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IMPERIAL VALLEY CONTROVERSY

In the March 1972 issue of the magazine IRRIGATION AGE, is an article entitled "IMPERIAL VALLEY CONTROVERSY" which should be of great interest to the residents of Imperial & Coachella Valleys in Southern California. Affiliated with IRRIGATION AGE is the AMERICAN IRRIGATION FARMERS ASSOCIATION. The address of the magazine is 1621 Wall St., Dallas, Texas, 75215 for readers who want to comment or ask for more information.

The article is reproduced exactly as it is written except for the omission of a map showing the Colorado River and the Imperial & Coachella Valleys with the main irrigation canals. Here is the article:

The lush farm lands in this 4,400 square mile valley have been the subject of a rousing controversy during the past few years that actually dates back to 1902.

The water that flows into this valley of "gold" and results in the outflow of \$300,000,000 worth of agricultural products is received from the Colorado River via the All-American Canal. This federally-owned canal was constructed after approval was agreed upon by the Imperial Irrigation District and the U.S. government in 1933.

Before this, however, water was brought into the valley from the Colorado River by an earlier canal which routed the water through a portion of Mexico and back into this country. Farming in the valley actually goes back to the turn of the century.

Getting back to the controversy in question, it is the Reclamation Act of 1902 that, after many undisputed years, is being questioned as to its applicability in Imperial Valley.

Complex in nature, the controversy is one of great interest to the American Irrigation Farmers Association. At this point we will present the arguments of both sides. The Association intends to take a stand on the issue at a later date. We ask that our readers give us their opinion of the issue after reading this report.

The Reclamation Act was passed as a means to appropriate the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands. The law limits the use of water to 160 acres per person and requires the owner to reside on the land or in the neighborhood in order to receive the water.

When the All-American Canal was approved in 1933, it was ruled that the land limitation did not apply to privately held lands within the Imperial Irrigation District boundaries.

Thirty-one years later, in 1964, the Interior Department reviewing the decision, decreed that the limitation did apply to the Imperial Irrigation District.

The district, however, took the position that the 1933 decision should be upheld and that it would not enforce the limitation unless compelled to do so by a court decision. The Justice Department filed suit against the district in 1967 and after court delays a decision was rendered in favor of the district in 1971.

In the meantime, a one-man crusade against absentee ownership of farms in the Valley and, in the same, corporation farming was launched by a Brawley (Calif.) physician, Dr. Ben Yellen.

In 1969, the militant master filed suit against the Secretary of Interior asking that he be required to enforce the residency requirements of the Reclamation Act. Dr. Yellen also asked the presiding judge to rule that the residency requirements still were part of the Reclam-

ation Law, and the judge agreed.

The district's chief legal counsel says that the judge's decision is not a final one, but merely an interlocutory decree. The district is, at this point overlooking this latest ruling.

The following questions were recently put before Imperial Irrigation District officials and Dr. Yellen by the executive secretary of the American Irrigation Farmers Association in an attempt to better understand the opposing viewpoints of the two sides.

AIFA: Why do you feel that the 160-acre limitation should or should not apply to the Imperial Valley?

IID: The section of the Act which required that there is no right to use water on tracts of any one owner of over 160 acres and no water shall be sold to anyone not occupying the land or residing in the neighborhood is not applicable to us. The government never sold water rights to Imperial Valley farmers. Much of the land was under cultivation before the 1902 Reclamation Act was passed.

YELLEN: The Reclamation Act was the brainchild of Theodore Roosevelt, who said, "the money is being spent to build up the little man of the West so that no man from the East or West can come in to get a monopoly on the water or the land." The corporations monopolize land unless the Act is enforced.

AIFA: Do you or do you not feel the 160-acre limitation is adequate for farming in this area?

IID: I don't know what is adequate.

YELLEN: A husband and wife can each have 160 acres or a total of 320 acres. Each child can also have 160 acres. This means that a family of five (man, wife, three children) could farm a total of 800 acres. With the ideal growing conditions in the Valley, one acre of land here is equivalent to five acres, say, in the Midwest. A farmer can also grow several crops a year on his land. A man can make a good living here under the 160-acre limitation rule.

AIFA: How do you feel about the big corporations vs. the little farmer?

IID: The small farmer can't afford to farm here. Many speciality crops such as lettuce, a small farmer can't afford to take a chance on. Many corporations don't own the land they farm, they just lease from individual farmers.

YELLEN: The big farm interest is squeezing out the small farmer. In Imperial County, 1,600 small farm families have had to leave in the last 20 years because they received no cotton allotment. The real reason why the little farmers have gone broke is because they were prevented from getting government handouts, not because you can't make a living on 160 acres. If the corporations were out, local residents would be able to buy the land.

AIFA: What about the ratio of farm profits compared to farm expenditures in the valley--corporations vs. little farmers?

IID: Yes, the corporations are going to take their money elsewhere.

YELLEN: 80 percent of the profits from farming leave this area because the absentee farmers and the owners of corporations do not live here so they do not spend their profit here.

AIFA: What about payments for land withdrawal in this valley?

IID: I don't think there is a lot of that in this valley.

YELLEN: \$12 million in various handouts are given by the federal government yearly to farmers in Imperial County. If local residents were able to buy land at reasonable prices they would get the handouts as opposed to the corporations who now receive the majority of them.

AIFA: We understand that there are quite a few persons on welfare in Imperial County. Is this true?

IID: Yes, it's true and I suppose that some available jobs are taken by Mexican laborers who have work permits to enter in the U.S. daily to work. But there are probably many unemployed people who would not take these jobs anyway.

YELLEN: Unemployment and welfare payments in Imperial County are the highest in the state. Mexican laborers work for lower wages, but still enjoy the U.S. dollar standard since they live across the border. If the residency law were in effect this situation would not exist.

AIFA: How do you feel about the Act's residency provision that states only persons living on or in the neighborhood of the land can receive water?