



BOARD OF DIRECTORS:

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

Dale Brogan
General Manager

INSIDE THIS ISSUE:

| | |
|-----------------------------|---|
| NRDC Litigation Settlement | 1 |
| Valley Water Alliance news | 2 |
| WQ Coalition Deadline Looms | 3 |
| Holiday Office Schedule | 4 |

NRDC LITIGATION SETTLEMENT: FIRST PHASE OF GROWER OUTREACH COMPLETED

Following a blitz of media attention on the announced settlement of an eighteen year-old lawsuit regarding restoration of the San Joaquin River, the Delano-Earlimart Irrigation District began its first round of informing growers about the settlement, and what it could mean to their operations.

The lawsuit, originally brought by a coalition of environmental groups led by the Natural Resources Defense Council, asserted that the federal government, as operators of Friant Dam, had violated



certain state and federal laws in its operations. The most serious of these allegations was concerning California Fish and Game Code 5937, which requires water releases from a dam be sufficient to keep a “fishery in good condition” below the dam.

Settlement of the lawsuit was the result of negotiations by the Friant districts

that receive water from the Friant project and representatives from NRDC. The negotiations were later joined by the federal government. Ultimately, the settlement process included the State of California, potentially impacted third parties, and members of Congress.

DEID held five separate meetings with District growers for the purpose of explaining the settlement terms and potential impacts to the District's

water supply.

Noted in those discussions was the fact that the District will have to deal with potential water losses in certain water years, at least in the short-term. In was also noted that the settlement includes a water management goal that looks to mitigate potential water supply impacts.

(See SJR SETTLEMENT: Continued on page 2)

VALLEY WATER ALLIANCE GARNERS SUPPORT

“They (Valley Water Alliance) have had value and water is always going to be an issue in the Valley”

Tulare County Farm Bureau President Keith Watkins.

The Valley Water Alliance continues its efforts to inform and educate local citizens as well as state and federal elected officials about the importance of reliable and sustainable water supplies to the San Joaquin Valley.

In a recent presentation to the Tulare County Farm Bureau, Joel Nelson, VWA president, spoke to why the Alliance has been effective and

credible in delivering its message: “We’ve been able to bring in other people, in addition to ag, who recognize the need for more surface water storage and who can articulate the impacts of water supply reductions to this area.”

You can find more information about the Alliance by visiting its web site: www.valleywateralliance.org

SJR SETTLEMENT

(Continued from page 1)

As was covered with the individuals that attended the meetings, the District is not waiting to address its challenges. Projects in the works that will help with potential water supply impacts include:

- A water banking project with North Kern Water Storage District, which has been approved and will store 30,000 acre-feet of excess 2006 water for use by DEID in subsequent years;
- A joint study that has been commissioned by both DEID and the Pixley Irrigation District that will evaluate the potential of jointly developing a regional groundwater banking project;
- A study examining the feasibility of expanding the District's existing groundwater recharge

basins, which could include recovery wells;

- Participation in a regional water management planning group that has received a state grant to develop an integrated plan for the region, a necessary requirement to receive future state funding of water projects.

Prior to the meetings, growers received an extensive packet of detailed information regarding the settlement. The grower meetings were primarily dedicated to covering the potential water supply impacts to DEID and answering participant's questions about the settlement.

A follow-up mailing was made to all growers not attending the meeting, which provided each with a DVD that highlighted settlement terms and the reasons that led the DEID Board of Directors to support the settlement.

“Settlement comes with some risk, but it also comes with what we need: certainty in our water supply, certainty in our water costs, and certainty that this litigation will be over.”

DEID Board President Harold Nelson

WATER QUALITY COALITION MEMBERSHIP OPPORTUNITY ENDS IN DECEMBER

Earlier in the year, DEID growers were advised that their opportunity to join a regional water quality coalition would be available until the end of the year. Many responded, but time is running out for those that still need to carefully evaluate their particular situation and make a decision.

The Southern San Joaquin Valley Water Quality Coalition was formed in response to the state legislature's 2003 decision to eliminate agriculture's historic exemption from water quality standards for irrigation and storm water runoff. Without the exemption, landowners were facing the development of costly management plans that included periodic testing of runoff for a myriad of pollutants. If water quality standards were exceeded, the development of individual mitigation plans would be required.

Legislation in 2004 allowed the creation of regional coalitions as an alternative to every farmer attempting to comply with the new conditional ag waiver program on their own. Compliance through a local coalition is much more cost effective and easier for growers who believe that they may be dischargers.

Initially, the coalitions approached the Regional Water Quality Control Board, the state entity in charge of enforcing state water quality

standards, as being the representatives for an entire watershed. However, the Regional Board made it very clear this summer that such an umbrella membership arrangement would not be acceptable. Rather, the Regional Board stated that individual landowners would have to "knowingly elect" to participate in their regional coalition. The Regional Board also placed a December 31, 2006 deadline for landowners to join a coalition. After that date, growers will not be able to join a coalition except under certain conditions.

The first determination that a grower must make is whether they are a discharger, or have the potential to be a discharger, of irrigation or storm water runoff to any "waters of the state". The state defines state waters very broadly, resulting in any river, channel, intermittent drainage course, or any man-made channel or canal meeting the definition of state waters. In the DEID area, both White River and Rag Gulch qualify under the state definition.

Growers that decide to join the local coalition must do so by the end of the year. Further information, including membership forms, are available at the Delano-Earlimart Irrigation District office. Questions may be directed to DEID General Manager Dale Brogan at (661) 725-2526.



Growers have to the end of this year to decide whether they are, or could be, a discharger of irrigation or storm water runoff and if so, whether they want to join a local water quality coalition.



DEID PIPELINE

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

**14181 Avenue 24
Delano, CA 93215**

Phone:

661-725-2526

Fax:

661-725-2556

On the web:

www.deid.org

Email us at:

deid@deid.us

*2007 Water
Applications
will soon be on
the way!*

*Application
packets will be
out by mid-
December.*

*Early submittals
are encouraged.*



As we close in on the holiday season and the end of the year, the Delano-Earlilmart Irrigation District staff joins with the Board of Directors to say thank you for allowing us to serve you in 2006. We wish you and yours a most joyous holiday season and a prosperous New Year.

A reminder of our office hours during the holidays

- The office will be closed on Monday, December 25 and Monday, January 1.
- From Tuesday, December 26th through Friday, December 29th the office will be open between 7:00am and 9:00am only for water orders .
- On Tuesday, January 2, 2007, we will resume normal winter office hours, (7:00am to 3:30 pm, Monday through Friday with the office closed on Saturday).

You may leave a water order or report an emergency at any time by calling (661) 725-2526