

Congress of the United States
Washington, DC 20515

September 15, 2010

Jean Sagouspe
President of the Board
Westlands Water District
3130 N. Fresno Street
Fresno, California 93703

Dear Mr. Sagouspe:

We read with great interest the notice that the Westlands Water District has more water at San Luis Reservoir than it can use this year, and is contemplating an exchange with the Metropolitan Water District of Southern California. While water transfers can be an important tool for both agricultural and urban users, this announcement of “extra” federal water delivered to Westlands will come as a surprise to anyone who has seen Westlands’ political advocacy, press releases, and court filings over the course of this year.

Following Westlands’ claims of significant hardship, many stakeholders and policymakers in California and in Washington spent considerable time and energy this spring identifying additional water supplies for Westlands. Obviously, the snow and rain that California experienced led to increased Central Valley Project (CVP) and State Water Project allocation announcements over the course of the year, but if the federal government ultimately delivered more water to Westlands than its water users needed, it would seem that much of that earlier effort was misplaced.

Accordingly, we would like to present you with the opportunity to clarify Westlands’ current water situation, and would appreciate your answers to the following questions.

- How much CVP water was delivered to Westlands this year? Of that, how much was water carried over from a prior year’s allocation? How much CVP water was made available to Westlands this year but not delivered because Westlands decided instead to carry over, bank, sell, exchange, or transfer that water?
- Including CVP supplies, what was the total amount of water available to Westlands, its landowners, and its farm operations this year? Please identify the amounts by source (e.g. transferred water, groundwater, carryover water, etc).
- At what price did Westlands originally purchase the CVP water being offered in the exchange with the Metropolitan Water District? Did Westlands purchase any CVP water at prices other than those laid out in your current interim water service contract? Please identify the different prices paid for each source.
- What other water sales, transfers, or exchanges did Westlands, or parties within Westlands, enter into this year? Please provide an accounting of parties, quantities, price, and any other terms and conditions.
- Press accounts this summer indicated that some Westlands farmers sold their water allocations in 2010, yet simultaneously told the federal court that they were suffering from a reduced water supply caused by operations of the CVP. Please

explain this discrepancy. In addition, so that Westlands' water and production situation can be more accurately assessed, please provide a year-to-date crop report, and a comparison of this year's fall planting plans to last year's.


- The notice describes an effort to "ensure the proposed water exchange... is not subject to Central Valley Project Improvement Act fees or Reclamation Law limitations." Please identify the fees and provisions of law that you intend to avoid, and explain why a transfer of water between a federal and state water contractor, for water stored at the state-federal San Luis Reservoir, should be considered exempt from any relevant provisions of the law.
- Westlands has indicated that its farmers have pumped unsustainable levels of groundwater in recent years, creating an overdraft situation. Why is the water that Westlands and its water users seek to sell, transfer, or exchange this year not being used to replenish the groundwater basin overdrafted as a result of overuse?
- As you know, there are many competing demands on California's water, and while southern California's urban water supply needs are significant, 100,000 acre feet could doubtless be used for any number of beneficial purposes, including obligations under the Central Valley Project Improvement Act. Did Westlands offer to sell or transfer this water to any other party, including the Bureau, before this recent announcement?
- Westlands' recent press statements indicate that the water delivery was announced too late in the year to be incorporated into water users' plans. Did Westlands notify the Bureau that this water would not be needed before the water was made available to Westlands and exported from the Bay-Delta? Would you support a policy change such that allocation announcements are not increased after planting decisions have been made?

Thank you for your attention to this request. We know that you will recognize the value of setting the record straight in this matter, and would appreciate your reply by September 30, 2010.

Sincerely,


GEORGE MILLER
Member of Congress


JOHN GARAMENDI
Member of Congress


GRACE F. NAPOLITANO
Member of Congress


MIKE THOMPSON
Member of Congress