

Monthly Briefing

A Summary of the Alliance's Recent and Upcoming Activities and Important Water News

Climate Change And The West



United States Geological Survey

A very dry lake in the West: Drought is among the fears generated by climate change.

It Remains Heated Water Topic

Climate change and its potential impacts to Western water supplies may be the hottest topic in the water policy arena today.

A flood of recent climate changes studies and non-stop media coverage of global warming issues has kept the attention on this matter. Throughout the West, climate change conferences and workshops are being conducted, and the Family Farm Alliance has made its presence felt in several of those forums.

MANY OF THE INVITATIONS issued to the Alliance for participation in Western climate change conferences stem from the September 2007 release of its climate change report. The Alliance also received widespread recognition when President Patrick O'Toole was asked to testify before the U.S. Senate Energy and Natural Resources Committee last June.

Later in the summer, O'Toole appeared before the National Water Resources Association conference in Monterey (CALIFORNIA) to preview the Alliance report.

IN THE MONTHS since the report was released, Alliance representatives have been invited to make climate change presentations to four other Western conferences:

- O'Toole, a rancher and former state legislator from Wyoming, provided the Alliance perspective on climate change to the Western Governors Association in Salt Lake City in October.

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This Month's Water Review Inside Stories

- A Nevada Oasis That Is Rich In Fascinating Las Vegas Water History, *Pages 2-3*
- Family Farm Alliance Making Plans For Big 20th Annual Meeting In Las Vegas, *Page 4*
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www.hotgardens.net

The Gardens at Springs Preserve, site of the 2007 Nevada Water Resources Association Climate Change Symposium.

Las Vegas Preserve Is A Garden Oasis For Nevada Water History

The Family Farm Alliance was recently invited to speak about climate change impacts to agriculture by the Nevada Water Resources Association (NWRA).

The climate change symposium was held at the Springs Preserve, which has played a fascinating role in Las Vegas water history.

LISTED ON the National Register of Historic Places since 1978, the Springs Preserve is a 180-acre tract of land located approximately three miles west of downtown Las Vegas. The site represents one of the richest and most unique cultural and biological resources in southern Nevada.

Gushing artesian springs here once nourished all plant, animal and human life that happened upon them. Although the springs dried up in 1962, their role in Las Vegas history remains evident through artifacts and other archaeological clues.

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Climate Change Is Hot Western Topic

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- O'Toole that same month also spoke at the Water Education Foundation climate change briefing in Santa Monica (CALIFORNIA).
- Dan Keppen (OREGON), Alliance Executive Director, was invited to speak before the Idaho Council on Industry and Environment's "Practical Paths" climate change workshop in Boise late last month.
- Keppen also earlier this month participated in a panel discussion at the 2007 Nevada Water Users Association climate change symposium in Las Vegas.

MOST OF THE PAPERS presented at these conferences predict the same climate-change-related consequences for the West as those identified in the Alliance report.

Smaller snowpacks and earlier snowmelt will affect reservoir storage and demand for water and impact productivity and value of hydroelectric generation, a topic addressed by one of Keppen's fellow panelists in Boise on October 30th.

"Winter electricity demands would decrease with warmer temperatures, easing the Northwest's peak requirements," said John Fazio of the Northwest Power and Conservation Council.

"In the summer, demands driven by air conditioning and irrigation loads would rise and potentially force the region to compete with Southern California for electricity resources."

EXPERTS BELIEVE that more rain than snow is likely in coming decades, with uncertain projected impacts, including droughts, to overall precipitation amounts in specific areas.

Extreme flood events could be more common and larger, many experts predict.

"The biggest issue with climate change in the Boise area appears to be the increased potential for flooding," said the Bureau of Reclamation's Patrick McGrane. He told the Boise audience that higher

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Where Water Made LV History

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Upon discovering this vale of sanctuary, Spanish explorers christened it *Las Vegas*. That means “the meadows” in Spanish.

IN THE YEARS that followed, the Las Vegas Springs welcomed weary travelers, explorers, traders, settlers and Mormon missionaries – all of them drawn here by one common denominator: water from the springs.

Land near the springs was eventually purchased by the Union Pacific Railroad, which created the Las Vegas townsite. It was water from the natural springs that powered the railroad’s steam locomotives.

Acquiring the water rights with the land, the railroad established the Las Vegas Land & Water Company to manage the fledgling town site and its water supply. In later years, the Nevada Legislature created the Las Vegas Valley Water District.

AMONG THE WATER District’s inherited holdings was the Las Vegas Springs property, which remained relatively untouched.

Today, while remaining a National Historic Site, the Springs Preserve has evolved into a \$250 million world-class attraction providing access to the true origins of Las Vegas.

Alliance’s Recommendations On Climate Change Challenges

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winter flows into the reservoir system caused by rain events will make it difficult to evacuate reservoir space in preparation for the main flood control season when the remaining snowpack comes off in April and May.

“It is very possible that reservoir releases near flood stage will occur for longer periods of time in future wet years,” said McGrane.

MANY SCIENTISTS PREDICT that climate change-driven droughts and higher temperatures will be more intense, frequent and last longer, which would increase stream and reservoir evaporation, diminish surface water supplies, and stress groundwater supplies and water quality.

These issues were discussed at length at the Nevada Water Resources Association climate change symposium, which was conducted at the Las Vegas Springs Preserve earlier this month.

“The Southwest is going to become increasingly arid as a result of greenhouse gases,” said Robert Gillies, the State Climatologist for Utah, to the Las Vegas symposium. “The transition to a drier climate should already be underway and well-established in the coming years.”

THE FAMILY FARM ALLIANCE’S presentations call for immediate action to address the critical challenges Westerners face and recommends a practical, prioritized approach to addressing these challenges:

1. Prioritize research needs and quantify projected West-wide hydrologic impacts.
2. Implement a balanced suite of conservation and supply enhancement actions.
3. Streamline the regulatory process to facilitate development of new infrastructure by state and local water agencies.
4. Make self-sufficiency in food production a national priority.
5. Find ways to protect farmland.

Climate change could put further strain on water supplies that are already stressed, and Alliance President O’Toole (WYOMING) believes the government needs to work fast.

“We must begin to plan for that now, and not wait until we are forced to make decisions during a crisis,” O’Toole told the audience in Salt Lake City (UTAH). “Relying on agriculture to be a shock absorber to soften or eliminate the impending water shortage is not planning.”

Alliance Readies A Big Conference

A new era is beginning in Western water, just as the Family Farm Alliance is passing a two-decade milestone.

Each will be the focus February 28-29 when the Family Farm Alliance – Western America’s premiere grassroots organization for irrigated agriculture – gathers for its 20th Annual Meeting and Conference.

Sessions will again be held in Las Vegas (NEVADA) at the popular Monte Carlo Resort and Casino.

For the first time, registration materials will be conveniently distributed right after Thanksgiving by e-mail (with separate regular mail notices for those who do not have internet access).

“**THE ALLIANCE** will be celebrating its 20th anniversary and it’s a good reason to take stock of the business that gave rise to our organization two decades ago,” said Executive Director Dan Keppen (OREGON).

“Right now, irrigated agriculture is filled with more challenges than we have ever seen. How we cope with these many issues and questions will determine the future of farming in the West, and that is what the 2008 Annual Meeting is going to be largely about.”

Alliance President Patrick O’Toole (WYOMING) said the Alliance for the past several years has increasingly understood “that we have to find new ways of doing business by helping ourselves. In the process, we must develop new allies. We must embrace this evolution if our industry is to succeed and survive. We can’t afford not to.”



The Monte Carlo Resort and Casino in Las Vegas.

THUS, THE ANNUAL Meeting’s anniversary theme will be “The Alliance at 20 – A Time of Transition.”

While the conference’s program is being finalized, Keppen hopes it will feature outside-the-box thinking in many sessions, including a perspective from environmental organizations.

“No single set of issues has had more impact on irrigated agriculture than those raised by the environmental community and there haven’t been nearly enough opportunities to bridge the gaps,” Keppen said.

“New Coalitions” will examine opportunities for farmers and ranchers to partner with conservation groups as well with other organizations and interest groups in response to the West’s new politics.

REACHING OUT to long-time traditional adversaries is only one step irrigated agriculture must take, the Annual Meeting’s organizers believe.

“Don’t wait for the cavalry” – a panel discussion of how some water

users and ranchers are solving their problems through proactive, bold, and persistent action – will examine efforts by agencies and individuals in trying to more favorably steer a variety of Western water issues.

A related session will be “Hot Spots” – areas of the West where potential water conflicts are the greatest, and what local irrigators are doing in preparation or to minimize confrontation in regions such as the San Joaquin Valley, Snake River and Klamath Basin.

ALONG WITH the Alliance’s traditional “Washington Insiders” and U.S. Bureau of Reclamation panels, the Alliance intends to indulge in its own insider view of the water business as former Alliance presidents join current President O’Toole in discussing the past 20 years.

Complete registration information, including early-bird signup payment opportunities, will be included in the upcoming e-mail notice.

Caught By Surprise

Proposed Reclamation Regulations On Land Management Raise Eyebrows Across West

Proposed regulations that would affect how the Bureau of Reclamation would manage its land, facilities and water bodies caught many Western water managers by surprise in the last month.

However, several water user organizations were able to develop detailed comment letters and respond to Reclamation before the October 16 public comment deadline expired.

RECLAMATION SOUGHT PUBLIC comment on proposed rules that are – at least in part – intended to avoid a repeat of controversy that occurred at Lake Berryessa (CALIFORNIA), where federal lands around that lake were allegedly improperly managed by local interests.

Private property rights organizations like the American Land Rights Association (ALRA) – which helped lead the opposition to Reclamation’s Berryessa response a few years back – led the recent charge to fight the proposed rule outlined in the July 18, 2007 *Federal Register*.

Groups such as ALRA are concerned that the rights of private citizens will be harmed by the proposed rule’s treatment of federal-private lease arrangements. For many years, public lands – including Reclamation lands – have been leased out to private individuals. This has usually been done in a way that gave private use of the public land for a

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Proposed Regulations Are A Surprise In West

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certain amount of time. ALRA fears that the proposed regulations will impact thousands of permittees on federal lands.

“Great economic damage will occur to local communities,” warns Chuck Cushman, ALRA Executive Director. “The Bush Administration and Interior Secretary Dirk Kempthorne are allowing the mass dislocation of thousands of people.”

IT APPEARS THAT Reclamation will be taking a look at the proposed rule to take into account some of the issues raised by property rights groups and irrigation organizations like the Idaho Water Users Association (IWUA), Salt River Project (SRP), and Elephant Butte Irrigation District (EBID).

“Many irrigation districts hold spaceholder contracts with Reclamation,” said Norm Semanko, IWUA Executive Director. “As beneficiaries of these projects – and the revenues that are generated from the lands within the projects – there are concerns about the impact that the proposed rule would have on water users.”

OTHER WATER USERS believe the proposed rule may result in a decrease in revenues, thereby negatively affecting existing contract holders.

“Reclamation has failed to note, let alone examine in detail, these effects,” said Steve

Hernandez (NEW MEXICO), counsel for EBID. According to Hernandez, the federal Fact Finders Act requires the Secretary to credit revenues from project grazing and farm lands to the water users against their repayment contracts.

‘Nowhere in the regulations are there criteria that examine the detriments to the irrigation districts’

— STEVE HERNANDEZ,
Elephant Butte Irrigation District

“These include revenues that arise from the issuance of permits issued under this proposed regulation,” said Hernandez. “Therefore, irrigation districts across the country that fall under the Fact Finders Act will be financially affected by this proposed regulation. Nowhere in the regulations are there criteria that

examine the detriments to the irrigation districts.”

THE SRP’S JOHN SULLIVAN (ARIZONA) in a detailed letter to Reclamation outlined the impracticalities the proposed rule would cause for urban properties.

Several water users have expressed concern that the proposed rule – and the quiet manner in which it was unfurled by Reclamation – is contrary to the transparency ideal espoused in “Managing for Excellence.” (Please see related story, Page 7).

“Judging from the comments received to date, it sounds like Reclamation is getting heavy opposition to this proposed rule,” said Family Farm Alliance Executive Director Dan Keppen (OREGON). “While they did not extend the comment period past October 16, it appears that they will take a hard look at the proposed rulemaking.”

Saluting And Thanking The Alliance's Members

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Join the Family Farm Alliance...

Your membership will allow the Alliance to continue to work with Congress, federal agencies and other interested parties to improve the regulatory process and to show that new water supply projects are ready and waiting to be developed. We will continue to ensure that Bureau of Reclamation operates in the most cost-effective way possible. We will continue advocating for the importance of preserving our food production capability. Our activities will ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers. Visit us at www.familyfarmalliance.org or call (541) 850-9007.

...Your Involvement and Support Make the Difference!

NWRA Conference

Alliance Participates; 'Managing For Excellence' Addressed

Water users from around the West traveled to Albuquerque (NEW MEXICO) earlier this month to attend the 76th annual National Water Resources Association conference.

In attendance were several Family Farm Alliance Advisory Committee members, including Jim Broderick (COLORADO), Tom Davis and Gary Esslinger (NEW MEXICO), Norm Haak (NORTH DAKOTA), Kent Heidt (MONTANA), Tom Knutson (NEBRASKA), Norm Semanko (IDAHO), John Sullivan (ARIZONA), and Chris Udall (ARIZONA).

Alliance Executive Director Dan Keppen (OREGON) also made the trip, and participated in a panel discussion with other water association executives at the conference.

THE CONFERENCE'S first day included a half-day meeting between Bureau of Reclamation officials and water and power customers to discuss agency "right-sizing", which Reclamation is undertaking through its "Managing for Excellence" program.

"Managing for Excellence" is Reclamation's response to *Managing Construction and Infrastructure in the 21st Century Bureau of Reclamation*, a comprehensive report completed in 2006 by the National Research Council (NRC) of the National Academy of Sciences.

Signing The Letter On M4E Program

- Agri-Business Council of Arizona, Inc.
- Central Valley Project Water Association (California)
- Colorado River Commission of Nevada
- Colorado River Energy Distributors Association (Arizona)
- Elephant Butte Irrigation District (New Mexico)
- Family Farm Alliance
- Garrison Diversion Conservancy District (North Dakota)
- Hermiston Irrigation District (Oregon)
- Idaho Water Users Association
- National Water Resources Association
- Northern Colorado Water Conservancy District
- San Juan Water Commission (New Mexico)
- Southeastern Colorado Water Conservancy District
- Washington State Water Resources Association

Executing the action plan is a primary initiative for Reclamation this year.

A KEY PART of the Reclamation / customer discussion focused on a customer objectives document created by a coalition of 14 Western water and power organizations.

That letter, coordinated by the Alliance, outlines the expectations that Reclamation customers would like to see come out of this process. Key concerns include:

1. Transparency in budgeting.
2. Transparency in accounting.
3. Transparency in planning.
4. A commitment to cost effective project operation

and maintenance at the project level.

5. Most effective design, contracting, and construction of user funded facilities.
6. Revision of Reclamation standards for construction and O&M.
7. Improved customer input relative to outsourcing decisions.
8. Ensuring existing positive customer relationships and processes are not jeopardized and existing contracts are respected.
9. Ensuring that the process and promises work their way down to the local level.
10. Making certain financial mechanisms that will help Reclamation and water and power users to proactively address failing Western water infrastructure are identified and highlighted.

THE WATER and power customers in Albuquerque stressed that implementation of these processes and objectives will focus Reclamation's capabilities to meet its core mission of operating and maintaining existing facilities to deliver water and power at peak efficiency.

Congress Overrides Bush's WRDA Veto

Many Western Water Projects Included In Authorization Package

Congress earlier this month handed President Bush his first veto override when the Senate passed the \$23 billion Water Resources Development Act (WRDA) over his objections.

While much attention of the media and policymakers was focused on the override's precedent and what that might mean for the remainder of the Bush presidency, in the West, the news was welcomed by many. The new WRDA is a

**'The President is standing
up for the taxpayers'**

—DANA PERINO, *White House Press Secretary*

veritable Christmas tree loaded with water project ornaments.

WRDA IS AN AUTHORIZATION bill and does not appropriate funding. Funding would need to be inserted into appropriations bills that would be considered next year. President Bush opposed the WRDA on the basis that it was too expensive.

"The President is standing up for the taxpayers," White House Press Secretary Dana Perino said.

The bill potentially funds hundreds of U.S. Army Corps of Engineers projects, such as dams, flood control works, and studies that are important to Western communities and their elected representatives. Newspapers across the country were filled with accounts of local projects receiving



U.S. Bureau of Reclamation

Folsom Dam east of Sacramento, which would receive \$444 million in safety and flood control improvements to help protect California's capital city.

authorization because of the Congressional override. The Corps has a backlog of \$58 billion worth of projects and an annual budget of about \$2 billion to address them.

It has been seven years since the last WRDA was passed into law. The reason for the new legislation's delay had to do primarily with controversy regarding provisions to reform the Corps' protocol on economic and environmental studies. The new WRDA includes authorization that will help pet projects in virtually every state.

KEY PROVISIONS of the WRDA include:

- 100-year levee protection in New Orleans and other flood protection projects along the hurricane-hit Gulf Coast.
- Florida Everglades restoration efforts.
- \$444 million to pay for safety mechanisms and control components on Folsom Dam to

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WRDA Veto Override Gives Big Boost To Projects

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control flooding on the Sacramento and American rivers in California.

- \$106 million to be spent on restoration and maintenance of more than 1,000 miles of levees in the San Joaquin-Sacramento Delta, \$33 million to develop a supplemental water supply for the city of Stockton (CALIFORNIA) using water from the Delta, and \$30 million for a Corps study of the Salton Sea (CALIFORNIA).

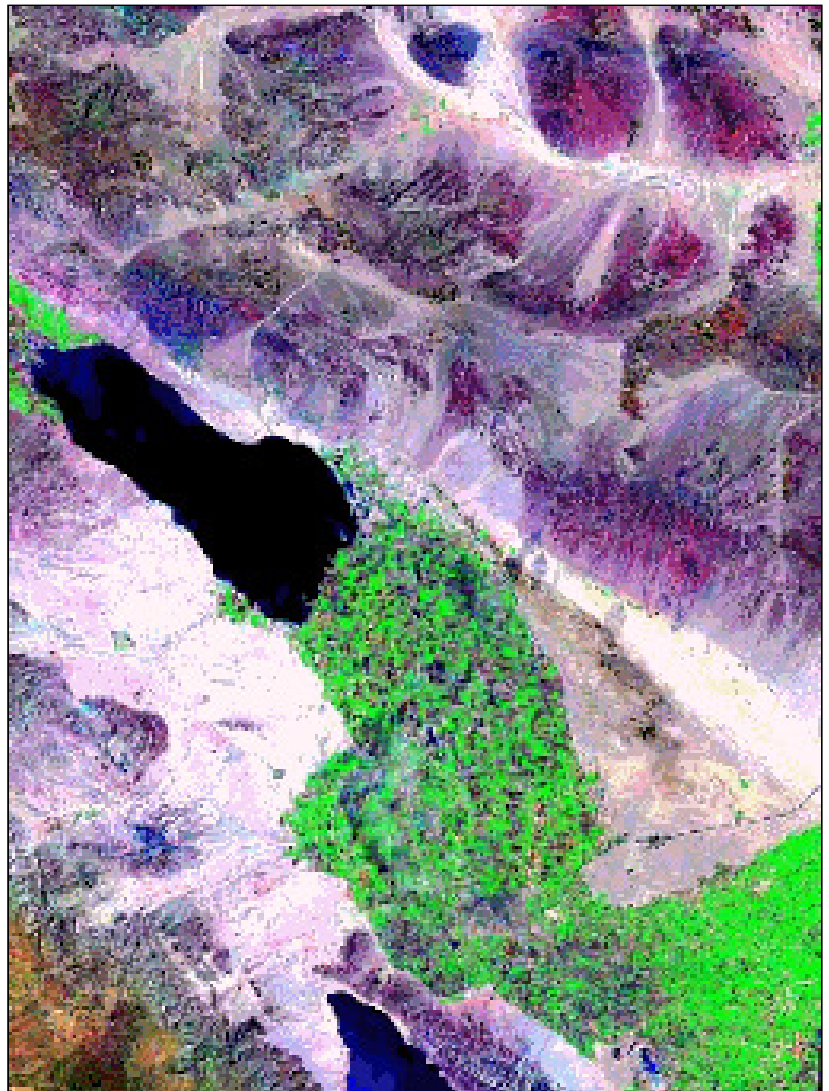
THE 2007 WRDA also provides an important vehicle to authorize rehabilitation of the aging St. Mary Facilities of the Milk River (MONTANA).

“Through the efforts of Senator Max Baucus and supported by Senator Jon Tester and Montana’s lone congressman Denny Rehberg, WRDA includes language for the St. Mary Diversion and Conveyance system located on the Blackfeet Reservation in northern Montana,” said Larry Mires, executive director of the St. Mary Working Group.

The 92-year-old facility is in dire need of rehabilitation and modernization. WRDA authorizes the Secretary of the Army to consult with the Bureau of Reclamation to conduct all necessary studies, develop an emergency catastrophic failure, and provide technical and planning assistance for final design to rehabilitate and construct the St. Mary Diversion and conveyance system.

The bill encourages participation of the Blackfeet and Fort Belknap Indian Community, and stipulates that no construction of rehabilitation may take place before the Blackfeet and Fort Belknap’s water compacts are ratified or in no case before January 1, 2011.

MIRES ALSO NOTED that \$8 million was secured by Senator Max Baucus from the federal



California Environmental Protection Agency

The Salton Sea (upper left), viewed in an infrared satellite photo, is a dominating feature in Southern California’s Imperial Valley, from which drainage water flows into the below-sea-level terminal water body. The Salton Sea’s environmental and other problems would be studied under WRDA.

highway bill to replace the existing vehicle traffic from the current structure.

“The contract for that project has been fast tracked and expected to be let for bidding by early February 2008”, said Mires.

Join Us, Be Heard!

Want to find a way to make your voice and views known on critical water issues across the West?

Then write or give us a call so we can explain what the Family Farm Alliance is all about, and how it has become one of the nation's most effective and respected grassroots organizations.

The Alliance represents, and makes known, the voices of family farmers, water districts and businesses in all parts of the West who depend upon supplies from federal water projects.

We'd love to have you become one of us, and be heard!



TELEPHONE:

(541) 850-9007

REGULAR MAIL:

P.O. Box 216,
Klamath Falls, Oregon 97601

EXECUTIVE DIRECTOR DAN KEPPEN'S E-MAIL:

DanKeppen@clearwire.net

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Expansive Clean Water Act Bill Set for House Committee Hearing

A bill opposed by many Western agricultural groups will be the subject of a full committee hearing of the House Transportation and Infrastructure Committee on December 6 at 10:00 a.m.

Authored by Congressman James Oberstar (MINNESOTA), Chairman of the Committee, the Clean Water Restoration Act of 2007 (H.R. 1356) would redefine the Clean Water Act (CWA) term “Waters of the United States.” Senator Russ Feingold (WISCONSIN) and others later introduced companion legislation in the Senate.

“Should this legislation become law, it will drastically expand the scope of the CWA and federalize waters previously under the jurisdiction of States,” said Dan Keppen (OREGON), Executive Director of the Family Farm Alliance.

According to the bill, waters would include wetlands, intermittent streams, prairie potholes, sloughs, meadows, playa lakes, mudflats, sandflats, natural ponds and more. The bill also applies to ‘activities affecting these waters.’

The Alliance Board of Directors on July 6th formally opposed H.R. 2421, and then sent an opposition letter to Congress. The Alliance has begun efforts to circulate another letter to committee members and has encouraged family farmers and ranchers to do the same.

There are several opposition efforts to the Oberstar bill under way. David Ridenour, Vice President of The National Center for Public Policy Research, is working with the American Property Coalition in St. Paul (MINNESOTA) to spearhead one effort, which culminated in a letter to Congress signed on by over 100 organizations. Partnership for America has also been coordinating with this organization, which includes Don Parmeter

(MINNESOTA) and the former Senator Rod Gramms (MINNESOTA). The Waters Advocacy Coalition has recently launched some press releases and an action alert spearheaded by the Partnership and the Western Business Roundtable.

“We will continue to work with National Water Resources Association, Partnership for America, and others to monitor this matter,” said Keppen.

Site Security Bill Passes House Panel

The House Natural Resources Committee on November 8 approved an amended version of site security legislation (H.R. 1662) that the Family Farm Alliance and other water and power customers have been pushing for over one year.

This bipartisan legislation would require the federal government to cap security costs at federal hydroelectric facilities.

“The revised version is similar to one developed by our water/power group to cap operations and maintenance costs at the existing level, codify that capital costs are non-reimbursable, and provide for greater consultation with customers and oversight by Congress,” said Joe Raeder (D.C.), the Alliance’s Washington representative.

The bill will not likely get to the House floor this year, but the Senate version may be acted upon by the Energy and Natural Resources Committee before the end of the year.

“That’s what we’re working toward now,” said Raeder.

Saluting And Thanking The Alliance's Members

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