

# LEGEND

## BOARD OF DIRECTORS

### LOWER TULE

Tony Simonich

*President*

Gary Fernandes

*Vice President*

Jim Costa

John Roeloffs

Tom Barcellos

### PIXLEY

Thewis Atsma

*President*

Raymond Westbrook

*Vice President*

Frank Junio

Bill DeGroot

Rusty Schott

Daniel G. Vink

General Manager

## INSIDE THIS ISSUE:

|                   |   |
|-------------------|---|
| News & Notes      | 3 |
| Construction News | 3 |
| Equipment Update  | 4 |

## SAN JOAQUIN RIVER SETTLEMENT MOVES TO FINAL PHASE

### FRIANT DISTRICTS UNITED IN SUPPORT

A legal fight that began 20 years ago took a huge step toward resolution when the Friant Water Users Board approved the final changes to the legislation that will implement a settlement between local water Districts, a state-wide coalition of environmental interests and the Federal government. Prior to the vote by the Friant unit as a whole, each of the individual districts had ratified their support for the final package. That including the Lower Tule and Pixley Boards who gave their approval at the March Board meetings.

#### Long and Winding Road

The original lawsuit was filed in December of 1988 by a coalition of environmental groups who claimed the government had an obligation to release water into the San Joaquin River to restore a long-dead salmon run. After more than a decade of fighting, including pressing the issue all the way to the Supreme Court, the decision was rendered; Friant water must flow back into the San Joaquin. At this point the decision to be made by the judge was simply how much water would it take. Over the years, several attempts had been made to settle the matter including a proposal

to restore a warm water fishery in place of a cold water salmon fishery. All were shot down by the other party and the courts. By all reasonable counts, it looked like our water supply would now be in the hand of the environmental community and their activist federal judge. Bottom line, we were going to lose water and lots of it. In addition, the long-term water contracts would be voided and a judge in Sacramento would have decided every year just how much water was left over for farmers after the fish got theirs. The idea that we could have kept fighting and either won the case or created enough public outcry to overturn the ruling is a flight of fancy and creates a dangerous game of Russian Roulette that would have been played with our water and your future.

***“Strong leadership requires making difficult decisions that will affect future generations—Friant’s decision provides a future for water in the San Joaquin Valley and for California agriculture”***  
Congressman  
George Randanovich

Seeing an impending disaster, the Friant water community reached out to Congress for help. In the summer of 2006, Congressman George Radanovich and Senator Diane Feinstein rolled out a proposal that put a cap on how much water could be released for fish. The hard cap on amounts is esti-

## SETTLEMENT: OPPORTUNITY TO MITIGATE LOSSES

### Water Fact

**Sales to users during the February and March water run were more than 60% of the water brought into the District.**

**Historical averages for that same period are less than 40%**



*(Continued from page 1)*

mated to be much less than what the experts think would have been awarded by the court. In addition, the congressional proposal directed the Federal Government to develop a plan to replace the lost water. It was at this point that the parties began a two-year process of bringing the settlement to closure. This included developing firm limits on how much water would be released, capping the amount of money to be paid by and developing a water management program that gave the local districts tools to offset the loss of water to the river. Is the final package perfect? No. But when you have to please Congress, the Courts and a group of environmentalists, perfection is not realistic. What was achieved was the ability to fight and farm for another day.

### Making Lemonade out of Lemons

While there is nothing “good” about having to settle this case, the support of some of our elected officials, and the determination of those at the table, enabled the water users to negotiate a final package that has some important provisions.

- **A hard cap on the water**—It will be fixed at approximately 20% of the annual supply and will be indexed to the type of water year: dry year, less water for fish, just like for farmers.

- **A hard cap on the dollars**—Friant farmers will pay no more in environmental fees than what they are paying today.

- **A plan** - Prepared by the Secretary of the Interior, the plan will outline how some or all of the water can be returned or recirculated. This is a long term solution that will be years

in the making.

- **Sticks and bricks money**—The Friant area will receive \$100 million dollars for fixes to the Friant-Kern canal and for local district projects. This money is designed to enable the Districts to bring in more water and make better use of existing supplies through system improvements and groundwater banking.

- **Contract conversion**—As part of the financing provision, the Friant Districts will be prepaying the capital amounts currently owed on their water supply contracts, an amount now due in full in 2030. The amounts will be discounted for time value of money. In exchange, the contracts will become a permanent water rights contract not subject to renewal by the Federal Government. In addition, Reclamation Law will no longer apply to the water delivered to Friant lands, a huge benefit for Lower Tule and Pixley.

Not a perfect solution, but better than leaving the future in the hands of a Federal Court judge. Significant credit goes to Congressman Costa who worked diligently to move the final bill through the House of Representatives. Moreover, the Boards of Directors should be applauded for their willingness to show the leadership necessary to make these tough decisions. Giving up any water is not anything the Districts would ever want to do. But faced with the loss of **much**, the giving up of **some** was the most practical solution.

The bill now sits in the Senate where it is scheduled to be marked up this spring. From there it will go to the President for signature.

# DISTRICT NEWS & NOTES



## LOWER TULE VOTES TO PROCEED WITH TULE RIVER INTERTIE

A series of votes this spring by the Lower Tule Board has paved the way for proceeding with the construction of the Tule River Intertie Canal. The Board voted unanimously to proceed with the right-of-way acquisition phase as well as authorizing the preparation of the necessary design and construction documents. The environmental documentation was completed last fall with only minor comments received. Once completed, the 2.5 miles of new canal will connect the entire District to the Tule River. The project will allow the District to divert damaging flood flows from the river for irrigation and recharge demand within the District. Engineering studies indicate the project will create several thousand acre-feet of new irrigation supply on an average annual basis. Water

that will help offset San Joaquin River losses. The total project cost is estimated to be approximately \$5M dollars and take about a year to complete.

## 2008 WATER SUPPLY

2007 was one of the driest on record and the groundwater basin is showing the effects. Water depths in some areas of the District dropped 20-30 feet. 2008 has been hit and miss so far. What looked like a normal year type has turned out below normal after a very dry March and early April. **The current water supply should enable Lower Tule to have 30-45 days of summer irrigation. Pixley's water has not yet firmed up, but could be as much as 15-20 days.** Look for more information in the coming weeks.

**Over the last 10 years, the Districts have spent over \$10 million dollars on improvements and new construction. Work included miles of new and improved canal systems and pipelines as well as several hundred acres of new recharge systems.**

## POPLAR PROJECT COMPLETED

No one was fooling on April 1st when the District began filling the brand new Poplar Ditch pipeline. The final phase of the project was the installation of 3.5 miles of new 36" pipeline from the Friant-Kern canal through the town of Poplar. The new line included new turnouts and state-of-the-art meters for all growers. The new canal replaced the old ditch right-of-way that had become encumbered by houses and busi-

nesses around the Poplar area. Both phases of the project, which also included the reconstruction of several miles of the ditch east of the Friant-Kern cost over \$4M dollars. All of the cost was paid for by Cal-Trans as part of the Highway 190 widening project. The pictures below show the work in progress including the construction of one of the water control structures



**Lower Tule River  
Irrigation District**

**Pixley Irrigation District**

357 E. Olive Ave.  
Tipton, California  
93272

Phone: 559-686-4716  
Fax: 559-686-0151  
Email: [ltrid@ltrid.org](mailto:ltrid@ltrid.org)

Address

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

*What can you do  
at Ltrid.org?*

- *Order water online*
- *Check account balances*
- *Get the latest supply updates*
- *Sign up for email notices*

*Make technology  
work for you. Get  
connected today!*



## **NEW EQUIPMENT GOES TO WORK GRANT MONEY COVERS BULK OF COST**

The Districts have taken delivery of all the new equipment awarded under the Air Board Grant Program. In total, the Districts purchased more \$1.4 million dollars of new equipment with \$1M million of that cost being paid for by the State. In February the District received two new Caterpillar M-Series graders, a Caterpillar Dozer and Excavator and a John Deere Loader.



Excavator dips a local sump while an M-Series grader slopes a canal using new ROME blade.



Loader fills District trucks for canal bank repair while dozer works a dam in the river channel.

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](mailto:ltrid@ltrid.org)