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May 3, 2012

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LEGAL
DEPT OF WATER RESOURCES

Docket Supervisor
Arizona Department of Water Resources, Legal Division
3550 North Central Ave., 2nd Floor
Phoenix, AZ 85012

RE: Designation of Adequate Water Supply, Pueblo del Sol Water Company (DWR No. 40-700705.0000)

Dear Sirs:

I live in and own the house at the above address in the Upper San Pedro groundwater basin. I object to ADWR issuing a designation of adequate water supply for Pueblo del Sol Water Company. The criteria for determining an adequate water supply, set forth in Arizona Revised Statutes, Section 45-108 and the Arizona Administrative Code, R12-15-701 et seq., are unlikely to be met.

The water is not likely to be legally available for at least 100 years, as required by ARS §45-108. The reasons for the lack of legal availability are clearly spelled out in the letter to ADWR from the Bureau of Land Management dated March 16 and received by you on March 20, 2012.

Castle & Cook and the City of Sierra Vista may object to the BLM letter on the grounds that the proposed subdivision by Castle & Cook will replace much of the water used by constructing a detention basin and sending treated water to a local golf course. The movement of water from a detention basin into the regional aquifer has not been adequately studied. For example, we still do not know how much if any water moves into the regional aquifer from the current Sierra Vista water treatment ponds. Well before 2007, scientists were dismayed to find that water from the ponds was daylighting in the world-class Murray Springs archaeology and paleontology site. The City of Sierra Vista 2010 annual report (amended 2011) on the treatment ponds admitted that water was daylighting in the Murray Springs area. The report stated that the daylighting "increased flows at nearby Murray Springs comparable to approximately 10 percent of average annual recharge at the WRF." No data were supplied to support this estimate. No analysis apparently was made of adjacent washes and other sites where water might be daylighting without reaching the regional aquifer or the San Pedro River.

We do not know how much water from the treatment basins reaches the regional aquifer. There have not even been adequate studies to test whether or not the current detention basins are over a perched aquifer. It might well be that no water from the treatment

ponds is reaching the regional aquifer. Given that it has not been possible over a period of years to determine the amount of water that might be reaching the regional aquifer from the current water treatment ponds, it is totally unrealistic to simply accept at face value the assertions about water that will reach the regional aquifer from the proposed Tribute detention basin.

ADWR approval of designation of adequate water supply would I believe be legally and fiscally irresponsible. I urge ADWR to not give their approval.

Sincerely yours,

Gerald R Noonan PhD