

Expanded Publication!

The Legend has been expanded to include the Pixley ID readers

LEGEND

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THE IMPACT OF SETTLEMENT

FRIANT DISTRICTS GIVE UP WATER IN EXCHANGE FOR CERTAINTY AND FLEXIBILITY

On October 23rd 2006, U.S. District Court Judge Lawrence Karlton approved a settlement agreement between the Natural Resources Defense Council and the users of San Joaquin River water. While just the first step in a lengthy and historic process, the settlement ends an 18-year legal battle and provides for relative certainty for the next generation. There have been many questions about the specifics of the agreement and why the water users, including the Lower Tule River Irrigation District and other Friant contractors, would agree to send water down the river.

Much debate has occurred since the settlement was announced, including why the water districts would agree to give up any of their water. The short answer is that the decision to give up water had already been made by the court. The judge had previously ruled that Friant Dam violated the foundations of State Law requiring a "historic" fishery be maintained below the dam. The judge had set a trial date for February of 2006, **not to determine if** water was going to be released, but **how much**. Expert analysis indicated two distinct probabilities: First, that the amount ordered by the court could be 30% to 40% of the Friant water supply, and second, that the Federal Court would maintain jurisdiction over the water supply. In

short, a Federal Judge would have a role in determining the water supply each and every year; Not an attractive prospect.

For more than 18 years, the water users in the Friant project fought the release of water down the river, exhausting all resources available. Some have suggested that we should have fought longer, delaying the inevitable even more. That was not going to happen. The Judge had set a 2006 trial date to hear the case and make his decision. It was not going to be delayed any further, period. That led us to the settlement table.

The Settlement itself is the result of more than a year's worth of intense negotiations between the parties to the litigation as well as those impacted by releases into the river.

Impacts to Lower Tule & Pixley


The Lower Tule River Irrigation District has a Friant water contract and will be required to give up some water to the river. The amount will vary by water year type. The settlement calls for the releases to be correlated to the actual runoff, meaning that dryer years will equal less water with the converse occurring in wetter years. Lower Tule

INSIDE THIS ISSUE:

News & Notes	3
Water Supply News	4
Feinstein Meeting	4

Water Fact

2005 & 2006 water totals equaled more than 800,000 acre-feet of water brought into the two Districts, exceeding the totals from 2000—2004 combined.



(Continued from page 1)

averages 150,000 acre feet per year from its Friant Contract. The Settlement will require the District to contribute roughly 15% or 25,000 acre feet of the average annual supply to the river. It is important to remember that these numbers represent averages and can vary significantly from year to year. In addition, the 25,000 acre-feet is a cumulative total, the impact to the summer irrigation supply is closer to 15,000 acre-feet on average.

The Pixley Irrigation District does not have a Friant contract and as such will not be directly contributing water to the San Joaquin River restoration. However, Pixley does have agreements with other Friant Districts and relies on Friant water for the vast majority of the surface water supplied in Pixley. In addition, Pixley shares a common groundwater basin with several Friant contractors. The impact to Pixley will be felt directly if the water being dedicated to the river is not somehow returned to the area.

Water Supply Goal

Unique to the Settlement is the fact that in addition to restoring the salmon fishery on the river, the settling parties committed to working cooperatively to restore the lost water supply to the Friant service area. Doing so will require Congress to give the water users financial support and increased flexibility to manage the water we have available.

Local Plans

The Boards of the two Districts have long anticipated the loss of water to the river, either through a judge's or-

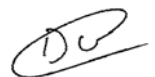
der or through settlement. The Districts have been proactively entering several partnership agreements to bring more money and water into the area. As importantly, the Districts have several system improvement projects that are in various stages of construction and/or study. These include:

- Westside Intertie—Expanding the ability to deliver water west of Highway 99 in Lower Tule
- Tule River Intertie—Construction of a new canal to tie in the Tule River to a larger portion of the District's service area.
- Pixley System Expansion—Increasing the service area in Pixley by 12,000 plus acres.
- Pixley / Delano Earlimart Banking Program—A study looking at the feasibility of using Pixley's underground reservoir to bank water for others in Friant.

All of these projects are designed to help the Districts offset the loss of water to the area. More detailed information on these projects is available through the District office.

Summary

River Restoration is going to happen. Arguments can be held all day as to whether it's a good idea or not. That issue isn't up for debate. State Law and a Federal Court decided it was going to happen and going to happen now. Facing those realities, the Districts entered into the best settlement we could get; One that gives the water users a seat at the table and enables us to work to get the water back. The time has come now to implement the agreement and work to offset the impacts.



DISTRICT NEWS & NOTES



SCHOLARSHIP AWARDED

The first offering of the Lower Tule River & Pixley Irrigation District Water Resources Scholarship was awarded to Jason Ferreria. A 2006 graduate of Tulare Union High School, Jason is attending Fresno State, taking classes in Ag Economics and related fields. Jason hopes to teach Ag related classes after graduation. The scholarship of up to \$5000 is offered annually by the District to one or more students attending a four-year college or university with plans to graduate with an Ag related degree. More information is available at the District office. The deadline for applying for the 2007—2008 School Year is May 15th.

POSITIONS AVAILABLE

The Districts are hiring for several open positions including Equipment Operators, Water Systems Operators and an

assistant in the Water Department. In addition, the District is accepting applications for a Water Resources Technician. More information is available through the District office.

GROUNDWATER DATA

In 2006, the Districts produced comprehensive groundwater contour maps. The maps show the depth and directionality in the flow of groundwater for the region. The maps can be accessed on the website or through the District office. The Districts plan to update the maps on a bi-annual basis. The last set produced showed a standing groundwater level of 30 feet north of Woodville and a low of 250 feet north-east of Pixley. The direction of flow is steady to the south and west with the deepest areas west of Highway 99.

Website Upgrade!

In 2006 the District went live with an upgraded website. The new site offers these exciting features:

*Current water use
Past use history
Groundwater data
Board reports
Project updates*

Place your water orders online and view your latest usage.

Sign up today by calling the District office or getting more information at

www.ltrid.org

CONSTRUCTION CONTINUES

Lower Tule crews and equipment are finishing the final phase of construction for the Westside Intertie canal. The project involved constructing two miles of new canal and widening five miles of existing canal, adding a total of 500 cfs of new capacity to the existing system. More than ten check drop structures also had to be constructed or remodeled. The total project cost is estimated at \$1.8 million dollars with \$700,000 being paid for through State grants. When completed, the Intertie will increase recharge capabilities and reduce summer capacity restraints for all four laterals west of Highway 99. The Intertie is the final project anticipated under the original Improvement District #6 and will be an important component in mitigating the loss of water to the San Joaquin River restoration. The dry fall and winter has allowed for project completion in March of 2007.

District crews set 150 feet of 7-foot diameter pipe across Road 160. The road was closed for 10 days to complete the work.



Tying rebar together for concrete walls. When completed, more than 1,000 yards of concrete was poured, held together by 15 tons of rebar.



Setting 84 inch gates at the headworks. More than 1/2 million yards of dirt was moved to construct the new canal and widen existing canals.



**Lower Tule River
Irrigation District**

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*There are a variety
of sources available
for water supply
and snow-pack
information. Please
check out the
District's
website for more
information.*



Address

Working together to meet your water needs now and into our future

BOARD MEMBERS MEET WITH SENATOR FEINSTEIN

Without question, Senator Dianne Feinstein was the single most influential legislator involved in reaching a settlement on the San Joaquin River. Feinstein used her considerable influence as the Senior Senator from California to bring the parties to the table, ensuring that all concerns were heard, all issues addressed and amicable solutions reached. Feinstein herself participated in the last few days of tense negotiations in Washington DC.

Those sessions led to the agreement on a bill that is currently in Congress. The bill is the final piece of the puzzle needed to implement the settlement be-

tween the water-users and the environmental community.

Just before Christmas, Board President Don MacMillan along with Director Jim Costa and Porterville ID Director Eric Borba had the opportunity to meet with the Senator. The conversation was focused around the passage of the needed legislation as well as giving the Directors a chance to thank the Senator for her vision and leader-

ship and impress upon her the importance of implementing the Water Management Goal that is crucial to making the settlement succeed.



Lower Tule Board President Don MacMillan, Director Jim Costa and Eric Borba meet with Senator Dianne Feinstein to discuss the San Joaquin River Settlement Agreement.

WATER SUPPLY NEWS –OR LACK THEROF

We would guess the saying “no news is good news” has never been used by a farmer looking for rain. So goes the 2007 water year so far. After two years of considerably above normal precipitation, 2007 looks to be dry. Snow sensors are running 35-50% of average to date for the Southern Sierras. While almost half of the heavy precipitation period is still ahead of us, it looks like

2007 will come nowhere close to matching up to the previous two years.

The Bureau of Reclamation has made a preliminary forecast for the Friant Division of less than 75% Class One. If that holds, the District will have only a few weeks worth of summer irrigation water. We will provide more information as the water year progresses.

The *Legend* is published by the Irrigation Districts. Questions about articles and items appearing in the *Legend* are encouraged. Readers are welcome to submit information they feel should be included. Both may be submitted to Lower Tule River Irrigation District. 559-686-4716 or ltrid@ltrid.org