



**December 2007**  
Issue No. 87 ■ 11 Pages

# Monthly Briefing

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

## Climate Change

### Alliance President Testifies Before Senate Committee

**F**or the second time in six months, the Family Farm Alliance has been asked to testify before a Senate committee on new legislation that begins to tackle the water resources impacts associated with climate change.

On December 11, Alliance President Patrick O'Toole (WYOMING) appeared before the full Senate Energy and Natural Resources Committee and testified in support of the SECURE Water Act of 2007.



Pat O'Toole

This bill was introduced by Energy Committee Chairman Senator Jeff Bingaman (NEW MEXICO) in October.

“This legislation is not only important to the Alliance; it also is immediately relevant to me and other Wyoming water users, and to farmers, ranchers and small communities all over the West,” Mr. O'Toole testified. “We were pleased to see that this bill contains

*(Continued on Page 4)*

#### ***This Month's Water Review Inside Stories***

- Highlights of the Alliance's Upcoming 20<sup>th</sup> Annual Meeting and Conference, *Pages 2-3*
- Family Farm Alliance President, Wife Mesh Organization's Activities With Ranch Work, *Page 5*
- Klamath's Latest NRC Study: High Hopes Tempered By Anti-Farm Rhetoric, *Pages 6-7*
- Uneasy Idaho Irrigators Await Columbia River Decision, *Page 8*
- Site Security Bill Is Approved By House of Representatives, *Page 9*
- Polly, Wilkus Are Named New Deputy Reclamation Commissioners, *Page 10*

# The Alliance At 20 – A Time Of Transition

That's The Theme As Alliance Returns To Las Vegas For Annual Meeting, Conference February 28-29

**T**he Family Farm Alliance will celebrate its 20th anniversary in the world's best partying town — Las Vegas!

And along with all the fun and excitement, we'll bring together insightful, outside-the-box presentations and discussions you've come to expect from the West's most effective grassroots irrigated agricultural organization.

The Alliance will commemorate this milestone by challenging everyone in irrigated agriculture to consider new and unusual solutions and strategies in dealing with old and frustrating problems.

**IT WILL TAKE PLACE** Thursday and Friday, February 28-29, at the Monte Carlo Resort & Casino in Las Vegas.

It is no secret that irrigated agriculture has never faced more challenges. How we deal with these many issues and questions will determine the future of farming in the West.

The Family Farm Alliance's 20th Annual Meeting and Conference will include speakers and discussions that will make clear that we in farming have no choice but to help ourselves.

## Award-Winning Western Journalist To Speak At Conference

The Family Farm Alliance is pleased to announce that Matt Jenkins will be the luncheon speaker on February 28<sup>th</sup> at the 20<sup>th</sup> Annual Conference.

Mr. Jenkins is a contributing editor to *High Country News*. He covers water, drought and climate change in the West. *High Country News* is a bi-weekly newspaper based in Paonia (COLORADO) that covers natural resources, public lands and changing communities in 11 Western states. His recent stories have focused on Phoenix's efforts to secure adequate water to continue its record growth, the unacknowledged environmental costs of increased water efficiency efforts, and Los Angeles' use of Wall Street risk-hedging techniques to protect itself from drought.

**MR. JENKINS WON** the 2006 James V. Risser Prize for Western Environmental Journalism, sponsored by Stanford University's Knight Fellowships program. He also won the James V. Risser Prize for his story "Squeezing Water from a Stone", which chronicled Las Vegas' efforts to increase its water supply during negotiations with the agencies that draw water from the Colorado River. Jenkins' story described the efforts of the Southern Nevada Water Authority to gain concessions that would allow Las Vegas to significantly stretch its water resources. Subsequent to the story, the negotiating parties reached an agreement that gave the city those concessions; Las Vegas continues to seek federal and state approval for a major new groundwater-pumping project in the Great Basin.



# Program Highlights

## Monte Carlo Resort & Casino – Las Vegas – February 28-29

- **“New Coalitions”**: This session will examine opportunities for farmers and ranchers to partner with conservation groups as well as with other organizations and interest groups in response to the West’s new politics.
- **“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. The panel will examine efforts by agencies and individuals in trying to more favorably steer a variety of Western water issues.
- **A Preview of the “Celebrate The West” Luncheon**: This is being planned for the Democratic National Convention in Denver during the summer of 2008.
- **Western Water “Hot Spots”**. A panel discussion of those areas where potential water conflicts are the greatest, and what local irrigators are doing to prepare for that in the San Joaquin Valley, on the Snake River and along the Klamath River.
- **More “Hot Spots”**: Climate change impacts to Western water resources and how irrigators and water managers are adapting. See how we can manage in the future by preparing with good data and tools and targeted infrastructure improvements. The Family Farm Alliance Climate Change Report and Climate Water Coalition (spearheaded by Mark Limbaugh, former Alliance President and a former Assistant Commissioner of Reclamation) and state efforts will be highlighted.
- **“Perspectives from My Time at Interior”**: Former Deputy Assistant Secretary of the Interior Julie MacDonald will discuss the time she spent at Interior dealing with Endangered Species Act and water issues. A question and answer session will follow.
- **Managing for Excellence**. Reclamation will host its final M4E session on Friday afternoon following the last Alliance session.
- **Las Vegas Springs Preserve**. A special tour of this desert oasis, where Las Vegas began.

### **Plus these Family Farm Alliance Annual Meeting and Conference traditions:**

- **Reclamation Roundtable**. U.S. Bureau of Reclamation Commissioner Bob Johnson and Regional Directors will discuss hot Western water issues.
- **Washington Insider’s Panel**: A Look at D.C. From the Hill. Joe Raeder moderates this panel of staff from key congressional water committees, via interactive videoconference.

**To Register For The Family Farm Alliance Annual Meeting**

**Call us at (707) 998-9487 or e-mail: [ffameeting@aol.com](mailto:ffameeting@aol.com)**

## Alliance President Testifies On SECURE Water Act

(Continued from Page 1)

some provisions that are very close to recommendations we provided in my testimony before the Senate Water and Power Subcommittee last June.” (Please see related story, Page 5.)

**THE PURPOSE** of the hearing was to receive testimony on S. 2156 (SECURE Water Act), a bill to authorize and facilitate the improvement of water management by the U.S. Bureau of Reclamation. The bill would also require the Secretary of the Interior and the Secretary of Energy to increase the acquisition and analysis of water-related data to assess the long-term availability of water resources for irrigation, hydroelectric power, municipal, and environmental uses and for other purposes.

Before Senator Bingaman’s subcommittee, Mr. O’Toole was complimentary of the bill’s provisions that promote coordination of federal agencies and resources in assessing, monitoring, and planning for future water supply impacts and trends. Mr. O’Toole also spoke in support of the bill’s authorization of the Secretary of the Interior to provide cost-shared grants for planning, designing, or constructing water infrastructure.

“The SECURE Water Act will provide water managers with highly beneficial on-the-ground solutions to infrastructure problems exacerbated by climate change,” Mr. O’Toole testified.

**MR. O’TOOLE** and other witnesses also praised the bill’s provisions to improve streamflow measurement and data collection efforts.

“Current predictive models for future climate change scenarios, while useful in illustrating general areas of impact, are not particularly accurate at the local or regional scale,” he said. Similar observations were offered up by other witnesses.

“We must preserve the flexibility of the water system to adapt to change,” said Brian Richter, co-director of the Global Freshwater Program for The Nature Conservancy. “All water management plans should give due consideration to environmental flows needed to sustain healthy freshwater

ecosystems. This includes acquisition and coordination of data on water availability that will be necessary to inform comprehensive management.”

Mr. Richter and Mr. O’Toole were joined on the witness panel by John D’Antonio (New Mexico State Engineer, representing Western States Water Council), Jon Lambeck (Metropolitan Water District of Southern California) and Dr. David Wunsch (National Groundwater Association). The government witness panel included Robert Johnson, Commissioner of Reclamation, and Dr. Robert Hirsch of the U.S. Geological Survey.

Mr. O’Toole also shared ideas on how the SECURE Water Act could be improved. “This bill should encourage the federal government to partner with states on groundwater monitoring and water use

and availability assessments,” he suggested.

The Alliance’s written testimony also outlined the organization’s continued commitment toward ensuring the

availability of reliable, affordable irrigation supplies.

**“OUTSIDE THE SCOPE** of this hearing and bill, we will continue to advocate for solutions that will mitigate for climate change impacts to Western water resources,” he said. “Critical problems remain to be solved”

Mr. O’Toole emphasized the need to create flexible financing options to help water managers proactively deal with aging infrastructure, modernization and climate impacts to water supplies. He also reaffirmed the Alliance’s long-held position that the regulatory permitting process associated with developing new water supplies be streamlined.

“We are facing water problems right now,” said Mr. O’Toole. “Legislation, water transfers and data collection alone will not resolve these problems. The amount of water on the planet remains the same. Only the infrastructure to conserve, reuse, store, treat, manage and convey water to where and when it is needed, at the quality and quantity needed, will resolve these problems and avoid even more severe consequences that loom on the horizon.”

**‘We will continue to advocate for solutions that will mitigate for climate change impacts to Western water resources’**

—PATRICK O’TOOLE, *Alliance President*

**BUSY ALLIANCE PRESIDENT AND HIS WIFE**

# A Week In The Life...

**W**hen not testifying before Congressional committees or speaking to water conferences about why irrigators are concerned about climate change, Alliance President Patrick O'Toole and his wife Sharon try to find time to get to their real jobs.

The O'Tooles own and manage Ladder Livestock Company, a ranching operation in the Little Snake River Valley on the Colorado-Wyoming border near Savery (WYOMING).

**JUST IN THE COURSE** of one week earlier this month, Pat had to juggle his time between speaking at the 52<sup>nd</sup> annual New Mexico Water Conference in Santa Fe, locating, herding and trailing sheep in a blinding snowstorm in the Wyoming desert, and testifying before a Congressional committee on climate / water legislation.

Members of the Salisbury family have been ranching in this area for over 120 years. The ranch is primarily in the business of raising and marketing sheep and cattle.

**“WE RAISE CATTLE,** sheep and horses on over 100,000 acres of some of the most beautiful country to be found anywhere,” said Sharon. “We also



Photography by Sharon O'Toole

## Trailing in southern Wyoming

have one the largest elk herds located in North America living on and around our range lands.”

The home ranch is located at an elevation of about 7,000 feet, which makes for high quality hay, and a short growing season. That elevation also has an impact on the weather, a critical influence on Ladder Ranch activities.

“We are once again trailing north to the Red Desert for the winter,” said Sharon. “I think we probably trail more than anyone in the United States, traversing about 150 miles each way, spring and fall, from the mountains to the desert, and back. The high price of fuel has made this practice even more critical to our

operation, and it is the easiest on the landscape.”

**WITH THE DROUGHT,** until last week, the O'Tooles had not seen much snow. Their winter's destination is Wyoming's Red Desert, northeast of Wamsutter.

“We depend on snowfall for the sheep to survive the winter,” said O'Toole. “We had to wait for snow in the north country before we could move.”

As soon as the weather mellowed and the sheep were on their way, Pat O'Toole was back in his truck for the five-hour drive to Denver and his flight to Washington.

# Klamath Findings

## NRC Study Should Balance Watershed Settlement But Sensational Headlines, Anti-Farm Spin Pose Fears

**K**lamath Project water users were initially encouraged by key findings included in a Klamath River flow report released by the National Research Council (NRC).

The NRC report focused on two recent studies that attempted to better understand the Klamath River basin in Oregon and California.

The report concluded that both studies – one completed by Utah State University and the other by the federal Bureau of Reclamation – would be more useful to decision makers if a comprehensive analysis of the basin were conducted to identify all research and management needs.

That recommendation was overshadowed by a spate of sensationalism in news coverage and Klamath Project foes.

**DR. WILLIAM L. Graf**, professor of geography at the University of South Carolina and chairman of the Klamath review committee says, “Science is being done in bits and pieces, and there is no conceptual model that gives a big picture perspective of the entire Klamath River basin and its many components, as a result, the integration of individual studies – such as the two examined by the committee – into a coherent whole has not taken place, and it is unlikely to take place under the present scientific and political arrangements.”

Past studies have focused exclusively on the main river ignoring its many tributaries, the panel said in its report.

“It’s like trying to understand a tree by only examining its trunk and not assessing its branches,” Graf said.

**WATER USERS HAVE LONG** agreed with the NRC report’s conclusions about the importance of downstream tributaries to salmon health. They also support the committee’s finding that a comprehensive approach is what’s needed on the Klamath.

“This is encouraging news, because this type of philosophy underscores the approach we have been advocating for many years,” said Luther Horsley, president of the Klamath Water Users Association (KWUA). “We have consistently advocated that the

challenges of the Klamath River can only be solved on a coordinated, watershed-wide basis.”

However, recent media headlines and reaction from special interest activists regarding the report focus more on sensationalism and spin than on the true content of the document, which is a wearisome, but predictable distraction to many.

**‘There is a small cadre of anti-family farm groups out there who pounce on this kind of thing time and time again for their own political gain. It’s even more frustrating when we are bending over backward to try to work with parties we have been in conflict with in the past’**

—Greg Addington, *Klamath Water Users*

**“THERE IS A SMALL** cadre of anti-family farm groups out there who pounce on this kind of thing time and time again for their own political gain. It’s even more frustrating when we are bending over backward to try to work with parties we have been in conflict with in the past,” said Greg Addington, KWUA Executive Director.

Despite these disruptions, Klamath irrigators

*(Continued on Page 7)*

## Klamath Study Calls For Comprehensive Approach

(Continued from Page 6)

remain committed to a comprehensive settlement process and to giving their members an opportunity to provide input and feedback on the outcome of those negotiations.

**WHILE HUNDREDS** of millions of dollars in government funding has been spent on a wide range of restoration and water conservation measures up and down the Klamath River, Mr. Addington and other KWUA officials have encouraged federal and state agencies to avoid the fragmented approaches that have occurred in the past.

“A collaborative and coordinated watershed-wide approach can shift random acts of restoration into a strategy that really helps tribal and farming communities, fishermen, and fish and wildlife,” said Mr. Addington. “We think the agencies are com-

mitted to that type of process as we move forward together.”

**THE LATEST NRC REPORT** shows that the two completed flow studies are limited in their effectiveness because they do not account for a comprehensive view of the entire watershed, its ecological status, or the research and management needs of the entire basin.

KWUA and other parties, including various tribes and conservation groups, have tried to focus on constructive solutions in an ongoing settlement process which many hope will create the comprehensive framework that is workable and acceptable to Klamath River communities.

“The settlement process provides real hope that we can get away from eternal conflict and focus on solutions,” said Mr. Horsley.



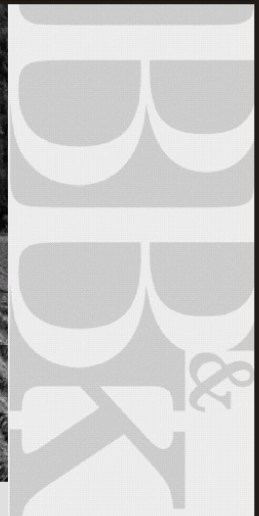
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# Uneasy Idaho Irrigators Await Columbia Decision

**R**ed flags were raised with Idaho water users earlier this month when a Portland (OREGON) judge hinted that Upper Snake River irrigation supplies next year could be shifted toward Columbia River salmon.

Judge James Redden in a December 7 letter warned that if federal plans to balance salmon with Columbia River basin dams are not properly prepared, a permanent injunction issued to federal agencies could reallocate agricultural water to higher spill and salmon flow augmentation actions.

A NEW Biological Opinion (BO) for the hydro system and Upper Snake River operations will be released early next

year. Judge Redden has said that if this BO does not provide more water for fish, he's likely to strike it down, and he won't ask for it to be re-written. Instead, he may assume management of the river, which means he will likely come back and implement measures that could be draconian for Snake River irrigators.

The federal agencies believe the draft BO satisfies Judge Redden's concerns, and they are now accepting comment on the latest draft from parties in the ongoing litigation. A final document would be released after the comment period. The draft BO – released in October – was immediately hammered by environmental groups, which initiated a new round of arguments for dam breaching.

**JUDGE REDDEN'S** latest letter suggests that he's not happy with the current draft. As with his September, 2006 remand order, he is clearly prepared to order more water from the Upper Snake River Basin for flow augmentation if the new biological opinion is not to his liking. The letter from Judge Redden was sent to the attorneys involved in the salmon litigation, in preparation for

the status conference that was held in his Portland courtroom on December 12.

“A flawed biological opinion may result in a permanent injunction directing Federal Defendants to implement additional spill and flow augmentation measures, to obtain additional water from the upper Snake and Columbia Rivers, or to implement reservoir drawdowns to enhance in-river flows,” Redden wrote.

Judge Redden even raised the possibility that, if

the new BO does not result in substantial changes favoring salmon, federal dam operators could be held criminally or civilly liable.

**‘The tone of Judge Redden’s message is ominous and unmistakable’**

—NORM SEMANKO, *Idaho Water Users*

**THAT HAS IDAHO**

irrigation interests worried. Family Farm Alliance Advisory Committee member Norm Semanko was in attendance at the December 12 meeting, representing the Coalition for Idaho Water and Idaho Water Users Association.

“The tone of Judge Redden’s message is ominous and unmistakable,” said Mr. Semanko. “Upper Snake River basin storage water irrigates millions of acres of productive farmland, provides water to thousands of homes, parks, and schools, produces power, provides countless recreational activities, and supports resident fisheries. All of these uses would be jeopardized if the Judge makes good on his threat and storage water is shipped downstream for the failed experiment called flow augmentation.”

**MR. SEMANKO** also believes such a decision would also exacerbate the already very difficult surface-ground water administration issues in Idaho.

“Of course, we will continue to do everything that we can – with the federal agencies and the State, in the courtroom, and before Congress – to defend against this water grab, prompted by litigation,” said Mr. Semanko. “The alternative is unthinkable.”



# House Passes Site Security Bill

The U.S. House of Representatives has passed site security legislation (H.R. 1662) which the Family Farm Alliance and other water and power customers have been seeking for over one year. The bill passed on a voice vote.

“Senate committee action is possible, this month, but doubtful,” said Joe Raeder, the Alliance’s Washington (D.C.) representative.

**THIS BIPARTISAN LEGISLATION** would require the federal government to cap security costs at federal hydroelectric facilities, codify that capital

costs are non-reimbursable, and provide for greater consultation with customers and oversight by Congress.

The Congressional Budget Office has scored the site security bill and found that it has “no significant impact on the budget.”

“This will be very helpful in securing passage and support in the Senate,” said Alliance Executive Director Dan Keppen (OREGON). “We are working with Senate staffers and urging Senators to pass the bill as marked up in the House.”

## Saluting And Thanking The Alliance’s Members

### RECENT DONOR SUPPORT

#### **Champion**

*(\$5,000 or more)*

Farm Credit West

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#### **Advocate**

*(\$1,000-\$5,000)*

A&B Irrigation District

### 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](http://www.familyfarmalliance.org) or call (541) 850-9007.

**...Your Involvement and Support Make the Difference!**

# Polly, Wirkus Named Deputy Commissioners

Bureau of Reclamation Commissioner Bob Johnson has named two Deputy Commissioners.

Kris Polly was selected as Deputy Commissioner for External and Intergovernmental Affairs and Karl Wirkus was named Deputy Commissioner for Operations.

**“THE EXPERIENCE** and knowledge that Kris and Karl bring to Reclamation will be a vital asset as we work to meet the water and power demands of the future,” said Mr. Johnson. “I am delighted that they have accepted these positions to be part of our leadership team.”

Mr. Polly will oversee Reclamation's Congressional and Legislative Affairs and Public Affairs activities. He is also the executive responsible for Reclamation's national relationships with federal, state and local governments, as well as citizen and other nongovernmental groups.

Mr. Polly joins Reclamation after working 15 years for the National Water Resources Association where he was the Vice President for Government Relations. He joined NWRA in 1992 as a Legislative Assistant. Polly resides in Arlington (VIRGINIA) with his wife Laura and two children, Caroline and William. He graduated from Nebraska Wesleyan University

and is a native of Wauneta (NEBRASKA) where his family has farmed for five generations. Mr. Polly will join Reclamation on January 2.

**MR. WILKUS** will oversee operations in Reclamation's five regions, the Technical Service Center, Research and Development Office, the Native American and International Affairs Office, Power Liaison, and Dam Safety Officer/Design, Estimating, Construction.

He joins the Commissioner's Office after serving as the Deputy Regional Director of Reclamation's Pacific Northwest Region in Boise (IDAHO). Since 2005, he represented Reclamation in complex negotiations on endangered species act issues and supported the Regional Director in all other regional programs.

Mr. Wirkus joined Reclamation in 1981 where he worked on a variety of projects and has worked in three of five regions. He graduated from Boise State University in 1984 with a degree in geology.

**BOTH MEN** are familiar faces to Western water users.

The Family Farm Alliance and Mr. Polly have a long, strong working relationship on several federal water issues. Mr. Wirkus has worked closely with water and power customers in the past year as Reclamation has rolled

## San Joaquin Bill Passes Key Panel

The House Natural Resources Committee has voted to implement a settlement to restore salmon to California's San Joaquin River.

The bill still must pass the full House and the Senate, where Senator Dianne Feinstein (CALIFORNIA) will lead the effort to put the issue before a committee next year.

The legislation would implement a settlement that would return water to a dry 60-mile San Joaquin River stretch and bring back Chinook salmon over the next few years. Under the settlement, the Friant Water Users Authority would relinquish about 20% of its Reclamation supply, which Friant officials view as preferable to having a judge establish the water flows.

**FEDERAL** legislation is necessary to authorize restoration and water management activities, as well as funding.

out its “Managing for Excellence” program.

“Kris and Karl understand the value of the unique partnership that exists between the Bureau of Reclamation and its water customers,” said Alliance Executive Director Dan Keppen (OREGON). “We here at the Family Farm Alliance wish them all the best in their new duties.”

# Saluting And Thanking The Alliance's Members

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(\$5,000 or more)

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