

Nine Reasons to Shred the Water Ordinance

An opinion by Eric Owens, Chino Valley business owner

1. **Unconstitutional** - The Fourth Amendment establishes "the right of the people to be secure in their persons, house, etc. against unreasonable searches and seizures."
Sec 60.05: To enter you home or property searching for violations is "unreasonable searching".
Sec 60.15: Having the ability to criminalize you, lien your property and seize your home is "unreasonable seizures".
2. **Unaffordable** - In light of our current economic situation, it would be unconscionable to saddle Chino Valley and its citizens with a \$70+ million leach that gives nothing and only takes. No matter how many ways you reword any "water ordinance" these three will always be present:
 - a) It will never provide residents with anything they don't already have.
 - b) It will always take away your rights and regulate you.
 - c) It will always demand your money.People are struggling just to stay employed, pay mortgages, and pay property taxes; add assessments, surcharges, hookup fees, and monthly water bills, (60.01, 60.15) and even more folks will lose their homes and properties.
3. **Deceptive** - It's so crooked it will have to be screwed into the ground when it dies. Its proponents attempt to mislead Chino Valley landowners through scare tactics:
 - a. That there is somehow an impending water crisis at hand.
 - b. That Chino well owners should feel both bad and responsible for contributing to this crisis.
 - c. That Chino well and property owners are somehow mandated to comply with the "safe yield requirement" that Prescott must meet by 2025.
 - d. That since you are a bad, bad well owner that cannot be regulated, billed, or punished, you should sacrifice your water, property rights, and freedom to the Municipal Water gods.
 - e. That since you are so close in proximity to the source of water which the Municipal Water gods wish to reign over, you should be the most sacrificial.
 - f. That you should gladly do this because it's not really your water, you have been "mining water that belongs to the state".Motive? Why, do you suppose, would a handful of individuals propose a (realistically) \$100 million project that will provide you with nothing you don't already have (water or sewer)? It's easy, if you follow the money trail and connect the "players", you will find just a few large land holders who coincidentally have their properties in each of the "proposed improvement districts". In order for any developer to get the biggest bang for their buck, they need high density development (something real conservationists don't ask for). The only way you can do high density development is to provide city water and sewer to these large parcels. There you have it. Since the town cannot provide this service, and the developers surely don't want to pay for it themselves, maybe a gullible public will buy the lie and pay \$100 million for this infrastructure. As one person put it, "You can put lipstick on a pig, but it's still a pig." See the *Water Conservation and Sustainability Concept Page* - this is putting lipstick on a pig, but it's still a pig! Note: Politicians have already labeled our water "The Town's Water Resources".
4. **Oppressive** - The very nature of this ordinance is oppressive. It gives us the very thing we already have with the exception of a forced price tag.
It FORCES landowners to give up their right to drill or replace a well.
It FORCES landowners to submit to government micro-management of when, where, and how we use water.
It FORCES landowners to get city permission to do almost anything water-related.
It FORCES landowners to pay for this behemoth now and forever!
It FORCES criminal fines for failure to comply.
It FORCES commercial hookups.
It FORCES retroactive hookups to homes from 2004 and on.
5. **Hypocritical** - Prescott pulls out 2.5 billion gallons of our water each year, and only returns 1 billion gallons of treated sewer water in its place. This mismanagement is the greatest cause of our dropping water level - and we don't like it! This ordinance proposes (with its H.I.A. water) to do the

exact same thing to Paulden that we don't like Prescott doing to us! You can rest assured, that if a Chino Valley well field is established in the Paulden area, Municipal Water mismanagement will leave them with a water deficit as well.

The other hypocrisy lies in claims made by the "water ordinance pushers" that your private septic system is an inadequate method of aquifer recharge. They would have you believe that the time-proven method of effluent going from a sealed container to gravel beds 12 ft. deep somehow doesn't travel downward as efficiently as their effluent does. They would rather have you believe very costly sewage treatment that loses millions of gallons through evaporation has a greater ability to travel down. Your effluent, on the other hand, in spite of its sealed environment and leach-bed advantage, supposedly has a greater water loss.

6. **Criminal** - God gave us the right to use the water under our property. The State limits us to two (2) wells per parcel number and two (2) acre-feet of water per well. But this ordinance (see 60.07 B-D) robs every landowner of their water, water rights, rights to drill a well, and rights to modify an existing well. It robs them of their right to use their well water as they wish. It robs them of their right to use water they buy as they wish. It robs individuals of their personal property and privacy rights.
7. **Intrusive** - Dedicating 20% of this ordinance to "Enforcement" is nothing short of intrusive (see 60.15 G-H). The hyper-micromangement provisions that allow local government access to your home and property at "any reasonable time" to enforce, regulate, fine, suspend, criminalize, or even lien and force the sale of property is intrusive.
8. **Detrimental** - The proposed ordinance is detrimental to the current and future growth and economic stability of this community.
 - a. It would further diminish property values that are already in the toilet.
 - b. It would inspire local residences and businesses to move where there is less offensive government.
 - c. It would inspire prospective newcomers to stay away from the place that would have the most regulated water in the nation!
9. **Inferior** - Municipal water and sewer is in most ways inferior to private well and septic delivery systems.
 - a. From an Aquifer Stewardship Perspective - The very best use of any aquifer is through low-density, low-impact wells and septic systems over a large area.
 - b. From a Cost Perspective - Above and beyond the infrastructure cost, the cost to the consumer to buy water will be about ten times more expensive per gallon than what they currently pay per gallon for electricity to run a well pump.
 - c. From a Maintenance Perspective - Private water and sewer systems can be pretty much maintenance free for 20 years or more. Municipal systems (as you know) require perpetual high maintenance.
 - d. From a Failure Perspective - Be it power, water, or sewer, when it fails, thousands of people are interrupted and inconvenienced for an unknown period of time, whereas private system failure only affects one home for a short period.
 - e. From a Water Quality Perspective - Have you ever considered why everyone on municipal water has filter systems?
 - f. From a Public Health and Safety Perspective - Most folks are unaware that municipal water systems are near the top of the list for Homeland Security as being high-risk targets for biological terrorism. Lord willing, this will never happen; but as a Health & Safety risk, hands down, private wells are superior.

For more information on this ordinance go to www.delriodrilling.com.