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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

THE DELTA SMELT CASES  
  
SAN LUIS & DELTA-MENDOTA  
WATER AUTHORITY, et al. v.  
SALAZAR, et al. (Case No. 1:09-cv-407)

CASE NO. 1:09-cv-407-OWW-DLB  
1:09-cv-422-OWW-DLB  
1:09-cv-631-OWW-DLB  
1:09-cv-892-OWW-GSA

STATE WATER CONTRACTORS v.  
SALAZAR, et al. (Case No. 1:09-cv-422)

PARTIALLY CONSOLIDATED WITH:  
1:09-cv-480-OWW-GSA

COALITION FOR A SUSTAINABLE  
DELTA, et al. v. UNITED STATES FISH  
AND WILDLIFE SERVICE, et al.  
(Case No. 1:09-cv-480)

**ORDER ON JURISDICTION TO  
CONSIDER PLAINTIFFS’ INJUNCTIVE  
RELIEF PETITION RE FALL X2 ACTION**

METROPOLITAN WATER DISTRICT v.  
UNITED STATES FISH & WILDLIFE  
SERVICE, et al. (Case No. 1:09-cv-631)

STEWART & JASPER ORCHARDS, et  
al. v. UNITED STATES FISH AND  
WILDLIFE SERVICE, et al.  
Case No. 1:09-cv-892)

1 The Court has read and considered the memoranda of points and authorities and other  
2 documents filed in support of and in opposition to the jurisdiction of the Court to consider the  
3 motion for injunctive relief brought by Plaintiffs San Luis & Delta Mendota Water Authority,  
4 Westlands Water District, Metropolitan Water District of Southern California, State Water  
5 Contractors, Kern County Water Agency, and Coalition for a Sustainable Delta, and joined in by  
6 Plaintiff-in-Intervention the California Department of Water Resources (“DWR”), regarding  
7 Action 4 (the “Fall X2 Action”) of the Reasonable and Prudent Alternative of the 2008 Delta  
8 Smelt Biological Opinion. The Court has heard and considered the arguments of counsel at the  
9 hearing on this matter held on June 20, 2010.

10 On June 24, 2011, the Court filed its Memorandum Decision Re Jurisdiction to Consider  
11 Plaintiffs’ Injunctive Relief Petition re Fall X2 Action (Doc. 930). The June 24, 2011  
12 memorandum decision constitutes the statement of reasons for the Court’s ruling. For the  
13 reasons more fully explained in the Court’s June 24, 2011 memorandum decision, IT IS  
14 HEREBY ORDERED:

15 (A) The District Court has jurisdiction to hear Plaintiffs’ request for injunctive relief  
16 against the Fall X2 Action; and

17 (B) Briefing and the hearing shall proceed as ordered in the Court’s June 3, 2011  
18 Scheduling Order (Doc. 895).

19  
20 **IT IS SO ORDERED.**

21 Dated: July 8, 2011

22 /s/ OLIVER W. WANGER  
23 Honorable Oliver W. Wanger  
24 United States District Judge