



BOARD OF DIRECTORS:

- Harold Nelson
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- Peter Hronis
Vice-President
- Nick Canata
- Anton Caratan
- Kelley Hampton

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General Manager

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FRIANT-KERN CANAL MAINTENANCE NEEDS BRINGS DISTRICT TO FULL SHUTDOWN

Every three to five years, the Friant-Kern Canal (Canal) requires major maintenance, work that cannot be done with water in the canal prism. That time has come once again, and the Canal has been dewatered, bringing to an end water deliveries to growers within the Delano-Earlimart Irrigation District and others that receive water from the Friant Division of the Central Valley Project.

Minor Work Locally

With a canal that is 152 miles long, stretching from Friant Dam all the way to the Kern River in Bakersfield, dewatering takes some time. Dewatering operations began at the head of the Canal on November 1st, with DEID outlets running out of water during the week of

November 22nd.

Only minor maintenance is necessary within the section of the Friant-Kern Canal that serves DEID. Most of the major work items are concentrated elsewhere.

District Maintenance

Dewatering the Canal brings with it other opportunities for the District to complete a variety of its own maintenance needs. District work items include pump and pumping plant maintenance and preventive testing, surge stand repairs, and catching up on the backlog of installing pressure-compensating float assemblies for those growers that have requested one. Another major project will be the completion of a new

booster pump station for the Avenue 56 west lateral.

Deliveries Curtailed

A major change from prior Canal dewatering periods is the District's decision to keep its distribution system pipelines primed with water. Previously, the District continued water deliveries, (primarily spray water) during the winter months, for as long as possible. This was accomplished by using the water that remained in District pipelines as the source and was delivered by gravity.

While this practice was a good one, it also brought with it some unintended, and costly, consequences: a multitude of pipeline cracks and water leaks

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KARLTON RIVER DECISION GETS MORE COMPLICATED



As was reported in the *DEID Pipeline Fall Issue*, a recent ruling by Federal Court Judge Lawrence Karlton that the federal government was liable for maintaining the historic fishery below Friant Dam has potentially huge consequences to the economy of the state as well as the nation. To complicate the matter, the Judge has now signaled that he wants to turn his attention to potential violations of the federal Endangered Species Act (ESA), which could lead to even more devastating consequences.

5937 Violation

In his August ruling, Karlton determined that the federal government had violated California Fish and Game Code 5937, which requires the operator of a dam to keep enough water below a dam to maintain a fishery in good condition. Karlton determined that the federal Department of the Interior, as operators of Friant Dam, had to comply with that law. But in his ruling, Karlton said that the fishery that was to be maintained was



the historic fishery, meaning salmon and steelhead, which have not been seen in reaches below Friant Dam for 50 years. He also worded his decision to potentially effect every stream in California that has a dam.

Balancing the Remedy

One of the small lights at the end of this dark tunnel was the judicial proc-

ess that Karlton would next preside over, the litigation's "remedy" phase. This phase would determine the actions necessary to remedy the 5937 violation. The ray of hope was the "balancing" provision that is contained in the State Constitution. In this instance, it means that any remedy fashioned by the Court would require a balance of competing needs for the San Joaquin River water in question. Impacts to people, the State's economy, and jobs would have to be weighed along with fishery restoration.

A Switch to ESA

Just as the litigants in the case completed briefings on how they saw the remedy phase being conducted, Judge Karlton advised the parties that he was no longer interested in this process, at least for now. Rather, he advised the parties that he would first consider potential violations of the federal Endangered Species Act. That issue will now be argued before Judge Karlton on January 26, 2005.

The problem now faced by the Friant defendants and the Department of the Interior is the lack of balancing that any ESA violation requires. In other words, should the judge find a violation of ESA, his remedy can be totally without consideration to the impacts on the people of the State, its economy, and the multitude of jobs that are dependant on water from the San Joaquin River. It can all go to the fish, if Judge Karlton so chooses.

DIVISION 1 DIRECTOR ANTHONY LINDNER RETIRES

Division 1 Director Anthony Lindner has retired from the DEID Board of Directors.

Mr. Lindner served on the Board since July of 1989, succeeding former Division 1 director and Board president Wayne Turnipseed. Mr. Lindner's last board meeting was in September.

Mr. Lindner held a number of positions with the District during his tenure, including vice-president of the Board. Mr. Lindner also served at various times as the District's representative to the Friant Power Authority, an alternate director to the Friant Water Users Authority, as well as the Southern San Joaquin Valley

Power Authority. He also was a member of the District's Finance Committee.

Mr. Lindner resigned from the Board upon relocation of his residence to Bakersfield.

State law requires that an irrigation district director must be a landowner and reside in the division that the director represents.

"In appreciation of your dedicated service to the landowners and water users of the Delano-Earlimart Irrigation District.

*Director, Division 1
July, 1989 to
September, 2004*

Our thanks for a job well done."

Inscription on a plaque presented to retiring DEID director Anthony Lindner.

KELLEY HAMPTON APPOINTED TO BOARD OF DIRECTORS

The Delano-Earlimart Board of Directors have appointed Kelley Hampton to finish the unexpired term of retired Division 1 director Anthony Lindner.

Mr. Hampton lives and owns land in Division 1, qualifying him to serve as a director for that

area. Division 1 is located in the northwestern corner of the District.

Mr. Hampton is a life time resident and farmer in the Delano-Earlimart Irrigation District, He is a second generation grower, and continues to farm property originally

worked by his father.

Mr. Hampton's appointment was made at the October meeting of the Board. The appointment expires in November of 2005, at which time Mr. Hampton is required to run for re-election to his own 4-year term.

DIRECTOR HRONIS BECOMES BOARD VICE-PRESIDENT

Director Peter Hronis was unanimously elected by his fellow Board members to the position of vice-president of the Board

at its October meeting. Mr. Hronis represents Division 5, and has been a director since December of 1991.

Mr. Hronis succeeds Anthony Lindner as Board vice-president, who resigned from the Board in September.

DEID PIPELINE

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

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Under Construction

The District's new web site is currently being designed and built. The site will include weather information, water conservation and management information and links, and a section just for DEID growers.

*Look for our new web site at
www.deid.org
soon after the first of the year!*



The Delano-Earlimart Irrigation District Board and staff wish you and yours the best that the holidays have to offer. We look forward to serving you in 2005.

Our office will be closed from Friday, December 24, 2004 through Sunday, January 2, 2005. You can report an emergency at anytime by calling (661) 725-2526.

(Shutdown Continued from page 1)

when water was reintroduced back into the District's distribution system following the dewatering period. The suspected cause of these pipeline breaks was the temperature differential between empty concrete pipelines that had warmed to near the surrounding soil temperatures and the cold Sierra snowpack water that initially flows

in the Friant-Kern Canal in the winter months. Time and again, that dynamic resulted in costly and time-consuming pipeline breaks at the most inopportune time—the beginning of the new water year that followed a two-month span of time where only limited water was available.

To prevent this from happening, the decision was made to keep the District's pipelines full of water during the

entire Canal dewatering period.

Understanding Appreciated

The understanding and support of the District's decision to curtail water deliveries during the next two months that has been received from our growers has been greatly appreciated. These actions will help reduce our maintenance costs, which in turn help us keep the price of water down to our water users.