

January 30, 2007

Hon. Thomas Shedden  
Hearing Officer  
Arizona Office of Administrative Hearings

**OAH No. 07-TR001-DWR**

Filed electronically at: [TR001@azoah.com](mailto:TR001@azoah.com)

Dear Hearing Officer Shedden:

I am the Mohave County Supervisor for District 1, which includes the unincorporated communities in northern Arizona known as Beaver Dam, Littlefield and Scenic. I am writing this letter to express my concern with, and opposition to, the application filed by Wind River Resources, LLC to extract water from within the State of Arizona and transport it to the State of Nevada. Specifically, my concerns include the following.

First, let me say that the application on file appears to be an attempt to take water from Arizona by a group with very little long term ties to Arizona. It appears to be solely a profit making venture without any regard to the short or long term detriment of the local Arizona citizens, some of whom go back four generations or more. The hydrologic studies submitted in support of the application do not appear to be well thought out, or specific to the local area, yet they conclude that there will be no impact to the local residents at all. Even as a non-hydrologist, I cannot believe that the extraction and transportation of 14,000 acre feet of water per year will not hurt the local area.

Second, there appears to be no need for this water in Nevada. I have seen numerous newspaper articles where the general manager of the Virgin Valley Water District (the water provider in Mesquite, Nevada) says that they have plenty of water and plenty of options to get more water within the State of Nevada. They also say that their water meets all safe drinking water standards, and there is no threat to the health or safety of Nevada residents based on the use of Nevada produced water. Virgin Valley Water District treats this proposed Arizona water transfer as a windfall, something that may save them a few dollars, but nothing more. But this matter is not about a few dollars. It is about the very livelihood, health and welfare of the citizens in my District.

In fact, it is my understanding that the Virgin Valley Water District has so much water that they have entered into an agreement to sell some of it to Las Vegas through the Southern Nevada Water Authority. If this is the case, there is absolutely no justification for a permit that threatens to dry up the beautiful Beaver Dam Wash and threaten the local economy so that Virgin Valley Water District has even more water to sell to Las Vegas.


Third, a part of this application indicates that the Virgin Valley Water District will become the “regional water provider” for the area, including Arizona. There are many problems with this idea. For example, the “area” to be served by Virgin Valley Water District only includes the townships immediately adjacent to the Nevada border, in the area of Scenic. There is no provision for serving the residents of Beaver Dam and Littlefield, yet those communities are immediately downstream from the proposed source of this exported water, and will undoubtedly be the hardest hit by the impacts.

Furthermore, as Charman of the County Board of Supervisors, I am very reluctant to have a Nevada entity, not subject to Arizona law or policy, be the water provider for Arizona communities. I am aware that, as part of this application, the applicant says that they have created the Vista Verde Domestic Water Improvement District to assist in providing water to the Scenic area. I was on the Board of Supervisors when this special water district was created, and I believed at the time that the new district would be in the best interest of the local citizens. Based on the knowledge I have now, I do not believe the district is necessary. In fact, on January 22, 2007, I voted, along with my fellow Supervisors, to revoke the authority of the elected Board of Directors of the Vista Verde Domestic Water Improvement District and take control of the district back in the County.

Speaking for myself, I have no desire to have this district operate based on water provided by the Virgin Valley Water District. We have an Arizona public service corporation, the Beaver Dam Water Company, that is ready and able to serve the residents and future residents of Scenic with Arizona water. This corporation is regulated by the Arizona Corporation Commission and is thus responsive to Arizona’s needs. Unless and until I am convinced otherwise, I see no need for a “regional water provider” based in Nevada serving water to Arizona residents.

I understand that this application was filed under Arizona’s laws, specifically A.R.S. §§ 45- 291 and following, but I do not believe that it meets the statutory criteria for the issuance of a permit. The negative effect on the health and welfare of the local citizens, the clear lack of true need on the part of our Nevada neighbors, and the inconsistency of having a Nevada entity serving Arizona’s residents all speak in strong favor of denying this permit.

Respectfully,



Pete Byers

Chairman Board of Supervisors

Mohave County Supervisor, District 1