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DEID

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2003 Water Supply Prorate Short-lived

Late season storms, combined with a bit of risk-taking, leads to end of the water supply prorate to DEID growers.

In the middle of February, the water supply picture looked pretty bleak. Promising rain and snowfall that were above-average at the end of December were followed by a very dry January and February. March did little to make up the lost ground, but did hold its own.

Then came April.

April Comes In Like A Lion

April brought new snow to the San Joaquin River watershed in significant amounts. By April 17th, total precipitation at Huntington Lake was a whopping 144 percent of average (5.54 inches). That brought the season total to 34.24 inches, which is 85 percent of the season average (see graph on page 2). All was welcome news to the water users in DEID that rely on the water supply that comes from the Friant Division of the CVP.

With the new precipitation numbers, the U.S. Bureau of Reclamation, who is responsible for determining the available annual water supply for Friant water users, increased its forecast to 100 percent Class 1 water, but none of the less-firm Class 2 supply.

With 100 percent Class 1, DEID has a total supply of 108,800 acre-feet, which is normally not enough to avoid a water

supply prorate.

New Crop Information Provides Buffer

What helped the District to make the final determination that it could remove the water supply prorate that had been set only weeks before was the information provided by growers on their 2003 water application.

Growers were asked to provide additional information on crops grown on each parcel that they intended to irrigate with DEID water in 2003. Historically, this information has not been requested at the beginning of the water year. Armed with the actual water demands and cropping information directly from the growers, the District was able to determine that, with a bit of luck towards the end of the calendar year, there would be no need for a water supply prorate.

And it looks like things just got better.

Class 2 Water On the Horizon

In somewhat of an unexpected fashion, the probability of some Class 2 water increased greatly last week. The announcement occurred during an emergency meeting between representatives of the Bureau and Friant district managers. At that meeting, the Bureau announced that new precipitation forecasts, plus an updated operations plan for upper reservoirs owned by Southern California Edison Company, had resulted in projections of a full Millerton Lake by the end of the month. As a way to avoid flood releases, the Bureau announced that some Class 2 water would be

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Friant Area Storage Projects Proposed

Two recently elected lawmakers have entered the all-important world of water politics in a big way.

Both Assemblyman Bill Maze (R-Visalia) and congressman Devin Nunes (R-Tulare) have introduced legislation that will assess the feasibility of new storage that would augment the meager storage that Friant water users currently have available.

Maze Introduces AB450

Assemblyman Maze has introduced legislation in Sacramento that would provide \$175,000 for studying potential new storage within the upper San Joaquin River watershed and along the Friant-Kern Canal. Either on or off stream storage sites could be identified as part of this study.

The bill requires local matching funds of \$25,000 dollars. The Friant Water Users Authority would be the likely source of matching funds.

The bill had its first Assembly Committee hearing on April 22nd.

Nunes successful With HR309

On the federal side, Congressman Devin Nunes was successful in earmarking \$1.75 million for upper San Joaquin river storage studies under the CalFed Bay-Delta Program. President Bush signed the omnibus federal appropriations bill late last month that committed the funding.

Nunes sees the funding being used to look



at a new dam site at Temperance Flat, which is just upstream from the existing Friant Dam site. Temperance Flat is not a

new project. It was originally reviewed in the 1930's as an alternative to Friant Dam. Temperance Flat has a potential reservoir capacity of 1.2 million acre-feet. That compares to Friant Dam's current capacity of 520,000 acre-feet.

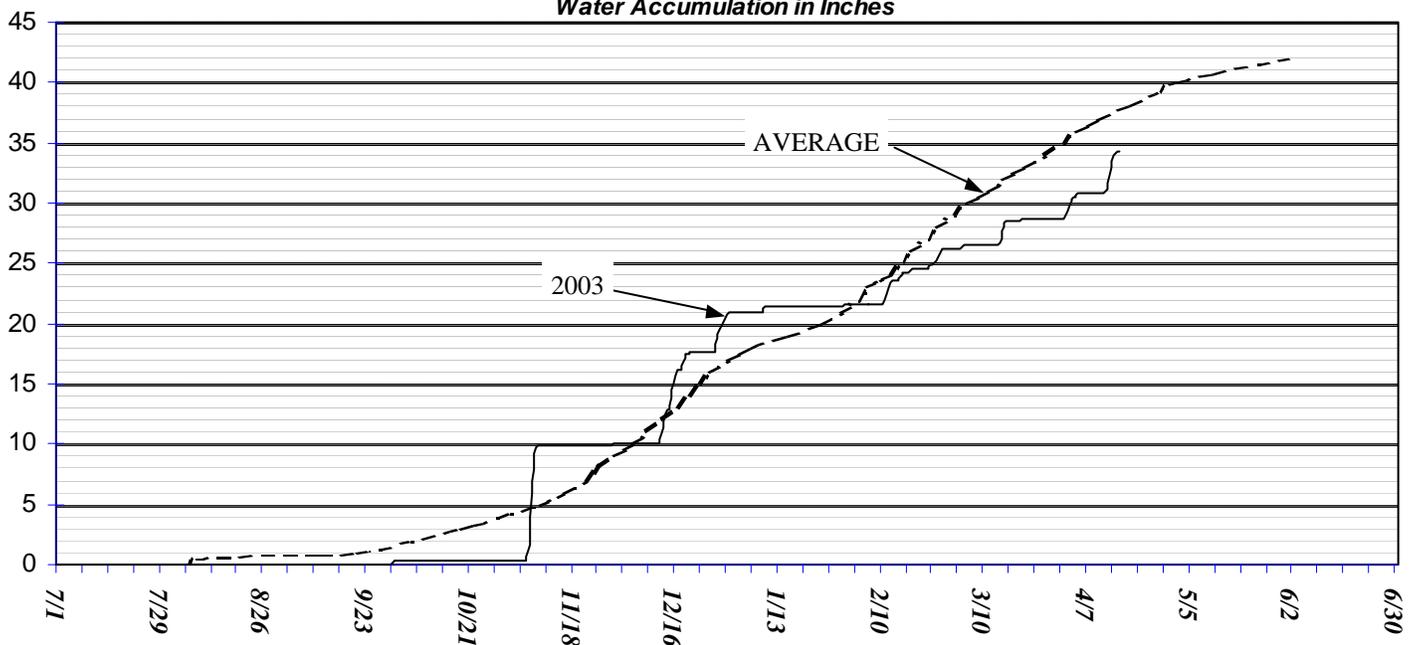
Board Support

Both bills were unanimously supported by the Delano-Earlimart Irrigation District Board of Directors, which also extended its thanks and appreciation for their respective leadership.



HUNTINGTON PRECIPITATION

Water Accumulation in Inches



Movement Occurs On Key Friant Fights

The Friant Water Users Authority, of which Delano-Earlimart Irrigation District is a part, has seen significant developments recently in two major areas of controversy that may have far-reaching consequences.

Both issues are related in that both were fights that Friant water users had brought to them. Both are also aimed at taking Friant water supplies away from the farms and communities on the east side of the San Joaquin Valley that rely on Friant water. Neither are fights that Friant water users wanted.

Here are reports on these two issues, the Westlands Water District water rights application on the San Joaquin River, and the lawsuit brought against Friant districts by the Natural Resources Defense Council, et.al.

Westlands Water District

In August of 2000, while Friant districts, including DEID, were busy negotiating the renewal of their long-term water supply contracts with the U.S. Bureau of Reclamation, the Westlands Water District was busy filing a water rights application on the San Joaquin River. The water that they sought was the same supply currently provided to Friant districts and the water users that they serve.

Westlands wanted nothing less than the lifeblood of the Friant project and the 15,000 small farms and communities served by this water supply.

East-West Pact Signed

Following a series of informal negotiations among key members of the Friant Water Users Authority Board of Directors and directors of the Westlands Water District, a "peace accord" of sorts was developed. The agreement calls for collaboration and cooperation among the two agencies for a period of 10 months. During that time, both sides will, among other things, determine if mutual projects and programs can be developed that will enhance their respective water supplies.

At the end of the stand-down period, Westlands has promised to discuss conditions under which it would permanently assign its water rights application to the Friant Water Users Authority and permanently abandon efforts to acquire water rights on the San Joaquin River.

DEID and Others Oppose

The Delano-Earlimart Irrigation District Board of Directors voted unanimously to oppose the agreement with Westlands on the grounds that Westlands should permanently abandon its attempt to secure east side water supplies before it sought the cooperation of the FWUA. On a contentious split vote, the FWUA Board approved the pact. In a follow-up motion made by DEID representative Nick Canata, the FWUA Board approved a request that the 10 month period be reduced to as little as two months.

NRDC Lawsuit

In 1988, a coalition of environmental groups lead by the Natural Resources Defense Council filed suit in federal



District Court over the renewal of water service contracts in the Friant Division. The litigation was later amended to include an assertion that the federal water project was required to release water from Friant Dam to the San Joaquin River to keep a fishery in good condition, as required by State Fish and Game Code 5937.

Decision to Negotiate

In the face of pending Court action, the two litigants decided to initiate settlement discussions four years ago. The settlement process included highly complex and challenging studies under which efforts have been made to determine (a) if the San Joaquin River could be restored and (b) where the water might come from as a part of the restoration process. This was accompanied by parallel negotiations between the parties and frequent staff level discussions.

Obviously, San Joaquin River restoration issues are of enormous importance to the 15,000 mostly small family farmers in parts of

five counties who are served by the Central Valley Project

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*Kole Upton
FWUA Board Chairman*

water delivered by the Friant project. From the onset of the settlement discussions, it was always understood that Friant interests could not accept a result that would

devastate the Friant Division. The negotiations were predicated on that fundamental principle.

Confidentiality Required

Of legal necessity, this process has had to be largely confidential in nature. Recently, the discussions moved to a mediated effort through the Ninth Circuit Court of Appeals in San Francisco, which also carried confidentiality rules that Friant interests have

(Continued on page 4: NRDC LITIGATION)

DEID PIPELINE

PROVIDING INFORMATION ON ISSUES OF INTEREST TO WATER USERS AND GROWERS IN THE DELANO-EARLIMART IRRIGATION DISTRICT

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California Water Fact:

The population of the State has more than doubled since the State Water Project was built in the 1960's to more than 34 million. Population is projected to skyrocket to 50 million by 2020. Presently, there are no water projects proposed to answer the new demand.

Included in this issue: a new Irrigation Tech-line

(WATER SUPPLY: Continued from page 1)

made available within the next week and would likely last as long as 3 to 4 weeks. The amount of Class 2 water is made available during this time should result in the breathing room that DEID needs to make full water deliveries to its growers with little risk of running short.

All DEID landowners and water users were notified of the lifting of the 2003 water supply prorate by mail last week. Any questions may be directed to the District office at (661) 725-2526.



(NRDC LITIGATION: Continued from page 3)

strictly adhered respected.

Unfortunately, the NRDC coalition chose to make public its position in an April 17, 2003 news release that was widely reported in the media.

In a statement released by FWUA Chairman Kole Upton on April 18, 2003, Friant recommitted its eagerness to continue negotiations. Said Upton, "We were completely taken aback by the release of their statement before the end of the stay. NRDC has left the Friant interests sitting at the table wishing to continue negotiate. However, rather than being caught up in the unfortunate rhetoric and misrepresentations included in the NRDC's April 17 news release, the Friant Water Users Authority will continue to observe the rules of confidentiality as we re-evaluate and analyze the situation and our position." Upton went on to say, "We would like the NRDC to reconsider its unilateral dismissal of these negotiations and return to the bargaining table."

Much of this article was provided from an April 18, 2003 news advisory issued by the Friant Water Users Authority.

