

## Chapter 9

# Growing Pains

Growing up is a learning experience and a period of adjustment for institutions as well as individuals, and in its formative years the Modesto Irrigation District had more than its share of growing pains.

A short supply of water and imprudent use of it created unanticipated problems once water flowed down the canals for distribution to farms in 1904. There simply wasn't enough water to go around and the demand for it increased faster than the system could be expanded and improved.

The first three decades of the a 20<sup>th</sup> Century produced great interest and personal involvement in irrigation matters, much more so than at present. This was due partly to the uniqueness of the venture and the trials of growing up and partly to the importance of irrigation in a changing agricultural economy. But just as important, according to Mathew Fiscalini, who retired at the end of 1985 after serving nearly 29 years as a second-generation MID director, is the fact that people then took more interest in the operations of the district.

“There were no other attractions, TV and things like that to keep the people's interest,” Fiscalini comments. “They devoted more time to talking and thinking about the irrigation district and its directors, which might have created more turmoil.”

Turmoil there was!

Early-day irrigators were a vocal bunch, occasionally talking with their fists, but more frequently with their ballots. Late in 1911 a state constitutional amendment allowed the recall of public officials in California.

From 1912 until the mid-30s, attempts were made to recall 19 MID directors. Eleven attempts were successful and in some instances directors chosen on a recall vote were themselves recalled within a year or two. Mass meetings on the issues drew hundreds of people to debate and protest. On occasion, opponents slugged it out.

Some disputes involved San Francisco's move onto the Tuolumne River watershed and the director's reaction or lack of reaction thereto. Most involved local issues, however. These varied greatly. Some were major, such as the storage and distribution of water, sale or distribution of power, allocation of limited finances for improvement of the main canal or laterals. Others involved lesser problems such as a director taking water out of turn, general management of the district, or just general dissatisfaction with the way in which a director represented his area.

Robert Durbrow, who for years was executive secretary of the Irrigation Districts Association (now the Association of California Water Agencies), explains that until the 1960s no formal reason had to be stated on recall election petitions, commenting: "You could try to recall a director just because you didn't like the type of tobacco he was smoking in his pipe."

Internal disputes among board members were frequent. It seemed that every board had one or two dissenters and none was timid about speaking out. As early as 1913 the *Modesto Morning Herald* gave special attention to a letter from an unidentified reader who cited "petty spies" and "sectional feelings" among board members as having "wrought incalculable damage to the district as a whole and retarded its progress."

The writer went on to say that other districts found it almost impossible to do business with the MID, adding: "We have had no definite policy, our dirty linen has been aired to the edification of the whole state and our prosperity hurt accordingly."

Throughout the early years, regardless of who was serving on the board, the directors generally set policy and then appointed one of their own to administer that policy. This practice came under frequent attack and resulted in some recall efforts.

Water, its delivery, its use and its misuse were the main causes of growing pains, however.

The 1904 irrigating season lasted until September 2<sup>nd</sup> and by late summer the need for additional water became obvious. The following year was gone by August 4<sup>th</sup>, causing even stronger agitation for storage facilities.

Early in October a large group of irrigators petitioned the board to build storage reservoirs. The districts immediately filed for an additional 50,000 miner's inches of water to supplement its initial appropriation of 225,000 miner's inches obtained in 1890, but no plans were made to store it.

In 1905 the district showed a fleeting interest in Lake Eleanor and Benson Lake, both on tributaries of the Tuolumne River in Yosemite National Park. In November Directors T. K. Beard and W. R. High reported that federal agencies had withdrawn all reservoir sites in Yosemite and in the surrounding forest reserve, which seemed to end any discussion of that possibility. Eight years later following a monumental struggle, the City of San Francisco won the right to develop reservoir sites not only at Lake Eleanor but also in Hetch Hetchy and Cherry Valleys.

Although the irrigating season never lasted beyond September 4<sup>th</sup> and usually was over by early August, little was done about storage until 1908, when the Modesto and Turlock directors met jointly to discuss possible solutions.

Separate engineering surveys led to the decision that each district should provide its own storage along its own main canal below La Grange Dam, over which large volumes of water spilled during spring and early summer. The diversion and storage of this excess water were expected to meet late summer demands.

Recommended for Modesto was a series of low earthen dams to enlarge into a single reservoir the existing natural Dallas and Warner Lake near Waterford. The combined reservoir would cover 2,800 acres and have a capacity of 27,700-acre feet. The cost, later claimed by some to have been underestimated deliberately, was set at \$200,000 and a bond issue in this amount was approved by an overwhelming majority of voters on April 17, 1909.

Bids were called but none was received. Over the vigorous objections of Director George C. Covell, the board authorized Water Superintendent A. Griffin to negotiate a contract for the work. In August he reported that T. K. Beard, who had served as an MID director from 1901 to 1907, would be the contractor.

This raised a storm of protest throughout the district, with the Salida Chamber of Commerce formally condemning the board's failure to readvertise for bids. Protesters also raised the cry of "conflict of interest" because the district's legal counsel, L. L. Dennett, in his private practice also represented Beard. More than 200 petitioners demanded an explanation. Whether or not the explanation satisfied the objectors, Beard proceeded with the contract.

At a special meeting on the matter, it was admitted that cost estimates were knowingly low, but the board feared the public would not vote \$250,000 in bonds. Once the work was started, however, directors had little doubt that the taxpayers would approve the money to complete the job. Whether or not the people would have approved the larger amount in the first place is unknown, but in November 1910, a year in which irrigating ended on July 23<sup>rd</sup>, a 330-to-82 vote approved bonds for the additional funds required.

Actual cost was \$271,809.

“Much difficulty was encountered in building Dallas-Warner,” comments Charles Crawford, who served for many years as irrigation engineer for the MID and climaxed his long career as project coordinator for the New Don Pedro Project. “This was due to the nature of the soil and lack of experience in constructing earth dam.”

Earthen-dam construction was primitive in those days. Only three of the seven dams built to create Dallas-Warner – now known as Modesto Reservoir – had cores and these were of rigid concrete. The earth was moved by railroad gondola cars, loaded by clamshell buckets and then just dumped over the top of the cores was common when unequal pressure built up due to seepage and casual compacting.

Much of the land was hardpan, notorious for weak spots which suddenly gave way, creating seemingly bottomless holes. It took many, many years of constant work, grouting and filling to stabilize the dams, some of which were hardly more than levees. Even today an occasional hole breaks through, requiring more grouting.

It later proved much more satisfactory to use an impervious clay core with a high degree of compaction and carefully-graded filters on either side of the core. This type of construction is the heart of most earth-fill dams today, including New Don Pedro. Mistakes made in constructing the relatively-low dams of Dallas-Warner Reservoir contributed greatly to the engineering knowledge which ultimately permitted the construction of huge earth-fill structures such as New Don Pedro and Oroville.

Even with the completion of Dallas-Warner Reservoir in 1912, a year in which irrigating was ended July 1<sup>st</sup>, it was recognized that the additional 28,000 acre feet of storage was only an interim solution. Irrigating still ended in July or August for lack of the capacity to store more of the early spring flood flows.

Thus, Modesto joined the Turlock district in considering a partnership with the Yosemite Power Company operating near La Grange. It was proposed that the districts acquire all that company's rights and facilities in the La Grange area for a price to be negotiated. This would allow the development of MID-TID "Dam No.2" upstream from the La Grange diversion dam. The districts would contribute \$2 per acre foot of storage capacity toward the cost of additional Yosemite Power Company reservoirs to be built upstream from the MID-TID dams. The districts would own the water behind the power company dams but the company could use it for the generation of electrical energy.

Opposed by Directors Covell and J. B. Trask, who insisted that the MID should spend its money on upgrading its canal system before building any additional storage on the Tuolumne, the scheme fell through but not until after considerable debate and a recall election or two.

The only positive move to increase its water supply taken by the Modesto district came in 1917, when it contracted to receive up to 50 second feet of waste water from the Oakdale Irrigation District. This water had been spilling into Dry Creek and the Stanislaus River.

Even though there was too little water for late irrigations, a major problem arose because farmers were using too much water. During the first four years, irrigators averaged 10 acre feet of water on their crops. Today it is known that, at the most, only three-and-a-half acre feet of water is needed to irrigate most crops. In drought periods, farmers have survived with less. Whereas normal irrigation practices would raise water tables, its excessive use caused ground-water levels to rise dramatically.

In 1905 U. S. Department of Agriculture engineers estimated that the water table was rising an average of four feet per year. In the winter of 1906, the water table had risen so that ponds were standing in swales on lower lands of the Modesto and Turlock Irrigation Districts. By 1907 vast acreages had been made untillable.

The damage was not confined alone to the submerged land. In many areas the water was so close to the surface that it injured the roots of trees and vines and rendered cultivation impossible.

U. S. D. A. Experiment Station scientists blamed much of the problem on over-watering, citing instances where as much as 16 acre feet of water had been used on some farms. Even though Modesto irrigators were forced to practice greater economy in the use of water, the federal scientists warned, "It is

the experience of past irrigation the world over that drainage and irrigation go hand in hand, and the best use of water will not make drainage unnecessary in such land, but only minimize it.”

At first, irrigators and directors alike failed to realize the seriousness of the problem. Those who did, however, disagreed violently as to the best method of correcting the situation and how much it would cost. Owners of higher-elevation land fought spending money for the drainage of lowlands, failing to accept that the drainage problems in the lowlands were caused in a great measure by irrigating highlands.

Following water table surveys made early in 1907 by Modesto Water Superintendent Griffin, opposition to drainage weakened and in August 1907 a \$20,000 bond issue was approved to develop drainage systems.

An initial attempt at pumping groundwater failed. A drainage ditch seemed the only solution. Since the ditch could not be dug by horse-drawn scrapers because the horses bogged down in the ditch bottom, a \$5,000 dry-land or skid dredge was purchased and put in operation February 1, 1908. The awkward dredge was mounted on an 18-by-30-foot skid platform secured to wooden rollers which ran on planks placed on the ground. A 40-foot boom carried a 2,800-pound, one-cubic-yard bucket. The dredge moved 747 yards of dirt per 10-hour shift at a cost of 3.5 cents per yard.

Although weeds made the maintenance of drainage canals and ditches difficult, the drainage network was successful and has been expanded.

Even though the water table on more than 11,000 acres of Modesto Irrigation District land was less than 4 feet below the surface in 1918, disagreement over the importance of solving drainage problems continued. A \$75,000 assessment for drains was defeated by voters in June that year. A \$50,000 special tax was approved in October, however, and a massive attack on the ground-water situation was launched.

By 1920 the Modesto district truly had a handle on the drainage problem. By then, pumping and drainage canals were proving effective and the total acreage in which the water table was less than 4 feet was cut in half. The drainage problem was well under control by 1925 as the district, using its own Don Pedro generated power, expanded its pumping system.

Today the MID has 80 miles of drainage canals and 64 drainage pumps in operation. Each drainage well can control groundwater levels for a distance of half a mile or more and 20 percent of the

water used each year for crops comes from this source: The pumped water is recycled by discharging it into irrigation canals.

Throughout its early days the Modesto district faced a constant need to improve and upgrade its canal and lateral systems, not only because of the demand for more water – the number of acres irrigated increased from 6,895 in 1904 to 28,197 by 1910 – but also because some of the original structures proved inadequate.

As early as 1905 it was reported that much of the 2,950-foot wooden flume extending from La Grange Dam was being replaced by a concrete structure. By November 1, 650 feet were under construction as the work was speeded to completion before the start of the 1906 irrigation season.

In the 10-mile section of the main canal between La Grange Dam and Dallas-Warner Reservoir, flumes crossed 11 draws and canyons on wooden trestles 500 to 900 feet long, 14 feet wide and 50 to 90 feet above the ground. A major effort was undertaken in 1912 to replace these wooden trestles and flumes with hydraulic fills and 20-foot wide concrete canals.

Again, by current standards, work was primitive but effective. Electric pumps forced water under pressure through large monitors (or nozzles) similar to the “Long Toms” used earlier in hydraulic mining. These literally washed the hills above the flumes down around them, filling the gullies with mud, building higher and higher until the trestles and flumes, still in place, were covered completely. The weight of the mud compacted the soil. Once the flumes were covered, larger, wider but more shallow concrete flumes were installed. While the procedure worked satisfactorily for the time, rotting wood under the concrete flumes caused problems of canal stability in subsequent years.

By 1914 three of the 11 wooden trestle flumes had been replaced and two others were under reconstruction. The *Modesto Evening News* described the progress as “piecemeal,” commenting:

With the main canal widened to 20 feet for a considerable portion of the 10 miles between La Grange Dam and the (Dallas-Warner) Reservoir and with five out of the 11 flumes eliminated or in process of elimination, the \$300,000 raised by special assessment and expended in making these improvements was for the time being earning the district nothing whatever for the reason that so long as one 14-foot wooden flume remained, the carrying capacity of the whole canal would be limited to the capacity of that one flume.

In an April special “Progress Edition,” the *News*, however, boasted that the MID and the voters had on March, 31, 1914, approved by a seven-to-one majority two bond issues totaling \$610,000 as part of

a “general policy of expansion of the irrigating facilities and of superseding the more temporary types of early construction with permanent and practically indestructible concrete. Permanence is the primary consideration.”

Of the total, \$500,000 was earmarked to cover the construction of hydraulic fills to replace the six remaining wooden trestle flumes, widening the main canal where needed, raising the dam of the upper portion of Dallas-Warner Reservoir five feet to increase the reservoir’s storage capacity another 10,000 acre feet, facing with concrete the dams and levees of the foothill reservoir, and drainage work. The proceeds of the \$110,000 bond issue were spent within the district proper for the construction of new headgates, weirs and diversion points and for the replacement and improvement of existing canal facilities.

These were the first bonds voted for general improvement of the system since January 2, 1902, when the newly revitalized district had refinanced its 19<sup>th</sup> Century indebtedness. The only other bonds, approved in 1909, were for the construction of Dallas-Warner Reservoir.

From the time the district had come alive again until 1914, canal and distribution system improvement work had been funded through special assessments. From the ouster of the anti-irrigationists in 1901, the Modesto board was most mindful of the disruption caused years before by William Tregua and his lawsuit protesting property assessments without a vote of the people, a position upheld by the California Supreme Court.

Starting in 1904, assessments – in effect property taxes – for routine operation, maintenance and construction were placed before the voters for approval. The first ballot was on a levy of \$38,400, of which \$18,000 was to be used for construction on the main canal and the balance for general maintenance and operational costs. It was approved September 10<sup>th</sup> by the nearly unanimous margin of 86 to 6. Although a two-thirds majority was required, assessments were voted by comfortable margins each year. The affirmative 200-to-43 vote for the 1910 assessment was typical.

But in 1909 agitation to exempt improvements from irrigation district taxes surfaced. The exemption was defeated by a narrow margin, 411-389, in a special election January 8, 1910. In the City of Modesto some property owners were paying more taxes than large ranchers but getting no water. City voters supported the exemption but were outvoted by rural voters. The pressure for the exemption



continued to grow, but the only concession made by the farmer-dominated board was to allow the annual assessments to be paid in two installments instead of one.

In April 1911, 250 property owners petitioned the board for another special election. The board refused to be pushed into an election at that time, but a month later relented and on its own initiative called the election. The vote was 487-405 in favor of the exemption, although rural Divisions 4 and 5 held out with overwhelming majorities in favor of continuing to assess improvements.

Although the matter of assessing improvement was resolved, considerable displeasure with the district's operation remained.

An August 1911 vote on \$85,000 in assessments - \$61,000 for canal repair and improvements and \$24,000 for salaries and operation – still exceeded the two-thirds requirement, 529-208, but the majority was eroding. A 300 percent increase in voter turnout reflected the strong feelings prevalent. A supplementary assessment was rejected in March 1912, 549 to 505 – a slim majority but a long way from the two-thirds required. A month later, another special election failed to receive the needed two-thirds majority, 952-641.

A 1911 amendment to the basic state irrigation law provided that assessments could be voted by a four-fifths majority of the board of directors. Efforts to utilize this provision failed when Directors Covell and Trask refused to go along because they were in disagreement with some of the projects the engineers had proposed.

With the needed \$20,500 still not available, three members of the board – W. H. Frazine, J. S. Wooten and R. E. Gilman – threatened to impose a toll on water delivered to farmers. This tax could be established by a simple majority vote of the board. Facing this threat, Covell changed his position “so that the employees might be paid.” Director Trask refused to concede and the final vote was 4-1.

In July that year, an assessment totaling \$30,000 for salaries and operations and another \$50,000 for improvements failed to achieve a two-thirds majority and the following month the board voted 4-1 again to levy the assessment, Director Trask still adamantly opposed.

By 1913, however, following an unsuccessful 1912 attempt to recall Covell and Trask, the problem seemed to be behind the district, for in June a special \$75,000 assessment was approved 422-102. Assessments were voted either by the electorate or by the board without trouble from that point on.

The period of disputes over assessments – how much and whether they should be levied – coincided with a flurry of recall activity in the Modesto Irrigation District.

The MID was one of the first irrigation districts established under the Wright Act. Throughout its history, the MID has achieved a record of being first in many irrigation matters. It was only fitting, then, that Modesto was the first to experience a recall election under the provisions of the 1911 state Constitution amendment providing for the recall of public officials from office.

In the spring of 1912 soon after the recall provision became effective, petitions were circulated against a majority of the board: Directors Covell of Division 3, Trask of Division 4 and Gilman of Division 5.

The issues in these first recalls were mixed.

Covell was accused of taking irrigation water out of turn and misrepresenting the proposed MID partnership with the Yosemite Power Company. Many signers of the original petition against Covell later renounced their opposition, charging that his foes had misrepresented his position on the power company deal.

Director Trask, frequently at odds with the majority of the board, was accused of opposing the Yosemite Power Company partnership and “aiding and abetting” Covell in getting water out of turn, accusations which caused Trask to file a libel suit against the petition circulators. The case was thrown out of court after the petitioners’ attorney, L. L. Dennett, who also was legal counsel for the Modesto Irrigation District, labeled as “cowardly and childish” the suit brought by Trask, one of his “bosses” on the MID board.

Covell and Trask were accused of being disruptive forces. One of Covell’s accusers, T. J. Crispin, who until 1911 had served with Covell on the MID board, also had a personal disagreement with Covell over the price paid by the MID for some of Crispin’s land. One day during the election campaign they came face to face on 10<sup>th</sup> near I Street. The meeting ended with Crispin arrested and fined \$25 for attacking Covell.

Covell and Trask were retained in office by comfortable margins, Covell 470-210 and Trask 134-41.

Not so fortunate was the third recall target, Director Gilman. The charges against him were general, involving the way in which the district and canal system were managed. He was recalled by a vote

of 155-to-105. Elected May 29, 1912, to succeed him was B. F. Anderson. A few months later, water users of his division asked Anderson to resign. When he refused, saying he would do so only if he won a recall election, his foes took up his challenge, charging that he was “incompetently inefficient.” He was recalled by a vote of 90 to 71 on November 20, 1913, after serving but a year and a half.

On the same day as the Anderson recall election, another attack was made on Covell. He was accused of “throwing down” his constituents, contributing to poor administration of the district and using his influence as president of the MID board to win approval of an “excessive” 8 percent loan from the Bank of Modesto, of which he was a stockholder. This time, Covell was not so fortunate. He was ousted, with 185 voting to recall him and only 69 for his retention. Allen Talbot succeeded Covell and Laud C. Gates replaced Anderson.

Years later, Gates, who laughingly said his nickname was “Loud,” recalled those turbulent days, citing even a fist fight he had with another board member during one of the meetings. He refused to divulge the name of the director he backed up against the wall. The minutes do not reflect the disturbance, either.

Even before all the votes were counted, another recall petition was filed, this time against Empire Director J. S. Tully, who had been appointed to fill the position a few months earlier when Director Frazine retired. One of the “charges” against Tully was that he had been appointed and not elected and his farming operations were more involved with the Turlock district than Modesto’s. His detractors also contended Tully favored changing the water distribution system to one which would work a “great hardship” on the water users and that he had supported the Raker Act, which gave San Francisco the right to build on the Tuolumne River. The entire MID board subsequently repudiated this position.

Tully won handily, 263-to-159, a “cold finish of a contest that has been of the warmest and which has created interest among the voters of this district to a fever heat,” according to the *Modesto Morning Herald*. The *Herald* had supported Tully and blamed Modestan W. C. LeHane for masterminding the bitter recall campaign. Tully continued to serve until 1919.

LeHane, who had run against Tully as an unsuccessful write-in candidate, played an interesting role in the development of the Modesto Irrigation District during its troubled maturing years.

A native of Nebraska, LeHane came to Modesto sometime after the turn of the century. An attorney by profession, LeHane became known as the “King of the West Side” because of his large land holdings on the west side of the City of Modesto. Claiming to be an expert in the field of irrigation, LeHane declared in his 1914 unsuccessful bid for Congress that, prior to coming to Modesto, he had “made an extensive investigation and personal examination of all the larger irrigation projects in the United States.”

Well into the 1930s, LeHane was a persistent critic of the Modesto Irrigation District, attacking the entry of San Francisco into the Tuolumne River watershed until the 1930s when Hetch Hetchy water finally flowed to the bay city. For a while, he was special counsel to the district to carry the legal fight against San Francisco. He was fired when his sponsors on the board were recalled in an election in which he was an issue.

For years he argued the district needed a general manager instead of being operated by the directors on individual assignments, a system which he said caused director-administrators to “know something about almost everything but nothing about something.” While the *Herald* denounced LeHane for his comments, it concluded its report by noting that the directors wound up the day by “doing something about almost everything, but nothing about something.”

From the first recall election in 1912, LeHane appears to have been involved in opposition to the board as a whole and to individual members who did not share his views.

On September 16, 1913, the *Modesto Morning Herald*, which for several years carried on a running battle with LeHane, made the following comment on reporting a meeting at which the successful recall against Director Covell was organized: “The ubiquitous Mr. LeHane who seems to be the leading spirit in everything in the way of agitation now under way in the Modesto District was among the speakers.”

It was not until 1917 that the next recall election was held.

The target was C. A. Hilton of Division 5. The issue involved the development of adequate capacity in the main canal to meet the needs of the water users, with an added dispute over the agreement to carry the Waterford Irrigation District’s water from La Grange to the fledging district. In a bitter fight in

which LeHane also played a major role, Hilton survived by a two-vote margin, 185-183. A recount widened the margin to 190-186.

The friction and dissension evidenced in this election, in which almost every qualified voter went to the polls, reflected the spirit of the times. In the regular 1917 election of directors held just a week earlier, one of the two most bitter contests which the district ever was to experience wound up with the narrowest result in history. Director Trask won re-election by a vote of 158 to 156. His opponent, J. W. Frederick, charged that illegal votes were counted and filed suit in the Stanislaus County Superior Court. The case was dismissed as the court held it had no jurisdiction in irrigation district elections.

In the second race in that hotly-contested election, Fred Way had a more comfortable 748-613 margin over W. F. Riemenschneider for the directorship in Division 2. The outcome may have been decided by an election-morning change of position by the *Modesto Morning Herald*, which up until the day of the balloting had supported Riemenschneider editorially.

In this case, a community argument over whether to build Modesto's new high school on the west or east side of town was injected into the irrigation district election.

LeHane was in the middle of the school site battle, too. He had offered to donate the land at 1<sup>st</sup> and H Streets on the west side for the school. Riemenschneider supported the east side. The newspaper learned at the last minute that candidate Riemenschneider might have been involved in a move to seek a court injunction against the west side site. Riemenschneider "equivocated by declaring himself neutral," according to the *Morning Herald* and by this act "proved himself unworthy to be a public official."

The 1920s proved a heyday for recall movements.

In 1920, after the people had voted \$2,000,000 in bonds as the MID's share of the cost for building the original Don Pedro Dam and Reservoir, a majority of the board was recalled for what the petitions alleged were delays in Don Pedro due to inactions or actions by the three recall targets. Press reports, however, indicated the real issue was LeHane, who the *Modesto Morning Herald* labeled as "the big boss of the majority of directors" over whom he had "complete power."

The targeted directors, A. W. Stratton, Allen Talbot and Trask, denied they were "dragging their feet" on building Don Pedro. Instead, they insisted, they were refusing to be "dummies" or "rubber stamps" to the Turlock Irrigation District by not knuckling under to TID demands on various points of

contention about who would control the progress of the project and TID's insistence that its chief engineer, Roy V. Meikle, be named project engineer.

The fact was that Modesto, in a way, was the junior – 31.5 percent – partner in the Don Pedro Project and the Turlock district board, Chief Engineer Meikle and Attorney P. H. Griffin had been more aggressive in pushing the project.

On June 1, 1920, the three Modesto directors were removed from office by substantial margins: Stratton, 380-242; Talbot, 217-148, and Trask, who had survived a 1912 recall effort, 161-118. J. W. Guyler succeeded Stratton. W. H. Franzine took Talbot's seat. Charles Swanger replaced Trask. The first action after the new board was seated was to fire LeHane as special MID counsel.

During the campaign, opponents skirted around the issue of the generation and distribution of electrical energy as part of the Don Pedro Project. Three years later, in still another recall campaign, the *Morning Herald* charged that the earlier recall of Trask, then seeking to return to the board through the recall of Director E. L. Routh, had been a "frame-up" which paved the way for a board dedicated to wholesaling Don Pedro Power to Pacific Gas & Electric Company.

The retail distribution of power definitely was the issue in the next series of recalls.

On December 20, 1922, Guyler and Directors H. J. Coffee and C. A. Hilton, all of whom earlier had voted to wholesale power to PG&E, fell to defeat in recalls.

One week later, Director J. R. Broughton, the fourth to support wholesaling, survived a recall by a substantial 745-386 vote.

The following year, Director J. R. Broughton, the only director who in 1922 had held out for the distribution of power by the district, was recalled. The *Modesto Morning Herald*, a firm advocate of distribution, had labeled Routh as a "wobbler," charging he was "on both sides and on top of the fence" in the distribution issue and demanded a board which was determined unequivocally to the goal of distribution. N. L. Rose succeeded Routh on April 25, 1923, in this, the last successful recall election to be held in the Modesto district.

Other attempts were made, however.

In December that same year Director O. E. Lambert survived a recall attack that came from the power distribution association, which charged that Lambert was too close to PG&E. In 1924 Rose defeated

a recall move. In 1927 a petition to recall Division 3 Director H. H. Sturgill was filed, but no election was held because there were insufficient signatures on the petition.

The Modesto Irrigation District's politics were maturing, however, as the flurry of recall activity was followed by only two more unsuccessful recall attempts.

In 1931 Director John B. Fiscalini was challenged because he believed the district needed to increase taxes to maintain its operations and had the courage to say so. His foes charged that farmers could not afford higher taxes while in the depths of a depression. Fiscalini survived by a wide – 386 to 83 – margin.

Division 5 Director Hugo G. Jacobson was challenged in 1934 in a dispute over district expenditures on the main canal as opposed to the expansion of laterals, with apparent undertones that he was not sufficiently anti-Hetch Hetchy. Jacobson squeaked through by a narrow 376-345 vote, only to lose a year later to Modesto dairyman Milton Kidd, who served on the board until his nephew, John E. Kidd, who still represents Division 5.

During his long tenure, Milton Kidd was active in and served as president of the statewide Association of California Water Agencies.

Thus, the Modesto Irrigation District survived its growing pains. Water supplies became adequate to meet late-summer and early-fall needs, the fiscal situation stabilized and the period of internal strife was over, replaced by an era of more effective management and cooperation among district directors.

The years ahead were filled with innovative growth, but this was achieved more quietly than during the MID's troubled "adolescence."

Meantime, between the MID's eastern boundary and La Grange there was formed a new Waterford Irrigation District which on January 1, 1978, was to merge with the Modesto district. In maturing, it too had growing pains. These problems were more financial than political, however.