

1 ROCKARD J. DELGADILLO, City Attorney  
 2 RICHARD M. BROWN  
 3 General Counsel, Water & Power  
 4 JOSEPH BRAJEVICH (State Bar No. 156144)  
 5 Assistant General Counsel, Water & Power  
 6 111 North Hope Street, Suite 340  
 7 P.O. Box 51111  
 8 Los Angeles, California 90051-0100  
 9 (213)367-3476  
 10 Attorneys for Defendant City of  
 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. )

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: January 9, 2007

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

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

**FAX FILE**

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

**TO THE COURT, THE SPECIAL MASTER, ALL PARTIES AND THEIR ATTORNEYS:**

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

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

LADWP continues to make progress towards the implementation of LORP in a manner consistent with meeting the deadlines established by the Court Order. The significant events which occurred during the period of December 1 through December 31, 2006 demonstrating the progress made are as follows:

**A. Initial Flows Have Been Released**

Initial releases of water into the Lower Owens River occurred on December 6, 2006. With the commencement of Phase 1 releases of water into the Lower Owens River on December 6, 2006, LADWP is in compliance with Section II(E) of the Court Order ahead of the January 27, 2007 deadline. LADWP will now focus its efforts on establishing the permanent baseflow of approximately 40 cfs as set forth in Section II(F) of the Court Order.

Initial releases from Intake were at 10 cfs. Field reconnaissance for the first week after initial releases showed that the flow was moving slowly down channel. Progress was slowed by the planned low initial releases and the cold temperatures freezing the leading edge of the water each night and for significant portions of the day. Presently, 18 cfs is being released from Intake. The entire river system is now wet and LADWP is in the process of calibrating all riverine measuring stations.

**B. The Pump Station**

Work at the pump station is progressing well. Testing of the pumps started the weekend of weekend of January 7 2007.

**C. Blackrock Waterfowl Area**

The Goose Lake and Twin Lake corridors are complete. The final water control structures have been formed and are ready to be poured in the next two weeks.

**D. Miscellaneous Items**

LADWP utilized a helicopter to assist with the removal of floating salt cedar slash and removal of other woody debris in the newly wetted section of the river. Fencing efforts are on-going with seventeen miles of fencing having been completed to date.

**E. Ecosystem Sciences' Activities**

ESI reports that during the month of December they did work in preparation for the initial flow release. Field preparations included surveys to check conditions and obstructions, removal or breaching of beaver dams, and construction progress on new culverts and other in-channel modifications. Additionally, ESI verified that river flow monitor stations were installed and ready to measure flow conditions. Video stations were identified and set up to monitor flow progress and changes. Twenty video monitoring sites were GPSed and initial video was taken.

In the Blackrock Waterfowl Management Area, ESI was in the field to verify construction progress and readiness to initiate wetland flooding and draining. The Winterton Unit is complete and ready for flooding. Staff gages in the unit will be placed after flooding of the unit. The Thibaut Unit is also ready for flooding. Construction continues with much progress on the Waggoner Unit. The Waggoner Unit should be ready for draining soon. Additionally, in the Blackrock area ESI mapped for the GPS culverts, canals, ditches, and flow measuring stations.

ESI continued to work on the next draft of the LORP Monitoring and Adaptive Management Plan and expects to have it ready at the end January 2007.

ESI reports that all of its work is progressing on schedule for compliance with the Court imposed

1 deadlines.

3 **II. GROUNDWATER PUMPING AND RECHARGE AMOUNTS FOR NOVEMBER 2006**

4 In accordance with Paragraph 2(G)(1-3) of the Court Order, LADWP hereby reports the required  
5 information regarding groundwater pumping, water used for recharge, and in-valley water uses for the month  
6 November 2006.

7 The total amount of groundwater pumping for the month of November 2006 was 3,218 acre feet of  
8 water. This brings the cumulative pumping amount for the 2006-07 runoff year to 41,144 acre feet of water.

9 Exhibit A sets forth an itemization of the stated pumping amount by well field and well number.

10 During the month of November no water was provided for the recharging of groundwater levels in  
11 the Laws Well Field. The total amount of water provided by LADWP for the recharging of groundwater  
12 levels for the 2006-7 runoff year is 17,565 acre feet of water and is excess of the 16,294 acre feet required  
13 by Section 2(B) of the Court Order.

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

19 This concludes LADWP's Report to the Court.

20 Respectfully submitted,

21 Dated: January 9, 2007

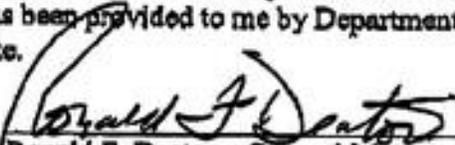
22 ROCKARD J. DELGADILLO, City Attorney  
23 RICHARD M. BROWN, General Counsel, Water and Power

24 By   
25 JOSEPH A. BRAJEVICH  
26 Assistant General Counsel  
27  
28

Verification By General Manager

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

6 Dated: January 9, 2007

  
Ronald F. Deaton, General Manger

1  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

| Well Field       | Well #          | Apr-08<br>(af)  | May-08<br>(af) | Jun-08<br>(af) | Jul-08<br>(af) | Aug-08<br>(af) | Sep-08<br>(af) | Oct-08<br>(af) | Nov-08<br>(af) | Cumulative<br>Runoff Year<br>(af) |
|------------------|-----------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------------------------|
| Laws             | 238             | 85              | 228            | 227            | 238            | 231            | 218            | 87             | 0              | 1293                              |
|                  | 245             | 0               | 0              | 0              | 0              | 74             | 68             | 0              | 0              | 130                               |
|                  | 248             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 98             | 88                                |
|                  | 249             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 80             | 80                                |
|                  | 365             | 88              | 77             | 74             | 61             | 74             | 71             | 21             | 0              | 468                               |
|                  | 354             | 1               | 2              | 3              | 3              | 4              | 11             | 4              | 2              | 30                                |
|                  | 377             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 9              | 9                                 |
|                  | 387             | 0               | 0              | 0              | 0              | 102            | 293            | 348            | 0              | 743                               |
|                  | 388             | 0               | 0              | 0              | 0              | 232            | 190            | 0              | 0              | 422                               |
|                  | 398             | 0               | 0              | 2              | 2              | 2              | 0              | 0              | 0              | 6                                 |
| 413              | 0               | 0               | 0              | 24             | 48             | 48             | 0              | 0              | 121            |                                   |
|                  | <b>Subtotal</b> | <b>174</b>      | <b>307</b>     | <b>308</b>     | <b>328</b>     | <b>768</b>     | <b>898</b>     | <b>440</b>     | <b>197</b>     | <b>3408</b>                       |
| Bishop Cone      | 140             | 133             | 213            | 208            | 155            | 155            | 100            | 243            | 0              | 1205                              |
|                  | 371             | 65              | 2              | 0              | 0              | 83             | 114            | 122            | 118            | 495                               |
|                  | 408             | 74              | 28             | 114            | 140            | 0              | 182            | 3              | 0              | 519                               |
|                  | 407             | 87              | 3              | 0              | 0              | 0              | 0              | 0              | 0              | 70                                |
|                  | 408             | 119             | 98             | 103            | 42             | 44             | 7              | 0              | 0              | 413                               |
|                  | 410             | 112             | 4              | 0              | 0              | 185            | 237            | 250            | 248            | 1017                              |
|                  | 411             | 85              | 4              | 0              | 0              | 187            | 280            | 3              | 0              | 509                               |
|                  | 412             | 80              | 3              | 0              | 0              | 0              | 0              | 0              | 0              | 83                                |
|                  | <b>Subtotal</b> | <b>725</b>      | <b>363</b>     | <b>423</b>     | <b>337</b>     | <b>615</b>     | <b>670</b>     | <b>621</b>     | <b>387</b>     | <b>4311</b>                       |
| Big Pine         | 218             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  | 219             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  | 330             | 881             | 587            | 677            | 608            | 824            | 806            | 628            | 582            | 4784                              |
|                  | 332             | 1060            | 1105           | 1080           | 1125           | 1133           | 1102           | 1138           | 1020           | 8761                              |
|                  | 341             | 28              | 50             | 83             | 88             | 58             | 53             | 37             | 18             | 387                               |
|                  | 352             | 0               | 0              | 0              | 0              | 0              | 0              | 1              | 1              | 2                                 |
|                  | <b>Subtotal</b> | <b>1649</b>     | <b>1742</b>    | <b>1720</b>    | <b>1803</b>    | <b>1825</b>    | <b>1781</b>    | <b>1802</b>    | <b>1832</b>    | <b>15934</b>                      |
| Bair-Georges     | 348             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  | 403             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  |                 | <b>Subtotal</b> | <b>0</b>                          |
| Independence-Oak | 59              | 187             | 170            | 166            | 175            | 178            | 171            | 2              | 0              | 1017                              |
|                  | 60              | 289             | 287            | 289            | 178            | 380            | 308            | 4              | 0              | 1701                              |
|                  | 81              | 132             | 168            | 180            | 187            | 188            | 161            | 136            | 0              | 1087                              |
|                  | 85              | 217             | 222            | 209            | 218            | 221            | 202            | 207            | 0              | 1498                              |
|                  | 401             | 314             | 323            | 288            | 1              | 0              | 0              | 0              | 0              | 928                               |
|                  | 357             | 38              | 52             | 84             | 88             | 65             | 63             | 43             | 21             | 400                               |
|                  | 383             | 150             | 182            | 148            | 153            | 154            | 148            | 148            | 0              | 1047                              |
|                  | 384             | 84              | 88             | 84             | 88             | 87             | 84             | 29             | 0              | 540                               |
|                  | <b>Subtotal</b> | <b>1379</b>     | <b>1488</b>    | <b>1388</b>    | <b>1042</b>    | <b>1229</b>    | <b>1128</b>    | <b>585</b>     | <b>21</b>      | <b>8214</b>                       |
| Symmes-Shepard   | 69              | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  | 402             | 186             | 187            | 199            | 181            | 175            | 188            | 85             | 0              | 1232                              |
|                  |                 | <b>Subtotal</b> | <b>186</b>     | <b>187</b>     | <b>199</b>     | <b>181</b>     | <b>175</b>     | <b>188</b>     | <b>85</b>      | <b>0</b>                          |
| Tabacco-Aberdeen | 118             | 78              | 188            | 182            | 0              | 0              | 0              | 0              | 0              | 394                               |
|                  | 348             | 204             | 77             | 73             | 74             | 78             | 71             | 74             | 72             | 721                               |
|                  | 370             | 1               | 1              | 3              | 0              | 0              | 2              | 0              | 0              | 7                                 |
|                  | <b>Subtotal</b> | <b>281</b>      | <b>244</b>     | <b>228</b>     | <b>74</b>      | <b>78</b>      | <b>73</b>      | <b>74</b>      | <b>72</b>      | <b>1122</b>                       |
| Tribaut-Sewmil   | 103             | 18              | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 16                                |
|                  | 104             | 10              | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 10                                |
|                  | 381             | 1053            | 1082           | 1063           | 1100           | 1019           | 821            | 813            | 898            | 7889                              |
|                  | 398             | 0               | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0                                 |
|                  | <b>Subtotal</b> | <b>1079</b>     | <b>1082</b>    | <b>1063</b>    | <b>1100</b>    | <b>1019</b>    | <b>821</b>     | <b>813</b>     | <b>898</b>     | <b>7885</b>                       |
| Lone Pine        | 344             | 48              | 88             | 70             | 0              | 0              | 0              | 1              | 0              | 187                               |
|                  | 348             | 0               | 0              | 12             | 87             | 87             | 72             | 62             | 31             | 341                               |
|                  | 380             | 60              | 73             | 88             | 81             | 88             | 85             | 39             | 0              | 512                               |
|                  |                 | <b>Subtotal</b> | <b>108</b>     | <b>141</b>     | <b>168</b>     | <b>168</b>     | <b>165</b>     | <b>157</b>     | <b>82</b>      | <b>31</b>                         |
|                  | <b>Total</b>    | <b>5691</b>     | <b>5534</b>    | <b>5482</b>    | <b>6031</b>    | <b>5883</b>    | <b>6984</b>    | <b>4502</b>    | <b>3218</b>    | <b>41144</b>                      |

**EXHIBIT A**

Owens Valley Water Uses

|  | Apr-06<br>(af) | May-06<br>(af) | Jun-06<br>(af) | Jul-06<br>(af) | Aug-06<br>(af) | Sep-06<br>(af) | Oct-06<br>(af) | Nov-06<br>(af) | Cumulative<br>Runoff Year<br>(af) |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------------------------|
| <b>Irrigation</b>                                    | 3593           | 8876           | 7977           | 11872          | 10438          | 7071           | 984            | 2              | 50815                             |
| <b>Stockwater</b>                                    | 973            | 1055           | 1104           | 1127           | 1071           | 953            | 832            | 956            | 8181                              |
| <b>Recreation &amp; Wildlife</b>                     | 445            | 1430           | 1492           | 1237           | 849            | 604            | 423            | 365            | 6945                              |
| <b>Tribal Uses<br/>(Bishop, Big Pine, Lone Pine)</b> | 289*           | 523*           | 588*           | 613*           | 558*           | 620*           | 241*           | 4*             | 5315*                             |
| <b>Enhancement &amp; Mitigation</b>                  |                |                |                |                |                |                |                |                |                                   |
| Project  | Apr-06<br>(af) | May-06<br>(af) | Jun-06<br>(af) | Jul-06<br>(af) | Aug-06<br>(af) | Sep-06<br>(af) | Oct-06<br>(af) | Nov-06<br>(af) | Cumulative<br>Runoff Year<br>(af) |
| McNally Canals Conveyance Losses                     | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 56             | 56                                |
| McNally/Lewis/Polata Native Pasture Lands            | 158            | 402            | 123            | 113            | 67             | 87             | 0              | 0              | 948                               |
| McNally Ponds  | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 130            | 130                               |
| Lewis Historic Museum                                | 0              | 0              | 0              | 2              | 48             | 48             | 0              | 0              | 98                                |
| Klondike Lake  | 0              | 0              | 128            | 107            | 54             | 27             | 0              | 0              | 314                               |
| Lower Owens River                                    | 346            | 814            | 889            | 1448           | 857            | 651            | 419            | 338            | 5803                              |
| Independence Pasture Lands                           | 373            | 349            | 318            | 320            | 492            | 457            | 353            | 0              | 2672                              |
| Independence Springfield                             | 308            | 332            | 259            | 292            | 317            | 248            | 0              | 0              | 1786                              |
| Independence Ditch System                            | 30             | 31             | 30             | 31             | 31             | 30             | 31             | 30             | 244                               |
| Independence Woodlot                                 | 30             | 28             | 28             | 27             | 29             | 30             | 40             | 0              | 212                               |
| Shepherd Creek Alfalfa Lands                         | 193            | 178            | 173            | 185            | 183            | 195            | 88             | 0              | 1162                              |
| Lone Pine Park/Richards Field                        | 138            | 128            | 156            | 157            | 78             | 86             | 20             | 36             | 814                               |
| Lone Pine Woodlot                                    | 6              | 20             | 18             | 18             | 33             | 14             | 10             | 0              | 120                               |
| Lone Pine Van Norman Field                           | 80             | 73             | 86             | 61             | 88             | 65             | 39             | 0              | 512                               |
| Lone Pine Regreening                                 | 3              | 48             | 38             | 3              | 9              | 8              | 2              | 0              | 107                               |
| <b>Total Enhancement &amp; Mitigation</b>            | <b>1642</b>    | <b>2402</b>    | <b>2242</b>    | <b>2785</b>    | <b>2267</b>    | <b>2027</b>    | <b>1018</b>    | <b>691</b>     | <b>14931</b>                      |

\* - Does not include Tribal domestic use

**EXHIBIT B**