

1 SUE ELLEN WOOLDRIDGE
Assistant Attorney General
2 Environment and Natural Resources Division

3 R. LEE LEININGER
United States Department of Justice
4 Environment and Natural Resources Division
999 18th Street, Suite 945
5 Denver, Colorado 80202
Phone: 303/312-7322 Fax: 303/312-7379

6 Attorneys for Federal Defendants

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

8 **COUNTY OF LOS ANGELES**

9 Coordination Proceeding
10 Special Title (Rule 1550(b))

) Judicial Council Coordination
) Proceeding No. 4408
)

11 ANTELOPE VALLEY GROUNDWATER CASES

) STATEMENT OF ISSUES

12 Included actions:

Los Angeles County Waterworks District No. 40 v.

) Date: February 17, 2006

13 Diamond Farming Co., et al.

) Time: 9:00 a.m.

Superior Court of California, County of Los Angeles,

) Dept.: 1
)

14 Case No. BC 325 201

Los Angeles County Waterworks District No. 40 v.

15 Diamond Farming Co., et al.

Superior Court of California, County of Kern, Case

16 No. S-1500-CV-254-348

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

17 Diamond Farming Co. v. City of Lancaster

Diamond Farming Co. v. Palmdale Water Dist.

18 Superior Court of California, County of Riverside,

consolidated actions, Case nos. RIC 353 840, RIC

19 344 436, RIC 344 668

20 **ROSAMOND COMMUNITY SERVICES, et al.**

21 **Cross-Complainants,**

22 **v.**

23 **DIAMOND FARMING CO., et al.**

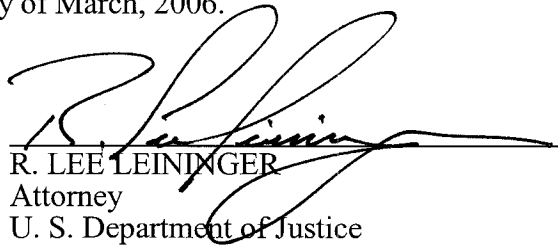
24 **Cross-Defendants.**

25 Pursuant to the Minute Entry dated February 17, 2006, Defendant United States of
26 America submits the following list of issues in advance of the Informed Issues Conference
27 scheduled for March 24, 2006:
28

- 1 1. How will all potential water right claimants be identified?
- 2 a. How will service on all potential water right claimants be effected?
- 3 2. What should be the form of model pleadings?
- 4 a. Should parties already joined be re-served with model pleadings?
- 5 3. What should be the form of a simple Complaint and Answer for dormant (small
- 6 landowner) parties?
- 7 4. What are the geographical boundaries of the Antelope Valley (AV) water basin?
- 8 a. What, if any, sub-basins exist within the AV basin and what are their boundaries?
- 9 b. What, if any, perched aquifers exist within the AV basin that may be suitable for
- 10 groundwater extraction?
- 11 5. What is the jurisdictional boundary of the Antelope Valley Groundwater Adjudication?
- 12 6. Are the AV water basin and sub-basins in a state of overdraft today?
- 13 a. If yes, how long has this condition existed? Which aquifers are most severely in
- 14 overdraft? What groundwater extraction is contributing to the most severe
- 15 overdraft?
- 16 7. Has overdraft of the AV water basin resulted in land surface subsidence within the AV?
- 17 a. If so, where?
- 18 b. Where is the subsidence most pronounced?
- 19 8. If this Court is asked to restrict groundwater extraction, should such restriction be based
- 20 on:
- 21 a. The safe yield of the AV water basin.
- 22 b. A correlative rights calculation using acreage owned overlying the basin.
- 23 c. A prescriptive rights calculation based on proven historical usage.
- 24 d. A reasonable and beneficial use concept.
- 25 9. What constitutes (or defines) safe yield in the AV water basin?
- 26 10. What is the nature and scope of the Federal Reserved Water Rights belonging to the
- 27 United States and asserted on behalf of all Department of Defense installations within the
- 28 AV?

- 1 11. Is water banking a feasible enterprise within the AV water basin?
- 2 a. If yes, will this Court order the preservation of the rights to any water banked in
- 3 the AV water basin exclusively to those parties making such deposit and enjoin
- 4 withdrawal by all others?
- 5 b. In conjunction with water banking for subsequent withdrawal, will this Court
- 6 order recharge of the aquifers found to be the most severe overdraft condition in
- 7 order to prevent or delay further surface subsidence within the AV?
- 8

9 Respectfully submitted this 17 day of March, 2006.

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11 R. LEE LEININGER

12 Attorney

13 U. S. Department of Justice

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PROOF OF SERVICE

I, Linda C. Shumard, declare:

I am a resident of the State of Colorado and over the age of 18 years, and not a party to the within action. My business address is U.S. Department of Justice, Environmental and Natural Resources Section, 999 - 18th St., Suite 945, Denver, Colorado 80202.

On March 20, 2006, I caused the foregoing documents described as STATEMENT OF ISSUES, to be served on the parties via the following service::

☒

BY ELECTRONIC SERVICE AS FOLLOWS by posting the documents(s) listed above to the Superior Court of the State of California County of Los Angeles website in regard to the Antelope Valley Groundwater matter.

☐

BY MAIL AS FOLLOWS (to parties so indicated on attached service list): By placing true copies thereof enclosed in sealed envelopes addressed as indicated on the attached service list.

☐

BY OVERNIGHT COURIER: I caused the above-referenced document(s) be delivered to FEDERAL EXPRESS for delivery to the above address(es).

Executed on March 20, 2006, at Denver, Colorado.

/s/ Linda C. Shumard
Linda C. Shumard
Legal Support Assistant