

Part 1, Why were IWV Valley Residents Not Immediately Included in Initial Discussions Seeking Solutions to the SGMA Mandate!

By Lorry Wagner, July 8, 2018

So, Sacramento has IDENTIFIED IWV as having an “unsustainable groundwater aquifer.” In trying to address a path to a sensible and correct “original” response to this “Sensible Groundwater Management Authority (SGMA) mandate from Sacramento, my first question has to be “why in the world did not our newly-organized IWVGWA group (mandated by SGMA) come forth right up front back in 2016 and bring in the people who live in IWV, be honest with them and open doors to work with them openly. From all of us who use IWVWD water plus all of the property owners with private water wells for their water use we have a collection of very intelligent, knowledgeable and experienced folks which should have been brought in, organized and enabled to work with the IWVGWA whose members were seated not because of their expertise in any area of the subject issue, who were not elected to this position, but only politically and inherited the position because of their political position. Our residents of IWV have a far better knowledge and understanding than any outside entities like those that have apparently been brought in and/or are in the plans to be hired.

Since no one seemed to think the residents should be involved with any impact of aquifer problems on our personal way of life, we, the people who live in IWV now have to deal with that very first incorrect handling which has grown to the mess we have today.

We are being told that over \$1,000,000.00 has been received via State Grants and other avenues, all of which has already been spent and now they need more \$ just to pay for hiring these OUTSIDE management, engineering and legal parties. This is only for these entities to come up with some kind of advice and overseeing the plan that the IWVGWA group put together to be submitted to the State and that the State of California will accept. I thought putting a plan together was the basic charge for the member of that IWVGWA, not outside parties! What happens once this plan is accepted??? I don't for a minute accept anything but that IWVGWA will seek more revenue from we the people probably into perpetuity and, based upon my understanding any plan under possible consideration will never solve the issue, but only put a very temporary band aid on same putting us back to square one after wasting millions of dollars on a dead-end action.

Before moving forward with the subject of defining the problems and possible solutions, I would demand that we, the people receive a detailed accounting of \$'s received, from whom or where said \$'s have been received and the list of to whom these \$'s have been spent with very clear identification of recipients and for what payment to same has been used!

Part 2, Does the Los Angeles Aqueduct and the Coso Geothermal Field Impact The Inflow of Water To the IWV Aquifer?

Whenever I jump into something like this water scare instigated by Sacramento, based upon recent drought conditions in our State of California and responsibility for solution...both financial and actual...dropped by so-called mandatory law on a group of people holding political positions in the City of Ridgecrest, County of Kern, County of San Bernardino and the County of Inyo I start doing the background research.

When this “pumping fee” issue came up fairly recently my first reaction was oh, oh!!! This is an overstepping of the laws governing private-property water rights. My second reaction was to question why the law we citizens passed a while back requiring that any California-government mandate costing \$’s requires that the California government fund same.

To start with and in the name of honesty, some \$’s have been granted to the IWVGWA by Sacramento and a couple other entities, but not in the amounts this group thinks they need to just start working on a solution. I know we have very knowledgeable and capable folks who live here in IWV who can find the correct answers and lay the path for forward movement to solve the issues. We do not need outsiders to be “hired” on our \$ to “consult, manage the process and give legal advice” to the members of IWVGWA to come up with “a plan.” That’s where the people of IWV have to stand up and stop bad-spending ideas and policies by a very “political-agenda” oriented “unelected” group and bring forth actual truth and real and correct solutions. It’s our water and our future, folks...let’s take on that responsibility! Betcha we can take care of the “plan” for much less than the \$1,000,000.00+++ that is now being arranged! Why in the world were we not “asked” for our help instead of being shut out and told “this is what we are doing...take it or pay the price.”

Here’s where I am at this point in my research and putting reality up front.

1. Since 1913 Los Angeles has been diverting (I label it as stealing) the water Mother Nature brings forth to the High Sierras annually which creates the headwaters that flow south feeding many creeks, rivers and lakes that flow south to IWV as rivers and underground down through Owens Valley continuing on south to IWV to refill our underground aquifer.
2. This LA aqueduct was done illegally by LA city officials and some of whom were also in real estate expansion, people were murdered, etc., etc., and among other disasters LA started interfering with the water coming into and resting in Mono Lake which nearly dried up. Fortunately, courts stopped LA from draining Mono and force LA to stop the diverting of those waters and also reinstate the water they stole! Owens Valley has also won law suits fairly recently requiring LA to reinstate “some” water they were also stealing from that valley.
3. The 1980’s studies by Pierra St. Amand and Carl Austin (both residents of IWV) showed that the IWV aquifer was dropping along with silt and other buildup blocking some paths where water flowed for thousands of years were important to address. Apparently they were correct but were ignored. Unfortunately, in my opinion here at least in reports I have found and read, the impact of the LA aqueduct were not referenced or part of these studies. At that time the Coso Geothermal (CG) was not in production, but was under plan and construction. However, this project is now also taking water via pipeline from Rose Valley which presents the same problem as does the LA aqueduct, albeit on a smaller scale but can escalate in the future as has the LA

situation because the CG underground water has been depleted. So we now have the Coso Geothermal project also diverting IWV incoming water flow from continuing down to IWV as it should. Here is an excerpt from CG records showing this:

“Terra-Gen, LLC, the current owner of the Coso Geothermal Facility, has many plans to increase production from the field. Since the field is liquid-limited, one idea is to inject more water into the reservoir. In 2009, Terra-Gen obtained the critical permits from the Bureau of Land Management (BLM) to begin construction of a 9-mile pipeline for recharging the existing reservoir. The intent of the project, referred to as the Hay Ranch Water Project, is to inject supplemental water into the reservoir to stabilize and enhance the field, increasing electricity production to serve an estimated 50,000 more homes, or about 50 MW. The BLM completed an extensive environmental review and concluded there will be no significant negative impacts from the project. Coso also obtained a Conditional Use Permit from Inyo County, after another Environmental Impact Review . A further barrier to the project was overcome by reaching settlement with Little Lake Ranch, Inc. to provide improvements around Little Lake to ensure the availability of water for recreational and habitat conservation purposes. After this delay, Terra-Gen completed the construction of the pipeline in late 2009.”

This is just a brief overview of existing records which I have combined with the current reality to start putting together the real bottom-line causes of the IWV aquifer level dropping and showing us the path by which we can address and correct the blocking of the water Mother Nature has always intended to keep our aquifer at reliable levels. We all understand there is nothing we can do about drought years...well, we can always seed clouds, said tongue in cheek with a grin...but we also know droughts come and go and have for centuries. That we can deal with. It is the interference and man/s (including government) alteration of natural water flow that we have to address and correct.

As stated above in Part 1, our IWV has many great people who are very capable of commanding various areas of the expertise needed for finding and applying this correction endeavor. Now we need to bring all this experience, background and expertise together in a coordinated fashion and get rolling. My prediction is that this IWVGWA will fail based on the directions they seem to be going.

Let's get started. We must first understand this is not going to be an immediate and quick endeavor. To date it has now been 115 years in the making and will take time to untangle the mess. I will share my plan outline, please jump in and add or correct or whatever with your own area of expertise so we can come up with a real road to success.

Plan Overview (here's where everyone with an area of expertise needed to make this work needs to jump right in):

1. Pursue grants needed to pay for later requirements for hiring expertise with equipment required to “clean up” areas blocking flow and any other expenditures necessary to accomplish the end goal. We, the people here in IWV can certainly donate our time, experience and expertise to this project.
2. Set up a non-profit Corporation or Trust (whichever is most appropriate for this action) for funding received and paying the bills.
3. Work with legal corporations that have achieved success in specific areas of water rights,

etc., since we all know we would have to sue LA to force them to go to desalinating and destroy their aqueduct. I have already contacted one for very preliminary information.

4. Pursue research into what aquifer areas of water inflow and below-ground pools have been silted, block, etc., much of said restrictions due to the diminished info of refill water over all these years, which will include (after research results) the contracting of equipment contracts to correct the blockage to re-establish adequate water inflow...probably will take oil-field expertise and equipment.

That's just off the top of my head based on my limited knowledge and research in this area. I have expertise in setting up corporations, finding information in the research area, setting up communication with those working in their areas and with the general residents to keep everyone updated plus a way to request help for various areas and keeping track of our plan to make sure every phase flows smoothly to the next.

We need to organize those who can contribute other areas such as:

1. Legal...surely we have local lawyers and attorneys who would donate their expertise to keep IWV in water.
2. Research...putting together all the facts, issues and actually documenting law and precedent for our legal group which is inevitable (Legal...above????). I have found during my many years of being involved in various law suits (in construction when one sub contractor is sued every single other contractor on the job is pulled in and I learned how to send lawyers to immediately dismiss Sierra Sirocco...Larry's and my construction corporation...from any legal responsibility) that when one actually takes the time and makes the effort to really dig, dig, dig for real facts and dump the "spin" legal is so infamous for using to try to intimidate opposition, this work by the party being sued will help win the case for them. I have also found that lawyers/attorneys are pretty much limited in that they "know law" only, depend on their staff to research details and their staff has no idea of the reality of the basis upon which they are charged to research. Only those actually "living the situation" have the necessary reality and truth. At least this has always worked for me. Clarification here, criminal law is a different story, I'm addressing only civil law.

Now, open for input...let's put this together...we do NOT need the IWVGWA to spend millions of \$'s they extract from us so they can "put a plan together" which is based on "regulating the gallons of water each of us that own private water wells on our private land" can use and charging us for same to spend on what are, in my opinion and true-life experience, going to be a waste of \$'s.

I can be reached at:

lorrysda@gmail.com

760-377-5579

Or contact me for my USPS mailing address.

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