20 wine growers and vineyards to the regulation of this
21 imposed AMA is the wrong approach to the industry that
22 has made a conscious effort to be good stewards of the
23 state water resources.

24 Since 1981, AWGA has advocated on behalf of
25 wine growers across Arizona and would like to point out

1 that wine growing is a rapid (indecipherable) industry
2 in the state with average nearly doubling from 2012 to
3 2017, from 942 to 1,500 acres, and the acres of grapes
4 continuing to increase.

5 while 75 percent of the grapes grown in
6 Arizona wine production is grown in the Wilcox Ground
7 Basin -- Groundwater Basin, the water coupled with
8 unique fertile soil in this region are vital to the
9 continued advancement of Arizona wine.

10 The industry has grown tenfold with bonded
11 wineries from 12 in 1999 to 156 in 2022.

12 This growth continues to be a natural fit for
13 tourism and Arizona's top export industry, and it's
14 critical for part of tourism's success.

15 In summary, Arizona wine grapes are low water
16 use, high value crop, and the establishment of an AMA
17 in the Wilcox Groundwater Basin would have a serious
18 and irreparable negative consequence not only to AWGA
19 members but on the Arizona wine industry overall. It
20 would serially -- severely inhibit its ability to grow
21 grapes, manufacture its wines, and produce high quality
22 economic development through rural Arizona.

23 Thank you.

24 MR. ALLMAN: Thank you, Ms. Pierce.

25 Next up is Robert Carlson, and then after

1 that Chad Preston.

2 MR. CARLSON: Thank you.

3 My name is Robert Bob Carlson. I speak on
4 behalf of myself and my winery and vineyard, Carlson
5 Creek. I'd like to echo the Pierces' and their
6 comments. I think the AMA is a blunt instrument that
7 will --

8 MR. ALLMAN: Just a little bit closer to
9 the mic. Yeah. Thank you.

10 MR. CARLSON: The AMA is a blunt
11 instrument that I think can be -- should not be
12 implemented by fiat in light of the more recent voting.
13 I think the AMA is something that is a last resort.
14 And I also think that at this point in time, working
15 with the local constituencies to find a more nuanced
16 way to manage this water, because everyone agrees
17 there's a problem, but we don't think an AMA is the
18 solution to that problem, and we urge both the
19 Governor -- Governor and the Director to think twice
20 before doing that, especially in light of the fact that
21 a lot of the evidence that you presented here is
22 anecdotal in review, and I'm not sure would withstand
23 the ultimate resolution that may be sought by some
24 entities associated with this.

25 I would urge you to try to work with us and

1 find a way that could work better. And I know everyone
2 has a lot of suggestions that might work better.

3 Thank you for your time.

4 MR. ALLMAN: Thank you, Mr. Carlson.

5 Up next is Chad Preston, and after that will
6 be John Boelts.

7 MR. PRESTON: I'm Chad Preston, C-H-A-D
8 P-R-E-S-T-O-N. My wife and I own Birds and Barrels
9 Vineyards. We moved from Mesa, Arizona 15 years ago.

10 It's hard to follow my colleagues. They've
11 hit all the main points, so I'm just going to kind of
12 hit a little bit on -- on what we're thinking about
13 this AMA. We're opposed to the AMA, and we're not just
14 winemakers and grape growers. We're -- we're your
15 neighbors.

16 Okay. I am very empathetic to people's
17 foundations breaking and wells collapsing; but if you
18 pass this AMA, if this goes through, nothing will
19 change except there won't be any -- any expansion.

20 All these huge people pumping water, it will
21 stay the same. It'll be grandfathered in, and these --
22 all these graphs, they'll just continue to go down. We
23 are at zero groundwater overdraft in our vineyard, and
24 we actually are experimenting with technology that we
25 can actually produce our water by another 40 percent,

1 but it's not going to change it.

2 The AMA will not change groundwater
3 overdraft, it will only stifle growth.

4 Thank you.

5 MR. ALLMAN: Thank you, Mr. Preston.

6 Next up is John Boelts. Sorry if I pronounce
7 that wrong.

8 MR. BOELTS: Good afternoon. Is that
9 thing working?

10 Good afternoon. My name is John Boelts,
11 J-O-H-N B-O-E-L-T-S. I serve as the president of
12 Arizona Farm Bureau Federation.

13 Arizona agriculture sector significantly
14 contributes to the state's economy -- economy,
15 providing an economic benefit of nearly 31 billion
16 dollars, ensuring local and national food security,
17 preserving open space and offering continuous watershed
18 management.

19 In 2022, the voters of Cochise County clearly
20 expressed their opposition to such measures by
21 rejecting Proposition 420, which aimed to designate the
22 Willcox Groundwater Basin as an AMA.

23 Given this recent decision by the community,
24 we implore the Governor and ADWR to respect the
25 electorates' will and collaborate with their

1 legislative representatives to protect both the
2 environmental integrity and economic vitality of this
3 basin as well as others throughout the state.

4 This action comes at a time when legislative
5 proposals, which have been under constructive
6 negotiation, were poised to introduce sustainable
7 changes to Arizona's groundwater management structure.

8 The agricultural community has invested
9 considerable time and effort over the past year to
10 develop a regulatory framework that would be suitable
11 for our rural communities, especially those identified
12 as critical basins.

13 This collaborative effort has produced
14 legislation offering alternatives to the establishment
15 of new AMAs in areas where they are not appropriate for
16 addressing groundwater challenges such as the Willcox
17 Basin.

18 An AMA designation is not merely a -- a
19 square peg in a round hole. It's a fundamental
20 mismatch of a solution to the problems that exist here
21 in the Cochise Basin. And really it's a solution --
22 it's not really a solution at all.

23 Farmers in Cochise should be growing cattle,
24 beans, chili, corn, and not worrying about whether
25 their faces will end up on the side of a milk carton as

1 missing people. It's time to face the issues, and it's
2 time to address it legislatively and not institute an
3 AMA.

4 Thank you for your time.

5 MR. ALLMAN: Thank you, Mr. Boelts.
6 Next up is Joanna Seeley, and then after that will be
7 Jacques Vanderlelij.

8 MS. SEELEY: Good afternoon. My name is
9 Joanna Seeley, J-O-A-N-N-A, S, as in Sam, E-E-L-E-Y.

10 I'd like to ask these folks back here, one,
11 how many actually read the ballot measure? It stated
12 that the Governor would gather a committee to help
13 resolve this issue that we're having. How many of you
14 who are clapping and hollering in the back of the room
15 is willing to work with everybody else to resolve this?

16 I have been working with people through the
17 Playa for the last year, and we have been fighting
18 against (indecipherable) power to -- for the Willcox
19 Playa. They want to come in, and they want to drill
20 for lithium. 500,000 gallons of water per one metric
21 ton of lithium produced. Can we afford that? No, we
22 can't, but can we get people --

23 MR. ALLMAN: Excuse me, Miss. Could you
24 direct towards me, please?

25 MS. SEELEY: I'm sorry.

1 MR. ALLMAN: Thank you.

2 MS. SEELEY: Can we get people to -- to
3 actually work on these committees? No. Everybody
4 talks and talks and talks. They have blinders on.
5 They can't see the overall problem around.

6 We need people who will work with us to try
7 to solve this problem. We don't need a bunch of
8 hollering and clapping and everything. We need people
9 who will work.

10 The Governor put together a committee called
11 Rural Groundwater Area Committee or something like
12 that. It -- it was in the ballot on 2022.

13 It stated that the governor would put a
14 committee together. They had a beautiful resolution to
15 this. It had to go to the natural resources and energy
16 committee. It didn't even get out of there. Why?
17 Because the chairman did not want a -- a -- a people
18 solution. She wanted it her own self. So she put
19 together SB1221, which did not -- excuse me -- did not
20 go through the -- It did not pass.

21 So here we are still. We are not solving
22 anything. We've got to solve it. The AMA is not
23 perfect, but, by golly, it's better than nothing.

24 Our house has three cracks in it. Our patio
25 is -- is sinking. We have fissures about a half a mile

1 away from the house. We --

2 MR. ALLMAN: I'm sorry. You're at your
3 three-minute time limit.

4 MS. SEELEY: Okay, but that's -- that's
5 my opinion.

6 MR. ALLMAN: Thank you, Ms. Seeley.

7 Next up is Jacques Vanderlelij. After that
8 will be James Schmidt.

9 MR. VANDERLELIJ: My name is Jacques
10 Vanderlelij. It spelled like J-A-C-Q-U-E-S. And my
11 last name is V-A-N-D-E-R-L-E-L-I-J. I'm farming 10
12 miles north of this town.

13 what I have to say is that this looks like an
14 election interference because we voted two years ago,
15 and the vote was overwhelming NO on this deal. And now
16 something changed here. Let's put it on the ballot
17 again in two years from now and vote over it because
18 that's the democratic way where everybody talks about.
19 And that's all I have to say.

20 Thank you.

21 MR. ALLMAN: Thank you.

22 Next is James Schmidt. After that will be
23 Phillips -- Phillip Asbury.

24 MR. SCHMIDT: I'm James Schmidt of
25 Dragoon. The late great Ronald Reagan -- the most --

1 nine most terrifying words in the English language are
2 "I'm from the Government, and I'm here to help."

3 I've been in government for 29 years, I'm
4 not -- I'm not -- I'm very familiar with it. As was
5 said, we voted NO on an AMA.

6 And the Governor has decided we need an AMA,
7 so she's imposing her will upon us, and we said no.
8 There's no one in this room that wastes water. I know
9 a lot of these people in the room. I was the USDA guy
10 in this county for ten years. These people don't waste
11 water. We know there's a drought. You're telling
12 us -- the presentation was (cutout) and you told us
13 what we already knew, that there's a water issue.

14 An AMA, which at least half of the members on
15 that board of that AMA will be out in Phoenix, who have
16 no interest in this county, has no business being here
17 in this county, telling this county what to do with its
18 water.

19 You want to form some kind of organization
20 that's not necessarily an AMA, then that's fine; but it
21 should be made up 100 percent of Cochise County people
22 because they're the ones that have the vested interest
23 in it.

24 You know, I looked it up. I didn't find
25 where the state of Arizona owns the water.

1 The water -- property belongs to me. The
2 water under the property of these people out here
3 belong to them. That's a fact. There's no law that
4 says that that it is.

5 So why does the Governor think that she has
6 the ability to tell us what to do with our property and
7 with our water. Absolute fact, Cochise County is an
8 agricultural county. With agriculture -- with no
9 water, there's no agriculture. When there's no water,
10 there are no people. That's an absolute fact. It
11 doesn't take much.

12 Now, these (cutout) are from Phoenix, and you
13 have an AMA in Phoenix who would have said. There's
14 612 (cutout) swimming pools out there at an average use
15 annual basis of 17 (cutout) and it has a 100 percent
16 evaporation rate based on your own information.

17 The eleven -- water -- (cutout) million
18 gallons of water, you're allowing that on your AMA in
19 Phoenix. You want to come down here and tell us how to
20 use our water. You're allowing that to occur. Golf
21 courses 800,000 gallons a day -- 800,000. There's 219
22 (cutout) in this county. We have fountains. We have
23 slip-and-slides. We have all kinds of things that use
24 water, and you want to tell these people, myself, how
25 big my garden can be, that I can expand my crops, but I

1 can't use more water. I can put more cows on my ranch,
2 but I can't use more water.

3 How in the world is that good management?
4 where did you -- who came up with that kind of a thing?
5 That's not good management. That's not looking out for
6 people in Cochise County.

7 We do have a problem. There are people here
8 who have an absolute problem.

9 Thank you.

10 MR. ALLMAN: Thank you, sir.

11 All right, next up is Phillip Asbury. After
12 that will be Phillip Klump.

13 MR. ASBURY: Thank you for being here.

14 I'm Phillip Asbury, P-H-I-L-L-I-P
15 A-S-B-U-R-Y. I'm a pastor here in town. That's not
16 why I'm here. For over 20 years, I did agricultural
17 studies for the local utility. Almost everything we
18 said today we could have said in 1975. Nothing has
19 changed. The patterns or the scale would be a little
20 different. The "S" shape of your curve is not rain.

21 MR. ALLMAN: Please speak into the mic,
22 sir.

23 MR. ASBURY: It's because -- it's
24 because the irrigation -- irrigated acreage dropped
25 from 175,000 acres to 50,000, and we grew tumbleweeds

1 for about 20 years. No jobs. Look into that. Okay.
2 Thank you.

3 We did vote, and I think people ought to be
4 listening to that vote, but we didn't get to vote on a
5 solution.

6 We need to help one another and probably we
7 need a district water basin wide to help people with
8 these problems, help them deepen their wells when they
9 need to, help them solve the structural problems and
10 fill in the fissures or whatever. We need to help one
11 another.

12 I noticed here if all pumping stopped today,
13 it would take over 280 years for the aquifer to
14 recover.

15 Is that the goal to preserve our resources or
16 to wisely use our resources? You showed how the water
17 table is dropping. You didn't show how deep the water
18 is. You said we pumped five to seven million gallons.

19 How much is there? How much have we used?

20 I worked with the ag extension service,
21 discooperated (phonetic) with them. They recommended
22 when we could no longer grow the crops of the seventies
23 that we put in three crops and dairies to improve our
24 irrigation efficiency. We did that, didn't we?

25 After everybody's done (cutout) to do,

1 it's -- it's not their fault. We want our kids and
2 grandkids to have jobs too.

3 So we do need to solve the problem. We need
4 to look more at what the real situation is instead of a
5 statewide, state-centered solution, and again we need
6 to know how much of the resource have we used. Are we
7 in danger of depleting it or have we just dropped it
8 five percent? What -- what's the deal?

9 Obviously, though, when somebody's house
10 starts falling down, that's a problem, and we need to
11 be willing to help solve that problem.

12 So I just don't think we're really talking
13 about all the problem realistically.

14 And this is not new. I've been working on
15 this since the seventies. And some of the people in
16 Phoenix don't sound -- it sounds new to some of those
17 folks. So let's actually get the -- let's look at the
18 facts, and let's work together to help one another,
19 right?

20 I know some of these people have real
21 problems, and we can work together without this
22 particular solution. Thank you.

23 MR. ALLMAN: Thank you, sir.

24 All right. Next up is Phillip Klump. After
25 that will be State Representative Lupe Diaz.

1 MR. KLUMP: Good afternoon once again.
2 Three months ago, I told all of you --

3 MR. ALLMAN: Please speak into the mic,
4 please.

5 MR. KLUMP: I told -- my name is Phillip
6 Klump. I'm opposed to the AMA. Three months ago, at
7 the last meeting, I told all of you to call me up and
8 we would go look at recharge. There's only one man
9 come to my house to look at the recharge, and he is,
10 I think, the second (inaudible) command to the --
11 Katie -- not Katie -- the Attorney General.

12 Anyways, he called me. Oh, nothing, not a
13 peep from you. He actually took time, took like four
14 hours of his day to come visit me. Poor feller. Took
15 him out and got him lost in the bushes.

16 But anyways, I understand that everybody
17 feels for the people who have -- water has depleted and
18 whatever, but I don't know nothing about it. All I
19 know is cows.

20 Been here since -- my family been here since
21 1904. We watched it go from 6 foot to whatever it was.
22 Okay? It's just the act of God because it has not
23 rained since the great flood that God created, and it
24 hadn't rained real good since 1998.

25 Okay, so if you want to talk about recharge,

1 come to my house. I'll give you my number. It's
2 520-253-0742. If you want to talk about recharge. I
3 can help. Otherwise, I'm going home tonight.

4 MR. ALLMAN: Thank you, Mr. Klump.

5 Next up is State Representative Lupe Diaz.
6 After that will be Jesse Davis.

7 MR. DIAZ: Hello, my name is Lupe Diaz.
8 L-U-P-E D-I-A-Z, and I'm a state representative. You
9 know, imposing an AMA is not something that we -- I'm
10 looking for -- forward to here. I think we need to --
11 there are much better solutions; and as we've heard
12 from the people today and that's who I represent, that
13 they don't want an AMA.

14 There is a problem here. I do believe that
15 there's a local solution. It's going -- you know, it's
16 going -- and many of you have already stated much of
17 the concerns and the facts that are hitting the area,
18 the -- you know, the economy in Cochise County is going
19 to go down because of the limitation and also the
20 coming against the agriculture.

21 The property values are going to be -- you
22 know, those are things that many of you -- many of the
23 people are concerned with.

24 We don't need that AMA, Director. I hope
25 that you're hearing that, and the, Governor, you're --

1 I hope that you're hearing it as well.

2 You know, this was -- the AMA was vetoed two
3 years ago, and we were here during that process, and --
4 and -- and helped that process. And I think that we
5 need to make sure that we honor the -- the voice of the
6 people.

7 This is a unilateral decision that the
8 Governor do through the Director of ADWR, which is not
9 the right. And, again, there's a lot of you that have
10 invested a lot of money here. I do believe that the
11 solution is a local solution.

12 I've heard many of -- many of you speak of a
13 local solution out here, and what we need to do is give
14 it a little bit more time to be able to get that done.

15 Many -- many that -- that legislature had
16 failed you. I can tell you that we worked hard to try
17 to come up with several solutions.

18 Governor, as far as I've counted, has -- has
19 vetoed -- she has vetoed several. I'm -- I'm looking.
20 There's 1, 2, 3, 4, 5, and it's been opposed by the
21 other side. Six bills that were specifically aimed at
22 the Willcox Water Basin.

23 And there have been in -- in the -- in
24 several -- in one of the bills that has been worked on,
25 there was a 112 meetings that were conducted to be able

1 to help solve some of this at the legislative level,
2 and we've just been hitting an impasse with -- with the
3 Governor.

4 And then for her to come in and veto -- I
5 mean to impose an AMA, I just found that, you know,
6 egregious to be able to hear that.

7 There are solutions, and some of you have
8 already talked about that recharge, augmentation. The
9 conservation of water is -- is important.

10 And also there are alternative water studies
11 that are going on right now that are not matching the
12 Willcox's Water Basin.

13 The University of Arizona and others are also
14 looking at that as well, so...

15 Thank you very much. Let's stand together
16 and (cutout) AMA come through, come up with some
17 solutions.

18 Thank you, sir.

19 MR. ALLMAN: Thank you, Mr. Diaz.

20 Next up is Jesse Davis. After that will be
21 Mike Wear.

22 MR. DAVIS: (Indecipherable) being here.
23 My name is Jessie Davis, J-E-S-S-E. Davis is
24 D-A-V-I-S. My operation is Sierra Bonita Ranch, which
25 is northwest of Willcox at the periphery of your map

1 with no well monitoring of sorts by your group. I call
2 it a group because it seems like it's unfairly biased,
3 and you're lumping this entire valley together as one
4 water source.

5 I have a hard time with the data that's being
6 presented because I feel it's sufficiently(sic) done.
7 Weasuring -- measuring pneumatic water level of wells,
8 if you're going to impose a restriction on the entire
9 valley, I suggest you measure every single well. And
10 that includes everyone owner's well as well as every
11 agricultural well.

12 My water levels have not dropped
13 substantially. Maybe 10 feet in 25 years. That's on
14 only a couple of my wells.

15 Some of the ones that aren't being pumped
16 have not dropped at all. Zero.

17 If an AMA goes through and I do not -- have
18 not garnered grandfather rights through capital
19 investment, you are taking 60 percent of my land value
20 away from my property. My loan officer is not going to
21 like that.

22 The property rights and the property value
23 are two paramount problems with the structure of this
24 AMA. I also am a member of the Cattle Growers
25 Association. I'm on two water councils. I'm on two

1 water committees. I'm a former board member of the
2 Cattle Growers. My family has been in this area for
3 six generations. 1872 we arrived.

4 I have farm -- farming acreage. I have
5 farmable acreage, and I have ground that I rent out to
6 a neighboring farmer.

7 We present -- everybody here is -- not
8 everybody, but people who are like-minded as I am do
9 not feel the AMA is a proper solution. There are other
10 solutions available. I am also a member of the -- the
11 newly formed Sulfur Springs Water Alliance that was
12 formulated because we heard that the Governor might
13 want to put an AMA in, and we wanted to come together
14 with a cohesive group, which is start -- (cutout) what
15 I consider a think tank -- to come together and bring
16 in all sorts of different perspectives.

17 We were going along at a pretty good clip
18 considering of the different perspectives that were in
19 that group. And, unfortunately, on October 23rd, take
20 note of the timing, approximately November the 5th, the
21 Governor decided that that was going to be a good time
22 to put in an AMA.

23 MR. ALLMAN: You reached your
24 three-minute time limit, sir.

25 MR. DAVIS: Thank you for your time.

1 MR. ALLMAN: Thank you, Mr. Davis.

2 Next up is Mike Wear, and after that will be
3 Alan Robbs.

4 MR. WEAR: Mike Wear, M-I-K-E W-E-A-R.
5 I'm a fifth generation Willcox born rancher. My
6 family's been in this valley a long time.

7 We've seen the water woes consistently. And
8 those woes have not changed in my lifetimes, my
9 sixty-six years. They've been the same. There's
10 winners and losers as I heard somebody else speak
11 earlier.

12 If you've got good water, that's your
13 opportunity right to that water. That water belongs to
14 you and your land. And for the state to come in and
15 say that I can't or can't do something with my water is
16 absolutely hippocratic in my opinion.

17 We took a vote. We didn't want it. Now, the
18 Governor comes in and wants to apply Maricopa County
19 issues to Cochise County. It's not (cutout). I don't
20 see how that could begin.

21 I go back on my wells. I heard Jesse Davis
22 talk about his not dropping. I heard Robbie talk about
23 his wells not dropping. I just had two (cutout)
24 replaced on my wells. Not one static inch is gone in
25 ten years, and I live off from the eastern slopes and

1 the western slopes of the Chiricahua Mountains.

2 So we're in a recharge, but you're lumping
3 all of us and decreasing our land values because you're
4 lumping all of us into the problem that is elsewhere.
5 We are the recharge areas. You're causing us to have
6 land val- -- devaluations because we're in a recharge
7 area, and it's got to rain to recharge. Like Phillip
8 Klump said, if we don't have recharge, we can't do
9 nothing. How much water is down there? You don't
10 know. None of us know how much are we using.

11 For the stability of it, we need to think
12 about those parts of it, not just can you just say
13 (indecipherable), we're pumping it out. You go buy a
14 piece of property. You base your piece of property
15 values on the amount of water that's beneath it.
16 That's why you got good areas that you -- we got areas
17 that they build homes. They're (indecipherable), but
18 the land was cheap. Well, why do you think the land
19 was cheap to begin with? It was cheap because there
20 was no water there to begin with.

21 My values have not -- I'm trying to hurry.
22 My static levels have not dropped. I saw on one of
23 those maps up there, you got a dot where I had ADW --
24 come -- ADWR come out and check a well. They said your
25 static has dropped, but your little partner didn't go

1 to that well and say, hey, this -- you only focused in
2 that magenta area, purple area on your map. Think
3 about the outlining areas.

4 Again, I'm opposed to the AMA, and I think
5 that Governor Hobbs should have never ever gone to the
6 extent to utilize some sort of order through the
7 Director to do such a thing that impact us in Cochise
8 County.

9 Thank ya.

10 MR. ALLMAN: Thank you, Mr. Wear.

11 Next up is Alan Robbs. After that will be
12 Rod Keeling.

13 MR. ROBBS: Hello, my name is Alan
14 Robbs. The last name is spelled R-O-B-B-S. I was born
15 and raised here. My dad started farming here in 1955,
16 and we've been involved in agriculture my whole life
17 here.

18 And what my dad always said was the only
19 thing hell needs is water. And so, you know, when
20 we're farming, what we're always thinking about is
21 conserving water, and the people that are farming are
22 not wasting their water right now because they know
23 it's the most (indecipherable) resource they have.

24 But the AMA, I think, is going to -- it's not
25 going to help anything because it's going to -- the

1 people who are already pumping have already got their
2 wells established, and it's only going to hurt people
3 who might want to come down here and have a little
4 homestead for five or ten acres or start a little
5 vineyard. It's going to penalize all those people, and
6 it's not going to really affect anything that I can see
7 except our -- our whole economy in a negative way.

8 MR. ALLMAN: Thank you, Mr. Robbs.

9 Up next is Rod Keeling. After that will be
10 Jacob Kartchner.

11 MR. KEELING: Thank you. My name is Rod
12 Keeling, K-E-E-L-I-N-G. My wife, Jan Schaefer, and I
13 own Keeling Schaefer Vinyards. We've been here 25
14 years in March.

15 I'm also the president of the Cochise Graham
16 wine Council, which is our local winery group. We have
17 17 members, and they are all in the Willcox Basin.
18 They all farm in the Willcox Basin.

19 We developed a position -- an opposition to
20 the AMA public referendum in 2022.

21 That -- that -- as -- as everybody in this
22 room knows that -- that referendum failed almost 60/40.
23 So that was the public vote that everybody's talking
24 about. I think it's important for us to recognize and
25 respect that vote that -- that was -- that took place

1 in '22. Our --

2 MR. ALLMAN: Sir, would you mind
3 speaking a little bit closer to the mic? Thank you.

4 MR. KEELING: Our partnership still
5 continues to oppose the creation of AMA. This time by
6 administrative order.

7 There's one person in the state that can --
8 can enact an AMA by an administrative order, and that
9 is the Director of the Department, so he has to take
10 full responsibility for whatever he decides to do.

11 But I would like to -- my job today -- we've
12 heard a lot of -- a lot of issues about -- about why
13 the AMA won't work. Everybody understands the -- the
14 water problem that exists. However, my job today is to
15 kind of punch a little hole -- a few holes into your
16 data.

17 And so the first thing I want to talk about
18 is -- is the -- we'll go down by -- by the list of --
19 of the criteria that will allow the Director to -- to
20 enact the AMA.

21 The -- what -- what are the practices that
22 are necessary to preserve the existing supply of
23 groundwater future needs? Number one, you haven't
24 conducted a flow model. This is all based on the 2023
25 supply and demand report that you guys had published

1 and it's online, available to anybody in the room.

2 You haven't -- you have not by your own
3 discussion or by your own admission that you have not
4 conducted a -- a groundwater flow model, which I think
5 would be pretty important to justify an AMA.

6 Number two, all the results and -- and the
7 assessment in the -- the actual report are based on
8 models. They're not all empirical.

9 Number three, the baseline data and
10 assessment indicates that in 2022 the demand was 14.4
11 percent. The -- the supply -- I'm sorry -- the demand,
12 the -- the withdrawal of water in this basin was 14.4
13 percent less than it was in 2005.

14 Nobody talked about that today. That's -- in
15 addition, it was .25 percent less on a 30-year average.
16 So the water use has actually gone down, even in spite
17 of the -- the additional acreage that we've seen over
18 the last 15 years.

19 The -- if we -- if we give the grandfathered
20 rights, which is a function of the AMA -- in fact, the
21 person (cutout) identify the irrigators and you're
22 going to give them grandfather rights, we're going to
23 transfer a general right to a -- to a --

24 MR. ALLMAN: Sorry. You've reached your
25 three-minute limit, sir.

1 MR. KEELING: Okay. We -- we continue
2 to oppose the AMA, and we would encourage you all to,
3 and I've submitted all this paperwork.

4 Thank you.

5 MR. ALLMAN: Thank you, Mr. Keeling.

6 Next up is Jacob Kartchner. After that will
7 be State Representative Stacey Tabbers -- Travers.
8 Sorry.

9 MR. KARTCHNER: My name is Jacob
10 Kartchner. J-A-C-O-B K-A-R-T-C-H-N-E-R. I'm here
11 representing the Cochise Graham Cattle Growers
12 Association, representing over a 130 families that
13 are -- have been land stewards for generations over
14 hundreds of thousands of acres that are -- that are
15 going to be affected by this.

16 What I'm here to do today is read you a water
17 policy that we've come up with.

18 And I'll just get to it. So ranchers play a
19 critical part in water conservation and management.
20 Our intent is to protect water and its usage for future
21 generations of farmers and ranchers.

22 Cochise Graham Cattle Growers Association
23 supports the following for all water -- watersheds,
24 basins, aquifers, and other sources of water. We
25 support the protection of local farmers' and ranchers'

1 beneficial use of water for agriculture. We support
2 protection of historic surface and groundwater rights.

3 We support encouraging comprehensive hydro --
4 hydraulic and geo -- geolo -- geologic studies by
5 independent third party entities in order to obtain the
6 necessary data for determination of aquifer
7 characteristics and informed decision making.

8 When -- we support the development of viable
9 aquifer recharge areas, adoption and implementation of
10 voluntary water conservation practices, local planning
11 and development for water management, including within
12 management areas. And we also support upholding the
13 prohibition on the inner basin transfer of water.

14 Thank you.

15 MR. ALLMAN: Thank you, Mr. Kartchner.

16 Next up is State Representative Stacey
17 Travers.

18 Stacey Travers?

19 All right. We'll move on to State
20 Representative Stephanie Stahl-Hamilton. After that
21 will be Aca Alex Comerdeli.

22 MS. STAHL-HAMILTON: Good afternoon,
23 Stephanie Stahl-Hamilton, S-T-E-P-H-A-N-I-E
24 S-T-A-H-L-H-A-M-I-L-T-O N. My name is Stephanie
25 Stahl-Hamilton, and I am proud to represent legislative

1 District 21, which encompasses portions of Pima, Santa
2 Cruz, and Cochise Counties.

3 I grew up in rural Arizona and have seen
4 firsthand the challenges that rural communities face
5 with our water supplies, which guides so much of my
6 work at the legislature.

7 During my time in the legislature, I am lucky
8 to have gotten to know and listen to so many of the
9 willcox locals and learn about their deeply concerning
10 water issues. These amazing people, their tenacity and
11 relentless pursuit to find solutions to their
12 groundwater depletion is why I am here today.

13 I have mixed emotions about this hearing. On
14 the one hand, I am enthusiastic that they are finally
15 being heard. The science is being followed and an
16 Active Management Area is finally being considered.

17 Based on the ADWR presentation given on
18 September 26, the willcox Basin is more than qualified
19 for an AMA designation; but on the other hand, I also
20 feel like we failed the people of the willcox Basin by
21 not developing an alternative local groundwater
22 management tool that truly mitigates the excessive
23 groundwater depletion.

24 Our lack of action has resulted directly in
25 too many wells going dry and people's livelihoods

1 ruined.

2 And I -- I want to take a minute to put one
3 thing on the record that is important for the people
4 served by the Willcox Basin to know. We've heard that
5 Senate Bill 1221 is the answer. It is not the answer,
6 and simple math will illustrate this.

7 The Willcox supply and demand study projects
8 that for every one acre foot of water entering the
9 basin, about three acre feet are being sucked out.
10 That's a 300 percent water withdrawal comparison -- in
11 comparison to what is being returned to the basin.

12 SB1221 only allows for a maximum of 15
13 percent reduction in water conservation. The math
14 doesn't add up. Water depletion will continue at an
15 alarming rate.

16 While we continue to negotiate with those in
17 power to develop more -- a more flexible, meaningful
18 solution, it bears repeating that an AMA is simply the
19 only option available today that even approaches being
20 able to provide relief to this community.

21 I appreciate the opportunity to be here
22 today. I stand alongside the locals served by the
23 Willcox Basin --

24 MR. ALLMAN: Excuse me. You've reached
25 your time limit.

1 MS. STAHL-HAMILTON: -- and in full
2 support of science and ask the ADWR to follow the
3 science by designating an AMA.

4 Thank you.

5 MR. ALLMAN: Thank you.

6 Up next is Aca Alex Comerdeli, and after that
7 will be Melanie Lawrence.

8 No Alex?

9 All right. Next will be Melanie Lawrence.
10 After that will be Caryl walti.

11 MS. LAWRENCE: Good afternoon, and thank
12 you very much for being here and having this meeting.
13 I am here in support of the AMA. Sorry. Melanie
14 Lawrence. M-E-L-A-N-I-E L-A-W-R-E-N-C-E.

15 I am a resident of Cochise County and the
16 willcox Basin. I am here to speak about the residents
17 that are being affected by this lack of an AMA.

18 I want to point out that water is not red,
19 it's not blue, and it's not green. This is not a
20 partisan issue, and I get upset when our issues are
21 being dismissed -- our concerns are being dismissed as
22 radical environmental extremism.

23 I believe that many of the measures that have
24 been put before the legislature are smoke and mirrors
25 and are not substantial answers to the issues that we

1 face. My understanding is that there is flexibility in
2 how the management plan is created.

3 So that the AMA would have some flexibility
4 to address the concerns of ranchers, farmers and the
5 ag users. I also believe that there was a lot of
6 misinformation that went out before the 2022 AMA issue
7 was on the ballot.

8 I personally know of people that told me that
9 their personal wells were going to be measured, and I
10 tried to correct this information, and they were not
11 willing to listen to -- They had been told that, no,
12 this was going to be a top down government coming in
13 and -- and telling them how much water they could use
14 in their personal well.

15 So I believe that part of the reason why the
16 ballot measure failed was because there was a lot of
17 misinformation, and there was the idea that there were
18 all kinds of solutions that were going to be put
19 forward.

20 And I have not seen anything, nothing
21 substantial has been put before the people as a
22 solution. So I just -- I'll leave it at that. I
23 just -- I understand the concerns of the ranchers, the
24 farmers and so forth that say that their livelihoods
25 are going to be diminished, but I am part of the

1 economy of this area just as much as they are.

2 I -- you know, I pay my taxes. I live and
3 work in this area. I'm retired, but I -- I do work
4 part time. So, anyway, I am just as much a part of the
5 economy as anybody else here.

6 And when my well drops to the point that I'm
7 going to have to somehow find 40 or \$50,000 to put into
8 casing it further down, I just want to know that -- you
9 know, if someone's willing to, you know, start a Go
10 Fund Me project so that I can -- you know, so that I
11 can deepen my well, I'm all for it; but, otherwise, we
12 need to -- we need something substantial.

13 All right. Thank you.

14 MR. ALLMAN: Thank you, Ms. Lawrence.
15 Next up is Carol walti. And after that Bob
16 Munger.

17 Carol walti?

18 We'll move on to Bob Munger.

19 No Bob Munger?

20 Okay. Next will be Steve Kisiel.

21 MR. KISIEL: Hello. My name is -- am I
22 close enough? Can you hear me? My name is Steve
23 Kisiel, S-T-E-V-E K-I-S-I-E-L. I live in the southern
24 part of the Willcox Basin, been living here for 25
25 years, a 60-year resident of Arizona.

1 I understand the stark reality of living in a
2 desert climate, especially in the middle of a 30-year
3 drought.

4 It's frustrating. I've been working on this
5 issue now for almost four years, and it's frustrating
6 to hear so much misinformation today about what an AMA
7 will or will not do and what's going on with our water
8 basin.

9 I applaud ADWR's efforts to try to give us
10 the best information available. I firmly believe that
11 the hydrology folks at ADWR are presenting this
12 information without any bias and are trying to help us
13 understand what's happening here.

14 The reality is even if you don't believe
15 ADWR's data today, the reality is wells are going dry
16 all across the basin. My well went dry twelve year --
17 or almost twelve years ago to the day.

18 It's been dropping an average of four and a
19 half feet over 30 years now. We just had the well
20 sweep here in the Willcox Basin last -- a couple weeks
21 ago by ADWR.

22 I have people calling me from all over the
23 basin. My well went down 10 feet. My well went down 5
24 feet this year.

25 These are not short-term trends either.

1 These are long-term trends. We've been saying this.
2 If you live in the Sunizona area now, you're lucky if
3 your well's not dropping 10 feet a year. What do you
4 say to those folks? Do you know what they live next
5 to? Have you ever looked at a satellite photo of all
6 those center pivots that are right next to their land?
7 New center pivots most of them.

8 We cannot go on like this. We've gotta come
9 together as a community. We've got people that are
10 being deeply affected, seriously affected. You saw the
11 picture of Janet Randall's house that's cracking in
12 half. You can say that this science isn't real, but to
13 her it's real.

14 She's got gaps in her house, two to three
15 inches where the walls have cracked. She's willing --
16 she's -- she's waiting -- she's just hoping her house
17 doesn't collapse on her before she dies.

18 This is a serious issue, and we all need to
19 be well informed. There's -- there were number of
20 issues that were raised here today about what an AMA
21 will and will not do. The reality is AMA is not
22 perfect, and I totally support a -- a better solution,
23 but we need an AMA today because I -- when I drove
24 here -- I drove here today, I saw three new fields
25 being cleared.

1 There's another field on 191 right across
2 from Curry Farms that are being cleared, 440 acres for
3 trees. Every one of those is another straw in the
4 ground that's going to deepen all of our water levels.

5 We can't deny -- sure, there are folks that
6 live on the periphery of the basin and their wells are
7 maybe stable or going up, but that's not the overall
8 picture. 90 percent or more of all of the wells in
9 this basin are going down.

10 Take your head -- heads out of the sand and
11 wake up.

12 MR. ALLMAN: Sir --

13 MR. KISIEL: The land is subsiding
14 three to -- up to three and a half feet --

15 MR. ALLMAN: Excuse me, sir. You've
16 reached your time limit.

17 MR. KISIEL: -- fissures have grown
18 dramatically. We need to do something now. AMA is our
19 only solution.

20 Thank you.

21 MR. ALLMAN: Thank you, sir.

22 Next up is Cathy Collins, and then will be
23 Ben Menges.

24 MS. COLLINS: I'm Cathy Collins.

25 C-A-T-H-Y C-O-L-L-I-N-S, and my husband David is with

1 me.

2 I'm quote, E.M. Tiffany: "I believe in the
3 future of agriculture, with a faith born not of words
4 but of deeds."

5 We are concerned about the availability of
6 water. Our future depends on it just as the future of
7 our talents depends on it. We believe in the future
8 unsafe and -- and of a safe and abundant life in our
9 valley.

10 Our family has been farming here since 1952,
11 that's 72 years, and we hope to be able to pass the
12 farm onto the fourth and fifth generations.

13 We have a son moving home to the farm in
14 2026. Joshua is a plumber and his wife is a registered
15 nurse.

16 Our youngest son, Jonathan, is on his mission
17 for the church of Jesus Christ of Latter-day Saints.
18 Upon his return in two years, he will continue his
19 education at the University of Arizona in agronomy and
20 has plans to live in the Willcox area after his
21 graduation.

22 Another of our sons, Jacob, and his family
23 moved here three years ago this summer. He is an
24 Empire Cat-certified technician, and his wife is an
25 acro-certified gymnast instructor. Having completed

1 three years of experience working on the farm, he is
2 preparing to use the first time farmer services at the
3 uni- -- at the US Department of Agriculture.

4 He has been planning to make some
5 improvements on our farm to increase viability and
6 sustainability for the future. These plans do not
7 include drilling new wells but using land in different
8 ways.

9 Our future depends on where -- on there being
10 water for many years to come in this valley. We are
11 committed to being a part of the solution as all water
12 users should be.

13 In '22, the local commun- -- community spoke,
14 the process was followed to put it on the ballot, and
15 more than 61 percent of the voters voted to not have an
16 AMA in the Willcox Basin. The decision was made by
17 those who live and work in the Willcox Basin.

18 We strongly believe that it is wrong for
19 someone from the government office in Phoenix to
20 completely ignore the results of an overwhelming
21 certified vote and mandate a rule that will not improve
22 our current situation.

23 I am here to state that an AMA will not solve
24 our water problems in this valley. An AMA will not
25 make the earth fissures close up or the earth repair

1 itself where subsidence has occurred. The AMA will not
2 curtail current water use levels.

3 Let's pursue legislation that can really
4 help. We agree some regulations should be put in
5 place. These regulations should address directly the
6 use of water in the valley. Our valley needs any fees
7 collected to pay for planning and projects to improve
8 our water outlook and alleviate our homeowner's
9 worries. Designating an AMA does not guarantee funds
10 to stay in our area or local control.

11 We believe our farm has a bright future. The
12 future will bring changes in our farming practices and
13 possibly our cropping choices. We look forward to the
14 challenge and the changes.

15 We are concerned about those who do not have
16 access to water at their homes. These are
17 conversations we should be having to come up with
18 solutions.

19 We see why an AMA sounds like it solves
20 problems that we are having, but an AMA will squelch
21 the ability for local community to find workable,
22 useful localized solutions.

23 We ask the Director Buschatzke and any
24 advisors he may counsel make this --

25 MR. ALLMAN: Ms. Collins --

1 MS. COLLINS: -- decision with careful
2 consideration.

3 MR. ALLMAN: All right. Thank you.
4 Next up is Ben Menges. After that will be
5 Timothy Klump.

6 MR. MENGES: My name is Ben Menges,
7 B-E-N M-E-N-G-E-S. I'm a Graham County Cattle
8 Rancher. State government looks at the data they
9 obtain of water levels declining, and they say, wow, we
10 need more control.

11 I look at the data of groundwater declining,
12 initial skep -- and then I say, well, if that's true,
13 willcox may need a large water infrastructure project
14 to bring more water to this area.

15 willcox needs more water resources
16 transferred to this basin and who better to take that
17 on than the Arizona Department of Water Resources.
18 That's the win-win solution.

19 Yet, you, the state government seek
20 governmental control as an obvious lose for this
21 valley's economy.

22 How can this valley ever hope to grow if the
23 solution of bringing more water into this basin is
24 ignored?

25 If a large water infrastructure project were

1 to be undertaken to bring more water into the willcox
2 Basin, it would hardly be the largest water project
3 Arizona has ever undertaken.

4 More water evaporates out of Tempe Town Lake
5 in three days in the summer than my cows drink in a
6 year.

7 My ranch feeds 5,670 American families every
8 year, and that -- and we use our water effectively, and
9 that's what you hope to suppress.

10 Shame on ADWR for not undertaking a more
11 reasonable option for willcox. Shame on the Governor
12 for not being here or at least the Director for not
13 being present at this meeting, and that alone says that
14 they don't care about the economy of this area.

15 MR. ALLMAN: Thank you, sir.

16 Next up is Timothy Klump, and then it'll be
17 Ben Menges. Oh, it's on there twice. Sorry.

18 MR. KLUMP: Hello, my name is Timothy
19 Klump. I'm a fifth generation rancher in this valley
20 where we've -- I'm against the AMA. We've been --
21 we've had a lot of water -- wells go dry in my life, in
22 my grandpa's life. Before that, my great grandpa wells
23 in this area go dry. That's just part of life of
24 living here.

25 And as far as it goes, the fissures, my great

1 grandpa almost died in a fissure because they're pop --
2 they pop up everywhere. It's always been here.
3 There's always been fissures.

4 But anyways, we had a government -- we had a
5 vote. We said we didn't want the AMA. We want to have
6 the -- the community -- we want to have this area open
7 for -- for the people in the future to figure out how
8 to live here because there's things about this country,
9 it has thorns, it has everything that wants to kill
10 you, everything wants to make you run out of water, and
11 that's just life here.

12 So the people that live here, we gotta know
13 it.

14 And I want you to tell everybody, whenever
15 they think about moving down here, because they get on
16 the internet and they say, what's the cheapest place to
17 live in Arizona? And they say, Oh, look, I can buy a
18 ranch for 40 acres down here. And that's cheap. Yeah,
19 it's cheap. Tell them that there's no water, tell them
20 not to come. We don't need it. We don't need a bunch
21 of whiny-ass people.

22 So just tell the Governor she needs to quit
23 drinking so much wine, learn how to hell to grow some
24 grapes, okay? Tell her to get down here. She needs to
25 be here with us. If she's gonna take away our rights,

1 take away everything we've got -- this isn't something
2 like, oh, I get to retire in twelve years. I've got my
3 INA -- fuck, or my thing -- I'm sorry for cussing, but
4 I got my -- I got my retirement plan. We got a
5 retirement plan because you guys invested it in your
6 kid's future. My grandpa invested in my future. His
7 dad invested in theirs. We're not getting rich out
8 here.

9 Tell her to quit messing with everything and
10 we're gonna -- I've had 15 wells go dry in my lifetime.
11 It had nothing to do with pumping. It had to do with
12 there's no rain. We've got to adapt. We've got to
13 change. There's no government mandate gonna change
14 that. They're not gonna make my wells come back.

15 I am going to be here after all you guys are
16 retired, and you guys live in Washington. You guys
17 live in Georgia. You probably don't even live in this
18 country. You're probably going to live somewhere else.

19 So the thing is I'm gonna be here, and that
20 little fart right there is gonna be there too.

21 There isn't gonna be any well that goes dry
22 that's gonna drive me out. There's not gonna be any
23 government that drives me out either.

24 So anyways that's all I need to say. You
25 guys can think that you're doing a lot. It's not

1 science. What -- these wells drying up -- you said
2 that you got the -- the shallow water is going dry.
3 Everybody knows that you got shallow water and then
4 there's a clay layer, and it goes down 400 feet, so you
5 drill more wells. All the shallow water is going to go
6 down cause it's sucking all the shallow water out and
7 it's making to go down to the deeper levels. Everybody
8 knows that. You can listen to every single well out
9 there, and you know all the shallow water is draining.
10 Because you have a deep well, it's gonna drain all the
11 shallow water.

12 You guys aren't doing science. You guys are
13 doing manipulation tactics. It isn't science what
14 you're doing. I have not seen a comprehensive study of
15 this water table at all. You guys don't have
16 comprehensive -- because all you do is look at a well.

17 You pay someone to go around and study.

18 MR. ALLMAN: Mr. Klump, you've reached
19 your time limit --

20 MR. KLUMP: Thank you, guys, --

21 MR. ALLMAN: -- sir.

22 MR. KLUMP: -- but I don't really
23 appreciate you being here. I really wish you weren't
24 here.

25 MR. ALLMAN: Thank you, Mr. Klump.

1 Next up is Tricia Gerrodette. She's online.
2 After that will be William Wimmer.

3 Tricia, are you able to unmute yourself
4 online?

5 Tricia, are you able to unmute yourself
6 online?

7 MS. GERRODETTE: Yes. Yay, success.
8 Thank you.

9 All right. Can you hear me now?

10 MR. ALLMAN: Yes, we can.

11 MS. GERRODETTE: Okay. Great. This is
12 Tricia Gerrodette, T-R-I-C-I-A G-E-R-R-O-D-E-T-T-E. I
13 have watched the struggles in both the Willcox and the
14 Douglas Basins over their water issues and follow what
15 Douglas is now working on.

16 And if an AMA is declared here in the Willcox
17 Basin, I hope people who have expressed such concerns
18 will continue to participate because it's in the
19 crafting of a management plan that all the ideas for
20 how to take care of the issues.

21 Those levels of details are taken care of at
22 that level. And so your concerns are quite valid and
23 will be useful and helpful in crafting the plan.

24 Just want to point out that under the state
25 law that there are criteria for declaring an AMA as

1 ADWR showed at the beginning of this meeting, and it
2 seems clear to me that the willcox Basin qualifies
3 pretty clearly under criteria number one and number
4 two.

5 Thank you.

6 MR. ALLMAN: Thank you. Next up online
7 as well is William Wimmer, and after that will be our
8 final online speaker, Nav Athwal.

9 MR. WIMMER: Can you hear me all right?

10 MR. ALLMAN: Yes, we can.

11 MR. WIMMER: So I'm William Wimmer. I
12 represent one investor on a small first generational
13 farm, so thanks for listening to all of us, and I am
14 glad not to be in your shoes right now.

15 We all understand that there's a problem, and
16 the Department has presented its justification for
17 executive action and bypassing the political process to
18 establish the AMA. However, given the Department's
19 data, we reasonably conclude that the AMA is still
20 going to allow for the water table to be depleted at
21 its current rate until all the water is obliterated
22 entirely.

23 The residents of Willcox are then led to the
24 conclusion that the AMA is going to benefit
25 conspicuously unnamed special interests while punishing

1 the residents of the willcox Basin.

2 I'd like to concur with Mr. Hodge's request
3 for appropriate regulations to allow for small farmers
4 to apply for rights to irrigate a reasonable area of
5 land in the jurisdiction of the AMA.

6 And please continue to invite and engage with
7 the local stakeholders, the farmers, the ranchers, the
8 vineyards, and others whose livelihood depends on the
9 water -- they can't just get a job, there's no city in
10 willcox -- and for reasonable compromise on
11 establishing an appropriate regulatory framework going
12 forward.

13 Thanks very much.

14 MR. ALLMAN: Thank you for your comment.

15 Next up is Nav Athwal, also online, and then
16 will be LaDonna Burgess in person.

17 MR. ATHWAL: Hello, and thank you. My
18 name is Nav Athwal, N-A-V A-T-H-W-A-L. I farm with my
19 mother, brother, and wife in -- in willcox.

20 I want to firstly say thank you to ADWR on
21 the thorough presentation and all the data.

22 I really appreciate the comments from the
23 public. They've been really informative. I just have
24 a few things I wanted to say.

25 One is in 2015, there was an attempt to

1 create an INA in the San Simon Basin. It was initiated
2 by landowners and ultimately rejected by the Director.

3 The Director noticed and -- and agreed there
4 was decline in groundwater but stated that based on the
5 data available, there's not enough data to clearly show
6 that there's not enough water for the foreseeable
7 future.

8 A lot of the hydrologic conditions in that
9 basin were very similar to Willcox, yet the Director
10 decided to reject a landowner initiated proposal at the
11 time and now is proposing the same initiative for
12 Willcox.

13 I'm in full agreement that some form of water
14 regulation is necessary. Whether you're a resident or
15 a farmer, you cannot live or grow crops without water.
16 Water is necessary for all living things; and when
17 there's not enough of it, you have to approach it with
18 caution and conservation at top of mind.

19 A lot of landowners today and farmers have
20 stated that a collaborative local-based approach would
21 be better. I'm in full agreement of that.

22 We're currently relying on a law that's 44
23 years old, that hasn't changed since it was initially
24 enacted to create water policy 40 years later. Things
25 have changed. Economies have changed, and I believe

1 that the law is just not enough anymore to account for
2 all circumstances.

3 As you've heard from landowners, some live in
4 areas where there is no subsidence and where
5 groundwater is not being depleted and others live in
6 areas where their houses have cracks on the bottom.

7 I think an area by area approach that
8 incentivizes conservation, recharge through public
9 monies passed by the legislature is a much better way
10 than having an AMA, that treats everyone equally.

11 You know, for example, in Douglas, I believe
12 although the -- that was a voter approved initiative
13 and the goals were very -- were appropriate, the
14 ultimate management plan is not based on science, it's
15 not based on data. It's based purely on what folks
16 feel is right for certain crops and certain growers,
17 and I just don't think that document provides a good
18 future for Douglas; and I think if we go down the path
19 of an AMA in Willcox, I fear we're gonna go down that
20 same path, hamstringing a lot of growers and a lot of the
21 economy here, and we're going to prevent not only the
22 economy from flourishing, but we're also going to use
23 a -- an archaic law to create legislation 40 years
24 later.

25 I thank you again for your time today and for

1 allowing me to comment.

2 MR. ALLMAN: Thank you for your
3 comments.

4 Next up is LaDonna Burgess in person. After
5 that will be Rich Ivanowski.

6 MS. BURGESS: It's getting late. Those
7 people that left didn't know there's a big door prize
8 when they get done.

9 My name's LaDonna Burgess, L-A-D-O-N-N-A
10 B-U-R-G-E-S-S. And I'm here as a retired person who
11 chose to move here and raise my boys in an agriculture
12 community where there's cowboys and tractors and John
13 Deeres.

14 I want to thank all of you farmers and
15 ranchers for taking a beautiful sunshiny day when I
16 know you had a lot of work to do at home and come here
17 because this is really an important meeting.

18 For God's sake, the election is over. We
19 should all be getting along. I've seen more happier
20 funerals than what I've seen around here today. I've
21 never seen such long faces, but we are concerned.

22 We know that water is a problem. People need
23 to get the facts, and we need to work together. I grew
24 up on my grandpa's homestead and ranch in South Dakota
25 and water was a commodity. We had to wash our hair,

1 wash our underwear, and then scrub the floor in the
2 same bucket of water, so I know conservation.

3 As a SSVEC's energy management -- and I was
4 an irrigation specialist for 35 years and as Bill
5 Asbury, who worked -- and we studied the loads and we
6 worked with the irrigators, I've seen conservation
7 improve 1,000 percent.

8 Most of the people here are too young to
9 remember when there used to be pumpjacks and water
10 running down the ditches everywhere in our valley. And
11 I've seen technology -- I mean now the farmers have
12 moisture gadgets in their field, and they -- there's
13 no more -- nobody with more wisdom and caring for our
14 nature and our earth and our God given country than
15 farmers and ranchers.

16 And it's nice to see you politicians come
17 down here from Phoenix because it sure would have put a
18 lot of pollution into your Phoenix air if all of these
19 pickups and diesels would have went driving up to the
20 capitol. So thank you for being here.

21 Little -- knowing a little bit about water
22 use and irrigation use, keep in mind that residential
23 areas where there's a small community of houses, they
24 use more water than a farm.

25 Water conservation needs to start at home

1 with kids and -- I started the International Science
2 and Engineering Fair at Sulfur Springs many years ago.
3 And our youth -- they -- they've got the answers.
4 Reach out to them, do science projects because we're
5 seeing technologies improve unbelievable where my
6 grandpa wouldn't believe the way that we do farming and
7 agriculture, and it's a way of life that we in the
8 valley like to live, and I want to thank everybody for
9 coming because we need to work together now and make
10 this a place that we can all survive and be happy and
11 have beautiful sunny days like today.

12 Thank you.

13 MR. ALLMAN: Thank you for your comment.

14 Next up is Rich Ivanowski -- Ivanowski.

15 After that will be Jill Allphin.

16 No Ivan or Rich?

17 Next will be Jill Allphin. After that will
18 be Phil Foster.

19 MR. ALLMAN: My name is Jill Allphin,
20 J-I-L-L A-L-L-P-H-I-N. I have lived here for six
21 years. I was born and raised in Phoenix, so I know a
22 lot about little background in Arizona, and I also know
23 there's a big difference between Phoenix and Cochise
24 County.

25 People that move here, love it here. People

1 that have been here all along, love it here.

2 And, I think, the thing that I've -- I like
3 about today -- this is the first time I've been to a
4 big meeting of water conservation, but it is something
5 that the minute I moved here was, like, oh, I should
6 know more about this because I have a well.

7 And my neighbors have wells that are going
8 dry, and they struggle with that.

9 And, anyway, the things I noticed about
10 here -- well, first of all, I wanna say thank you for
11 all the information. It's been really good coming from
12 you and coming from everybody out here. I really have
13 learned a lot today and broadened my perspective a bit.

14 But when I did come here, I was surprised by
15 certain things that -- big projects that are going on.
16 Somebody mentioned the -- the orchards. And I love
17 agriculture. I love the orchards, but, you know, is
18 this the best county for that many orchards when our
19 water is sinking? I don't know. I don't know, and I
20 don't claim to know everything about that, but the
21 orchards is one. The giant dairy down there that, you
22 know, on the outside kind of looks like, oh, boy,
23 that's a big going concern, and I bet we're all getting
24 lots of tax money from it and benefits from it. And
25 then the longer I live here, the real -- the more I

1 realize that's probably not happening, but I know that
2 they've got to be big water users.

3 And then somebody also mentioned the lithium
4 mine. It's, like, I don't even think that company is
5 American at all, and that's kind of an issue as well.

6 And like I said, like people have said, you
7 know, we can't help that they're -- that we're in a
8 drought. But I was very encouraged by everybody here
9 that's been talking about, you know, sustainability and
10 recharge and looking at better practices, not to say
11 that the practices of people that have been here all
12 along don't have a really good -- they have such a
13 background that we don't even know about, and they've
14 seen the development and -- and coming forward, and
15 they've gotten onboard because it's their cattle that
16 are gonna die and their families that are gonna move
17 and -- and all of that.

18 MR. ALLMAN: I'm sorry. You've reached
19 your three-minute limit.

20 MS. ALLPHIN: Okay. So I appreciate
21 everybody's great input and thank you so much.

22 MR. ALLMAN: Thank you for your comment.

23 MS. ALLPHIN: (Inaudible) -- rights
24 away, so I don't agree with the AMA.

25 MR. ALLMAN: Thank you.

1 Next up is Phil Foster and after that will be
2 David Roberts.

3 Phil Foster?

4 David Roberts.

5 MR. ROBERTS: Good afternoon. My name
6 is David Roberts, D-A-V-I-D R-O-B-E-R-T-S. I'm fairly
7 new to the area. I'm a third generation farmer in
8 Central California, primarily a citrus grower.

9 Water -- water is an issue throughout the
10 West. In our area, we're a little bit ahead of this
11 action. And the government's answer is to dry up over
12 a million acres of the most productive farmland in the
13 world.

14 At the same time, the United States is losing
15 its food security. There are wars being fought over
16 oil.

17 They'll pale in comparison to -- to wars over
18 food. It's very shortsighted. Government should be
19 working on projects to bring water into these areas
20 that need -- that have the other resources. Farming is
21 not just one thing. Farming is land. Farming is
22 climate. And farming is water.

23 Most areas aren't blessed like this area,
24 climate and the land. So it needs the water. Same as
25 California.

1 The answer can't be it's happening around --
2 around the west, whether you're -- whether you are a
3 cattle rancher or whether you're in irrigated
4 agriculture, the answer is get the cattle out, get the
5 farmers out, we'll get our food someplace. No one has
6 that answer.

7 Tell me where we can grow food without using
8 natural resources. It doesn't exist.

9 So there should be more thought. The problem
10 with the AMA is it's taking private property rights.
11 You have one guy who's farmed and you're gonna let him
12 go forward. Good. You have his neighbor who hasn't
13 farmed but maybe a successive generation wants to.

14 You're gonna lock them off that land without
15 compensation. That's screwed up.

16 The government -- governments need to do and
17 provide. When you grow a city, you build a church, you
18 build roads, you build schools, you build shopping
19 centers, but you don't build water infrastructure. You
20 come and you strip it from the food source. That makes
21 no sense.

22 There's -- cheers to the people whose wells
23 are going dry, but stripping their food source, their
24 food security isn't the answer.

25 Thank you.

1 MR. ALLMAN: Thank you for your comment.
2 Next up is Cheryl Knott.

3 MS. KNOTT: Cheryl Knott, C-H-E-R-Y-L
4 K-N-O-T-T. I moved to the Pearce area 20(cutout) years
5 ago, and in 2015, as the chief hydrologist told us,
6 there was a sweep; and when you looked at the well
7 sweep data from 2015 compared to an earlier sweep,
8 2005, it was quite clear that the water was dropping
9 dramatically already, particularly in the Dagoon,
10 Sunsites, Pearson, Sunizona areas where we're now
11 seeing all the pecan and pistachio trees going in, the
12 land being cleared, and also in the Kansas Settlement
13 area.

14 By law, the Department of Water Resources at
15 that time could have designated the Willcox Basin as an
16 AMA, but they declined to. And shortly thereafter,
17 Riverview began drilling wells, clearing property,
18 putting property under new irrigation.

19 And I think we saw also in the hydrology
20 presentation the number of wells being drilled,
21 non-exempt wells being drilled in 2015 skyrocketed, and
22 the very next -- more, really more wells -- non-exempt
23 wells in 2015, than before, way back to 1998, and then
24 one more spike in 2022, huge spike.

25 So 2015 was a turning point. There's really

1 no doubt about it.

2 And I really appreciate everybody today
3 talking about let's work together. Let's do
4 voluntary -- continue to do our voluntary measures, but
5 what we've done so far in terms of voluntary measures
6 and group work, all of that has gotten us to where we
7 are today.

8 So 2015 was a turning point. ADWR didn't do
9 anything. Our legislature didn't do anything, and we
10 now are at another turning point. If this had been
11 taken care of ten years ago, we would not be at this
12 hearing, but we might be at a very different kind of
13 hearing, one where we would learn about the progress on
14 groundwater conservation made in the last ten years,
15 and one where comments from the public and input from
16 the Groundwater Users Advisory Council, required by
17 law, would help shape the goals and plans for the next
18 ten years.

19 Instead we are all hoping with the hard
20 realities of living in one of the three most threatened
21 basins in the state.

22 MR. ALLMAN: You have reached your
23 three-minute limit.

24 MS. KNOTT: 2025 can be a turning point.
25 Now is the time to create the future that has a stable

1 water supply.

2 I totally support the AMA.

3 Let's get on the path of conserving our
4 water.

5 Thank you.

6 MR. ALLMAN: Thank you for your
7 comments. That is the last comment card we have
8 received.

9 Is there anyone else who would like to speak?

10 Let the record reflect that no one else
11 wishes to speak.

12 Is there anyone here who wishes to submit any
13 written comments or evidence that they have brought
14 with them?

15 Let the record reflect that no one wishes to
16 submit any written comments or evidence.

17 Thank you all very much for participating in
18 this process.

19 Your comments will be considered by the
20 Director of the Department. Director -- the Director
21 must issue written findings within 30 days after the
22 public hearing.

23 In making his determination, the Director
24 shall give full consideration to public comments and to
25 recommendations made by local political subdivisions.

1 Excuse me folks, we're still conducting the
2 hearing. Can you please quiet down? Thank you.

3 Folks, we're still conducting the hearing. Could you
4 please quiet down?

5 Thank you all very much for participating in
6 this process. Your comments will be considered by the
7 Director of the Department.

8 The Director must issue findings within 30
9 days after the public hearing.

10 In making his determination, the Director
11 shall give full consideration to public comment and to
12 recommendations made by local political subdivisions.

13 If the Director finds that an AMA should be
14 created, the Director must issue an order designating
15 the AMA.

16 The Director's findings and order must be
17 published in a newspaper of general circulation in each
18 county where the proposed AMA is located once a week
19 for two consecutive weeks as well as file a true copy
20 map depicting the boundaries of the AMA within the
21 Cochise and Graham County Records.

22 The Director's order is effective when
23 published for the second time.

24 The findings and order are subject to request
25 for review or rehearing and actions for a judicial

1 review pursuant to A.R.S. § 45-114(C).

2 As I mentioned in the beginning of this
3 hearing, the Department will also accept written
4 comments via fax or email prior to midnight today.
5 Written comments, prior to midnight today, should be
6 submitted to the Department's Docket Supervisor, Sharon
7 Scantlebury by email to docketsupervisor@azwater.gov or
8 fax at 602-771-8686.

9 Information related to today's hearing will
10 be posted on ADWR's website. This public hearing is
11 now adjourned.

12 Thank you all for attending and for providing
13 comments.

14 (End of Public Meeting and Recording.)

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C E R T I F I C A T E

BE IT KNOWN that the foregoing proceedings were transcribed by Dorothy A. Schulte, Certified Reporter, Certificate No. 50459, State of Arizona, from an electronic recording and reduced to written form under my direction; that the foregoing 126 pages constitute a full, true, and accurate transcript of said electronic recording; all done to the best of my skill and ability.

DATED at Phoenix, Arizona, this 15th day of December, 2024.

Dorothy A. Schulte

Dorothy A. Schulte, RPR
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