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Pertains Water

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Kristin Mayes

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From: Ron Walker [Ron.Walker@co.mohave.az.us]

Sent: Thursday, September 07, 2006 7:46 AM 2006 SEP -8 P 3:10

To: tgwhitmer@adwr.state.az.us; emanuel@ag.arizona.edu; grumbles@ag.arizona.edu; jgelt@ag.arizona.edu; kuhlman@ag.arizona.edu; CWatershed@aol.com; JohnMtgmy@aol.com; DianeB@arizonapirg.org; alan.mcbee@az.usda.gov; ag.inquiries@azag.gov; Kristin Mayes; DeGraaf.Lockett@azdeq.gov; HGuenther@AZDOR.gov; tgroe@azleg.state.az.us; tohaller@azleg.state.az.us; jlfortune@azwater.gov; Bonnie_Winslow@blm.gov; don_mcclure@blm.gov; Janna_Paronto@blm.gov; John_Christensen@blm.gov; john_reid@blm.gov; Keith_Curry@blm.gov; paul_hobbs@blm.gov; wayne_king@blm.gov; Carl@CallCarl.com; alinep@cals.arizona.edu; Spitzer-Web; jkramer@ci.kingman.az.us; rtaylor@ci.kingman.az.us; WilsonD@ci.lake-havasu-city.az.us; awoguide@citlink.net; cleo@citlink.net; cmartin@citlink.net; finnegan@citlink.net; griff2@citlink.net; hualapaplanning@citlink.net; itchyft@citlink.net; spforms@citlink.net; tknsan@citlink.net; walsh28@citlink.net; Buster Johnson; Christine Ballard; Cullin Pattillo; Don Condra; Karl Taylor; Kevin Davidson; 'Nick Manzano'; Patty Mead; Pete Byers; Philip Wisely; pdqroc@ctaz.com; Marsh.Diana@ev.state.az.us; Sutton.Sandra@ev.state.az.us; sw1@ev.state.az.us; Denise.bensusan@frontiernet.net; ranch_lm@frontiernet.net; saijas@frontiernet.net; dgmarkus@hotmail.com; imept8@hotmail.com; nanaknisely@hotmail.com; imspirit@kingmanaz.net; jmjet@kingmanaz.net; richhart@kingmanaz.net; trupubar@kingmanaz.net; jbartlett@kingmandailyminer.com; lmclain@kingmandailyminer.com; glenda@kthconstruction.com; glennon@law.arizona.edu; vega@npgcable.com; cgsevern@premiercorp-usa.com; LHCFI@rraz.net; dave_metz@southwire.com; bmzxoneranch@sprynet.com; michael@uneedspeed.net; dwanning@usgs.gov; mtruini@usgs.gov; gavinfieldingaz@yahoo.com; horcset@yahoo.com; irveve@yahoo.com; k_thicks@yahoo.com; rag54818@yahoo.com

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Subject: Re: Response to Miner -- Big cities look to tap countywater-Pete Byers, Guest Columnist

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Earl, I have read your "opinion" related to Pete Byers article. Although you are entitled to an opinion, if you expect to have any credibility I recommend you get your facts straight. For example, the following statement from you, "Where the BOS position has been one of total ineptness in controlling growth within water availability, the ACC takes no such position."

For the record:

The Mohave County Board controls those things where they have statutory authority. Don't blame the Mohave County Board for the Arizona Legislature's water law. The Mohave County Board does require a 100 year water certification before approving a major subdivision. To my knowledge, the only county to do so, and we are on thin ice in doing so.

Subdivisions, unlike lot splits, require that the ADWR Certification be obtained, and that proper infrastructure be in place or assured for by various financial means. Subdivisions go through a rigorous process driven by statute and ordinance. Mr. Rhodes is working through that process now. It seems that folks like you think you have rights to ground water but those folks who may choose to reside in a major subdivision do not. It also seems that those who would like to split their 40 acre parcel into 40 one acre lots believe that they then have a higher right to ground water than those in a subdivision. Would each acre lot be entitled to an acre foot a year with no ACC control? The Board has created a fire storm of opposition with the discussion of the "Matrix". That is an effort to control lot splits, and water is an element.

Griffith Energy used over 101 million gallons of ground water in August alone. They circumvented the

ACC process, because they are not a public utility, and you know who you have to thank for that. You do the math, but that's over 300 acre feet gone in one month and for what. Has the local economy been benefitted?

Secondly, ACC deals with utilities, not water rights. They have dictated that a developer in Mohave County cannot put water infrastructure in the ground. The ACC can determine whether a utility is approved, but by what right do they dictate that water infrastructure cannot be put into the ground in Mohave County? Our subdivision rules allow what are called "as built". That means that the infrastructure is in the ground before final plat approval, and the work does not have to be "assured". There are other means for Mohave County to control its own growth and destiny. In this case, perhaps a Community Facility District is in order.

For another of your statements, "Let's not forget that the ACC is working with the Rhodes issue because the ADWR has made a letter stating "Water Inadequacy" in Golden Valley.

You are absolutely wrong. The Rhodes development has its ADWR Water Adequacy Letter/Allocation. They also have an approval to construct from ADEQ. ADWR, not the ACC are the state agency responsible for water availability statements, and I believe they should stick to their business and let others here do the same. Mohave County approves subdivision here. The Rhodes development, and others like it, will import personal income into the local economy, and it provides a choice for those folks who want a more urban life style. To that they are entitled, just as you have made your own choice and are entitled to it.

In addition to Pete Byers concerns, I am convinced that the motivation with some ACC members is pure politics and which developer has the best lobbyist in Phoenix. It is an election year you know.

In the future if you expect to have any credibility here, I recommend you get your facts straight before firing off erroneous email. I further recommend, you correct your facts in this email and send out a corrected copy.

Ron Walker
Mohave County Manager

>>> "earl engelhardt" <imspirit@kingmanaz.net> 9/6/2006 3:27 PM >>>
To the Kingman Daily Miner and other interested parties.

I think it is important to present another point of view to this topic as written by Mohave County Supervisor, Pete Byers, as a guest columnist, that appeared in the Kingman Daily Miner --

<http://www.kingmandailyminer.com/main.asp?SectionID=4&SubSectionID=4&ArticleID=10171>
9/1/2006 9:00:00 PM

There is an attachment above with the entire article.
I have copied issues that Pete spoke of that I want to address.
Those issues are that Phoenix wants our water and Kris Mayes "legislating from her bench" in relation to those issues she has raised about Rhodes Homes.

First the water issue.

Mohave County Supervisor Pete Byers is right, we do not have an endless supply of water. In fact, nowhere in the West is there an endless supply. Not only is it Phoenix that wants our water, but anyone with any interest in long term growth will want not only ours, but any other supply they can legally encircle. Water everywhere in the world is in crisis as limited and it is that limitation and scarcity that will cause water to be eventually traded

as a commodity, going to the highest bidder, not unlike energy and other commodities. We will all pay more, lots more.

What Pete brings up is the tip of a huge iceberg making Phoenix the "bogey man" when in fact, there are enormous forces at work everywhere to control water. Soon, I expect there will be an end to the law protecting "inner-basin" water transfers and even "inter-state" water transfers so no water will be safe. Further, it is merely a matter of price that will determine as to who gets to use the water resources. That is inevitable. I don't want to see protection from "outside interests" only to have it squandered by "inside special interests" who have little concern for conservation or the county's long term thriving.

The real answer to long term water is to make far "greener" homes and developments and commercial buildings. Right now, there is no incentive and the special interests have so much influence that the politicians are frozen like deer in the headlights of an oncoming car at night, into more, business as usual. Conservation and science is now the only thing that will make long term development viable anywhere in the arid West. But conservation is a word one seldom hears in county and state government.

The necessary technology exists right now, to cut water use by some 90%. That would change the long term development and growth picture dramatically. So what stops this? Only political will, fear, greed and ignorance and total lack of foresight and any willingness to see planning things differently. It is an outdated stagnant mentality where water in the West is concerned. Only a few progressive cities and counties are making efforts to change. I think the major reason is the ongoing issue of developmental funding which Pete speaks of. That is important in this day and age because one either professes to have nearly unlimited water or, one is deeply committed to conservation and protection through technology. The difference is between strategic long term planning and crisis management. I do not believe that there is any middle ground any longer. Investment capitol resonates with technology. ROI is a simple formula.

Which brings up the next issue, that of the ACC and Kris Mayes.

I see the issue a bit differently than Pete. I see Kris "legislating" (in the case of Rhodes) from her bench merely because the Mohave County Board of Supervisors will not. The BOS says they have no legal way to control growth within water availability. Nonsense. They have every legal right possible through the zoning and rezoning process. They just refuse to admit it. It is easy to guess why.

I see Kris Mayes as following the law and her legal responsibility to protect and preserve the rights of everyone to long term health safety and welfare, not unlike the issue of the Matrix now before the county. Where the BOS position has been one of total ineptness in controlling growth within water availability, the ACC takes no such position. Nor do they feel that they report to anyone except those who elects them. The ACC not only sees it as their job but looks to the future to protect future generation. Lets not forget that the ACC is working with the Rhodes issue because the ADWR has made a letter stating "Water Inadequacy" in Golden Valley. Sounds to me like Kris is doing what any civil servant would do when they are elected to serve and protect the public from those who would do what they please in an environment of "business as usual."

Pete and I agree on many things but we both see different ways to go forward. The status quo is not only no longer acceptable but totally impractical and places the county of one day, having to deal with water in a crisis rather than in a planning and developmental extension of sensible strategic planning. Fighting for the status quo is like beating a dead horse. You may look busy but that horse ain't ever going to get up and run, never, ever.

But Pete is right about protecting our water and others wanting it. It is all about how we go about that issue that makes us differ. We both want long term growth and development and protection of future generations as does Kris Mayes. Only time will tell us which path we took as opposed to the one we could have taken. Sometimes the path less traveled is the one that is best. maybe scary but still, best in the end.

Lastly, Pete Byers has a tough job. On a really good day, he may please some 51% of the population. Not anything I could ever do, so I commend him for all that he does.

Forward this to anyone of your choosing.

Earl Engelhardt
Kingman Az.
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9/7/2006