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Attorneys for Defendant CITY OF LOS ANGELES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Coordination Proceeding

Case No. 105 CV 049053

**ANTELOPE VALLEY
GROUNDWATER CASES**

Judicial Council Coordination Proceeding
No. 4408

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

Hon. Jack Komar

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

**RESPONSE OF CITY OF LOS ANGELES
TO AGWA OBJECTION TO PUBLIC
WATER SUPPLIERS' CASE
MANAGEMENT STATEMENT**

Wm. Bolthouse Farms, Inc. v. City of
Lancaster

Hearing:

Diamond Farming Co. v. City of
Lancaster

Date: May 22, 2008
Time: 9:00 a.m.
Dept.: 1

Diamond Farming Co. v. Palmdale Water
District

1 Defendant City of Los Angeles (“the City”), a public entity, by and through its
2 Department of Water and Power and on behalf of its Department of Airports, responds to the
3 Objections of Antelope Valley Groundwater Agreement Association (AGWA) to the case
4 management statement by the Public Water Purveyors (“PWP”).

5 PWP, in its case management statement, presented a list and characterization of the
6 participants in the Technical Committee that has been studying the Antelope Valley groundwater
7 basin (“Basin”). AGWA has filed an objection to that characterization, stating, “What an
8 accurate description would reveal is that to date the only experts who have had the authorization
9 and the funding to conduct a thorough Basin analysis are the two experts hired by the public
10 water purveyors and those aligned with their interests.” (emphasis added) The City of Los
11 Angeles disagrees with AGWA’s assertion.

12 The City of Los Angeles (LADWP) claims overlying rights to pump groundwater in the
13 Basin and, believing that the single most important issue for overlying landowners is the natural
14 recharge of the basin, retained Timothy Durbin to participate in the Technical Committee. Mr.
15 Durbin is eminently qualified to address the recharge issue, since he produced the first
16 groundwater model of the Basin in 1978, a model that is still the basis of all basin investigations
17 to date. LADWP has spent tens of thousands of dollars to fund Mr. Durbin’s further field
18 investigation, updating and refinement of the recharge estimate of his model for the Technical
19 Committee effort.

20 LADWP agrees with AGWA that the funding and authorization provided Mr. Durbin have
21 provided the basis for a thorough evaluation of Basin recharge. However, LADWP completely
22 disagrees with AGWA’s implied characterization of LADWP’s interests as “aligned” with the
23 interests of the PWP. LADWP is not a water purveyor in the Antelope Valley; its claim is solely
24 as an overlying landowner. The only interests shared by LADWP and the PWP are (1) to develop
25 the best technical basis for understanding the Basin and its characteristics, and (2) to ensure that
26 the Basin is preserved as a productive water resource serving the Basin.

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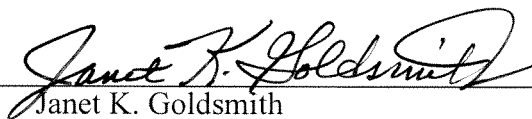
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1 Dated: May 21, 2008

2
3 ROCKARD J. DELGADILLO, City Attorney
4 Richard M. Brown, Senior Assistant City Attorney for
5 Water and Power

6 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
7 A Professional Corporation

8 By



Janet K. Goldsmith

Attorneys for Defendant CITY OF LOS ANGELES

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PROOF OF SERVICE

I, Lorraine Lippolis, declare:

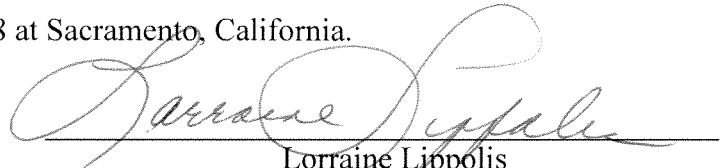
I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814-4416. On May 21, 2008, I served the following document described as:

Response to AGWA Objection to Public Water Suppliers' Case Management Statement

On the interested parties in this action. By posting it on the website before 12 p.m. on May 21.2008 .

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 21, 2008 at Sacramento, California.


Lorraine Lippolis