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11 Los Angeles, et al.

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF INYO

12 SIERRA CLUB, and OWENS VALLEY)
13 COMMITTEE,)

14 Plaintiffs,)
15 vs.)

16 CITY OF LOS ANGELES, et al.)

17 Defendants.)

18 CALIFORNIA DEPARTMENT OF FISH)
19 AND GAME and CALIFORNIA STATE)
20 LANDS COMMISSION,)

21 Real Parties in Interest and)
22 Cross-Complainants.)

23 COUNTY OF INYO and DOES 51 - 100)
24 Real Party in Interest)

CASE NO.: S1CVCV01-29768

(The Honorable Lee Cooper, Assigned)

LADWP'S REPORT TO THE COURT
PURSUANT TO SECTION 2(G) OF THE
AUGUST 9, 2005 COURT ORDER

Due Date: February 5, 2006

FAX FILE

1 **TO THE COURT, THE SPECIAL MASTER, ALL PARTIES AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 In accordance with Paragraph 2(G) of the Court's Order of August 9, 2005 ("Court Order"), LADWP
4 hereby submits this report setting forth the progress LADWP is making towards implementation of the
5 LORP and reporting the amounts of groundwater pumping, water supplied for groundwater recharge, and
6 water supplied for in-valley uses.
7

8 **I. PROGRESS REPORT TOWARDS THE IMPLEMENTATION OF LORP**

9 LADWP continues to make progress towards the implementation of LORP in a manner consistent
10 with meeting the deadlines established by the Court Order. The significant events which occurred during the
11 period of January 1 through January 31, 2005 demonstrating the progress made are as follows:
12

13 **A. The 404 Permit Has Been Issued and Construction Has Started.**

14 On January 9, 2006 the Army Corps of Engineers issued the necessary 404 Permit. Construction
15 activities began on January 10, 2006. Both the pump station and intake work is proceeding well with recent
16 activities focusing on dewatering and channel clearing. No significant problems have been encountered and
17 activities are on schedule for compliance with the Court imposed deadlines.
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19 **B. Ecosystem Sciences' Activities**

20 Ecosystem Sciences Inc. advises that due to the dissension on the Hines Spring Plan, ESI had to delay
21 LORP implementation work and assign staff to revising the Hines Spring Mitigation Draft Final Phase II and
22 III prepared by Otis Bay Ecological Consultants, in cooperation with Ecosystem Sciences, Inc. ESI further
23 reports that this delay will not have a long term impact on the implementation of LORP as it pertains to ESI's
24 responsibilities.
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II. GROUNDWATER PUMPING AND RECHARGE AMOUNTS FOR DECEMBER 2005

In accordance with Paragraph 2(G)(1-3) of the Court Order, LADWP hereby reports the required information regarding groundwater pumping, water used for recharge, and in-valley water uses for the month of December 2005.

The total amount of groundwater pumping for the month of December 2005 was 3,336 acre feet of water. This brings the cumulative pumping amount for the 2005-06 runoff year to 44,974 acre feet of water. Exhibit A sets forth an itemization of the stated pumping amount by well field and well number.

During the month of December 2005 LADWP provided 3,558 acre feet of water for the recharging of groundwater levels in the Laws Wellfield. Of this amount 3,228 acre feet of recharge water was provided by a diversion of water from the Owens River into the McNally Canals. 330 acre feet of recharge water was provided by a diversion from Fish Slough Ditch to the Lower McNally Canal. (The detailed diversion tables are attached as Exhibit B.) During the 2005-06 runoff year to date, LADWP provided a total of 17,335 acre feet of water in the Laws Wellfield for the recharging of groundwater levels, with 10,200 acre feet of water being provided pursuant to the Court Order.

As to water supplied by LADWP for in-valley uses, Exhibit C attached hereto sets forth the amounts of water provided for irrigation and stockwater to leasees, recreation and wildlife, tribal uses, and enhancement and mitigation projects, as required by Paragraph 2(G)(3) of the Court Order. As noted in the exhibit, the amount for tribal uses does not include tribal domestic uses. This is due to the fact that the figures for tribal domestic uses are self reported by the respective tribes and have not been reported by them.

III. ANCILLARY MATTERS

Pursuant to a previous court order attached hereto as Exhibit Dare written communications between LADWP and the Army Corps of Engineers regarding the issuance of LORP permits during the month of January 2006.

1 This concludes LADWP's Report to the Court.

3 Respectfully submitted,

4 Dated: February 3, 2006

ROCKARD J. DELGADILLO, City Attorney

RICHARD M. BROWN, General Counsel, Water and Power

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7 By 

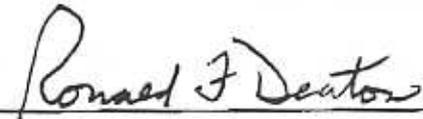
8 JOSEPH A. BRAJEVICH

Deputy City Attorney

9 **Verification By General Manager**

10 I, Ronald F. Deaton declare, under the penalty of perjury, that I have read the above report and hereby verify
11 that to the best of my knowledge the information contained in this report is accurate and complete. This
12 verification is based upon information which has been provided to me by Department of Water and Power
staff, which I believe to be complete and accurate.

13 Dated: February 3, 2006



Ronald F. Deaton, General Manger