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In My View: Can Sahuarita, Hudbay be trusted? Mining company violating agreement

By John Dougherty
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Hudbay drilling pads in the Santa Rita Mountains, 2020.

Lighthawk



A 2013 contract between the Town of Sahuarita and the developers of the proposed Copper World mine has become a crucial factor in whether the mine will have the water needed to operate.

The contract controls whether the primary water pipeline needed to operate the mine is installed. No pipeline. No water. No mine.

The agreement – the Sahuarita Right-of-Way Encroachment License – grants Toronto-based Hudbay Minerals the right to install a water pipeline from its primary groundwater wellfield along the town’s segment of the Santa Rita Road.

In exchange, Hudbay is required to recharge 105% of the groundwater it pumps for the mine with Central Arizona Project water within a defined replenishment area encompassing Sahuarita. The agreement also requires Hudbay to file annual reports with the town on well operations and recharge.

Hudbay is already violating the terms of the agreement and is also violating state groundwater reporting laws.

How do we know this?

Save the Scenic Santa Ritas investigated state and town records and uncovered the facts. I’m SSSR’s executive director. I am also a former Arizona-based investigative reporter and many of my stories focused on government malfeasance.

The town’s staff and Sahuarita Mayor Tom Murphy are doing everything they can to ignore the material breach in the contract. Two other councilmembers, Kim Lisk and Deborah Morales, say there is nothing the town can do.

That’s simply not true. The town is already addressing the violations and giving Hudbay a pass.

Here’s what we know.

After receiving state permits in November 2024, Hudbay Minerals drilled four groundwater production wells within two wellfields – Sanrita West and Sanrita South. The license requires Hudbay to annually report to the town the amount of water pumped from wells within these wellfields.

State records show Hudbay pumped 10 million gallons from five wells located in the two wellfields in 2025. Hudbay, however, did not report the groundwater pumping to the town.

Nor did Hudbay submit groundwater pump installation reports to the State Department of Water Resources. A state law requires the reports to be filed within 30 days of installation. The reports have not been filed as of May 13.

The 2013 contract also requires Hudbay to report to the town how much Central Arizona Project water was recharged into the aquifer within a defined area depicted by a map included as a contract exhibit. Hudbay has failed to do so, based on town public records SSSR obtained on April 9.

SSSR sent an April 16 letter to the town detailing the violations and providing links to supporting evidence. SSSR requested the town to refuse issuing permits to Hudbay needed to install the pipeline.

Eight days later, Hudbay published a full-page advertisement in the Arizona Capitol Times, a Phoenix newspaper that covers the state Legislature, featuring a lengthy letter from Murphy strongly supporting Copper World. Murphy praised Copper World for “shar(ing) information openly” with the town.

On May 11, Sahuarita's assistant town manager sent SSSR an email in response to our April 16 letter. In the email, Beth Abramovitz confirmed that Hudbay had not reported the groundwater pumping. However, she stated that since the agreement didn't include a "specific deadline" there is no violation. She added that the town is working with Hudbay to "establish a regular reporting schedule" for future groundwater pumping reports.

Abramovitz also confirmed that Hudbay has not directly recharged CAP water within the replenishment area defined in the contract. But once again, she found an excuse not to enforcement the contract.

Abramovitz said the town is including CAP water Hudbay has previously stored at the Pima Mine Road Recharge facility, which is north of the contract's replenishment boundary, as meeting the 105% recharge requirement.

The town, Abramovitz said, has concluded, without presenting any evidence, that an unknown amount of Hudbay's water injected into the Pima Mine Road Recharge Facility spread underground to the south. Therefore, the town says, this water falls within the contract's replenishment boundary and meets the 105% recharge requirement.

This logic not only ignores the standard practice that the location of groundwater recharge is legally defined by where the water is actually injected, it also ignores the fact that groundwater in Sahuarita area flows to the northwest. This means any water injected at the Pima Mine Road Recharge Facility would be flowing away from Sahuarita.

It's obvious Sahuarita's elected leaders and staff will do everything they can to support the Copper World project, including whitewashing violations of a crucial agreement.

Thirteen years after the farsighted contract was signed by former Mayor Duane Blumberg, there is overwhelming evidence that Hudbay will face extraordinary challenges in obtaining sufficient CAP water to recharge the massive amount of groundwater Copper World will require over the 44-year life of the project. The mine will pump more than 170 billion gallons of groundwater, according to a Hudbay technical report.

The Colorado River is gripped by a megadrought, this year's snowpack runoff is projected to hit record lows and future CAP allocations are likely to be significantly reduced.

Rather than acting as Hudbay public relations employees, a Sahuarita council that is truly serving the public interest should be holding a public hearing that requires Hudbay to provide firm contracts that show Hudbay has sufficient CAP water to replenish 105% of the aquifer throughout the life of the mine.

Hudbay has already proven it can't be trusted by failing to report its groundwater pumping and failure to recharge CAP water within the contract boundary. Now is not the time for the town council to look the other way.



John Dougherty is executive director of Save the Scenic Santa Ritas Association.

Tags

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