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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

 Plaintiff,

CAHUILLA BAND OF INDIANS,

 Plaintiff-Intervenor,

RAMONA BAND OF CAHUILLA,

 Plaintiff-Intervenor.

v.

FALLBROOK PUBLIC UTILTIY
DISTRICT, et al.,

 Defendants.

Case No. 51-CV-01247-GPC-RBB

**ORDER GRANTING MOTION TO
EXTEND STAY**

[Dkt. No. 5607]

A Joint Motion to Extend Stay¹ was filed by Plaintiffs-Intervenors that Cahuilla Band of Indians and the Ramona Band of Cahuilla, (Dkt. No. 5607). No opposition to the motion was filed by any party.

¹ Plaintiffs-Intervenors state the United States, State of California, County of Riverside, Riverside County Flood Control and Water Conservation District, Greenwood Landowners, Hemet Unified School District and Agri-Empire do not oppose their motion.

1 In their motion, Plaintiffs-Intervenors describe the involved and active settlement
2 actions taken by the parties which include not only attending settlement conferences
3 with the Magistrate Judge but also include completing a number of studies concerning
4 the feasibility of importing water into the Anza-Cahuilla Basin, determining that it is
5 feasible to construct a pipeline, dam and other water yielding facilities that could be
6 used to import water, attending meetings with water agencies and determining that there
7 is raw water available for purchase and importation into the basin and scheduling
8 meetings to negotiate each party's contribution to the water importation project. (Dkt.
9 No, 2292 at 2-3). In addition to the issue of importing water, the parties have held
10 teleconferences to continue to resolve other outstanding issues, including but not limited
11 to having meetings to attempt to resolve the landowner's ability to develop projects in
12 the basin because of their inability to demonstrate a reliable water source.

13 Since the last request of the parties to extend the stay, the parties have shown
14 significant progress in reaching an overall settlement of the case. The Cahuilla Band of
15 Indians have agreed as part of the settlement to cap the amount of water it would
16 appropriate each year from the basin and purchase the Agi-Empire property and retire
17 its water right so that there is sufficient water in the basin to meet all the parties needs
18 and still maintain the basin on a sustained yield basis.

19 The parties have also determined that the construction of the pipeline, lift stations
20 and dam for the importation of water into the basin and the purchase of an additional
21 3,000 to 5,000 acre feet of water for importation into the basin is feasible.

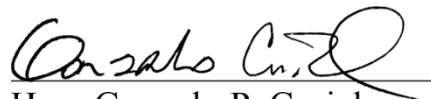
22 The parties are now working diligently to develop a plan for the purchase of the
23 Agi-Empire and other properties that can be developed to generate revenue to pay for
24 the costs of the project.

25 The settlement process is moving forward and concrete actions are continuously
26 being taken and it appears that settlement negotiations are being conducted in good
27 faith. As the Court noted in a prior order, "[w]hile nine years is a long period for a stay
28 to be in place, it must be considered in light of the up to 3000 defendants in this case

1 involving complicated technical and legal issues to resolve.” (Dkt. No. 5582 at 11); see,
2 e.g., *Central Delta Water Agency v. United States*, 306 F.3d 938, 943 (9th Cir. 2002)
3 (stating that management of water resources is one of the most contentious issues in the
4 western United States).

5 Thus, the Court GRANTS the motion to extend the stay by six months.
6 Accordingly, IT IS HEREBY ORDERED that the motion is granted and the stay is
7 extended until **July 16, 2018**.

8 IT IS SO ORDERED.
9 Dated: January 22, 2018

10 
11 Hon. Gonzalo P. Curiel
12 United States District Judge
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