# EXHIBIT 12



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# Nearly 100 gather to put Watermaster into motion - Printable Version

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## Nearly 100 gather to put Watermaster into motion - water - 22-01-2016 04:08 PM

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Nearly 100 gather to put Watermaster into motion

### Alisha Semchuck

LANCASTER - Antelope Valley water officials are trying to seat by March the five members of the new board that will ensure well water is allocated according to the terms of the landmark settlement reached in December after 16 years of litigation.

But although that's the goal for the Antelope Valley Watermaster Board, realistically it might be impossible.

Nearly 100 people who had been litigants, or their attorneys, in the Antelope Valley groundwater suit gathered Thursday afternoon in the Lancaster City Council Chambers more like comrades than foes to start the Watermaster implementation.

The lawsuit began in October 1999 and settled in 2015, after a court battle that grew to encompass hundreds of litigants.

Rob Parris, an Antelope Valley-East Kern Water Agency director, is the only individual named on the Watermaster board, where he will represent AVEK.

Of the five seats, one will permanently belong to AVEK and another to Los Angeles County Waterworks District 40. A third seat will be identified for a public water supplier and two are marked for landowners.

Parris was joined on the dais Wednesday by Adam Ariki, general manager for Waterworks District 40; John Calandri, owner of Calandri/SonRise Farms; and Dennis Atkinson, a representative from Tejon Ranch.

The purpose of Thursday's meeting was to help "get the process going," Parris told the crowd.

Parris asked Dennis LaMoreaux, general manager for Palmdale Water District, if the public water suppliers could possibly name their representative on the Watermaster board by March.

LaMoreaux said they would try, but he could not promise that would happen that soon because 11 entities are involved, so it will require negotiations among that group.

Parris asked the same of Ariki, who explained that Waterworks officials must come before the county Board of Supervisors with their recommendation. The supervisors can either approve that recommendation or they can name someone else.

Atkinson said his group requires negotiations among many more than 11 entities, so he could not guarantee the results

by March.

Calandri concurred with Atkinson.

"What we have to do will be monumental," Calandri said. "The landowners are fractionalized. If Rob's going to ask me about March, we will try, but I would say 'no."

The judgment was "clear about the responsibility of the various groups," said Dwayne Chisam, assistant general manager at AVEK.

The groups include the cities of Lancaster and Palmdale, as well as public water suppliers, mutual water companies, landowners known as the overlyers, the sanitation districts, farmers and Edwards Air Force Base.

AVEK has the responsibility of handling the administrative services.

As soon as the Watermaster is formed, AVEK will take direction from the Watermaster regarding administrative matters, Chisam said.

Robert Wagner of Wagner and Bonsignore Consulting Civil Engineers talked about the duties of a Watermaster.

"The main purpose of the Watermaster program is to ensure water is allocated according to established water rights as determined by court adjudications or agreements by an unbiased, qualified person, thereby reducing water rights court litigation, civil lawsuits and law enforcement workload," Wagner said, adding he borrowed the information from the state Department of Water Resources website.

"It also helps prevent the waste or unreasonable use of water," he said.

Eight Northern District field Watermasters work full time in their respective service areas during the irrigation season - typically April 1 through Sept. 30.

It is the Watermaster's responsibility to physically regulate between 100 and 200 diversions within one or more service areas during that period. The day is generally spent checking diversions and adjusting them when necessary. If this is done on a routine basis, fewer problems occur.

Watermasters determine the rights and responsibilities of parties in an area of overused water supplies, Wagner said.

In addition to the Antelope Valley, adjudication of water rights has occurred in the Mojave Basin area, the San Bernardino Basin area and the Chino Basin, among others, according to Wagner.

Typical Watermaster duties include hydrologic data compilation and analysis, determination and protection of water rights and water agreements, maintaining records of parties and changes of ownership through time, and establishing that the uses of water are reasonable.

Mojave Water Agency is the Watermaster in that area. Appointed by the court in 1993, it "functions in that case as an arm of the court. Rules are applied uniformly to all parties."

Watermaster board members must "act in an impartial manner.

"Reporting requirements in the Mojave judgment are similar to the requirements in (the Antelope Valley) judgment," Wagner said.

Antelope Valley's Watermaster board "will be similar to all the Watermaster boards in the state," Chisam said, adding its duty is to "implement the judgment - nothing more, nothing less."

A second meeting for this group has been slated for Feb. 17. The court, in the settlement, requested the Watermaster board to have its first annual report due April 1, 2017.

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