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9 Attorneys for
10 LITTLE ROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT,
11 NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES DISTRICT,
12 LLANO DEL RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL WATER
13 CO.

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **IN AND FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

16 Coordinated Proceeding
17 Special Title (Rule 1550(b))

) **Judicial Council Coordination No. 4408**

18 ANTELOPE VALLEY GROUNDWATER
19 CASES

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar – Dept. 12

20 Included Actions:

) **NORTH EDWARDS WATER DISTRICT'S
) DECLARATION IN LIEU OF DEPOSITION
) FOR PHASE 4 TRIAL**

21 Los Angeles County Waterworks District No. 40
22 v. Diamond Farming Co. Los Angeles County
23 Superior Court Case No. BC 325201;

24 Los Angeles County Waterworks District No. 40
25 v. Diamond Farming Co., Kern County Superior
26 Court, Case No. S-1500-CV-234348;

27 Wm. Bolthouse Farms, Inc. v. City of Lancaster
28 Diamond Farming Co. v. City of Lancaster v.
Palmdale Water District, Riverside County
Superior Court, Consolidated Actions, Case Nos.
RIC 353840, RIC 344436, RIC 344668

AND RELATED CROSS-ACTIONS

DECLARATION

I, Dollie Kostopoulos, declare:

1. I am General Manager for North Edwards Water District, a party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This declaration applies only to the categories I have filled in. The items left blank or crossed out do not apply to me. Except where stated on information and belief, I have personal knowledge of each fact herein and would testify competently thereto under oath.

Property Ownership and Parcel Size

2. North Edwards Water District owns property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in Kern County and is identified by the following APN/APNs: 230-153-13-2; 230-040-20-6; 230-153-10-8; 230-153-11-6; 233-272-19-4.

The wells at North Edwards Water District:

Well # 1 Primary:

13009 Davenport

North Edwards, CA. 93523

Well #2 Secondary Well:

13512 Gulf Street

North Edwards, CA. 93523

[If additional room is needed, please identify the APN/APNs in Exhibit A. Exhibit A not needed.]

3. North Edwards Water District claims groundwater rights, but it does not use groundwater on its own property. It is not claiming an overlying right. It is a public water purveyor. Responding party asserts rights to groundwater rights based on prescriptive rights, appropriative rights, California Water Code sections 106, 106.3, 106.5.

4. For each APN/APNs identified above, the total acreage by parcel is as follows: Under one (1) acre per parcel. [If additional room is needed, please identify the APN/APNs and parcel size in Exhibit B. There is no Exhibit B.]

1 5. For each APN/APNs identified above North Edwards Water District owned the property
2 during the following time period: throughout the time period relevant to this declaration and the discovery
3 ordered by the Court for the Phase 4 trial.

4 6. The following are all individuals/entities appearing on the title for the above identified
5 APN/APNS from Jan 1, 2000 to the present: North Edwards Water District.

6 7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
7 title during the following time: North Edwards Water District.

8 **Leases**

9 8.-18. Not applicable. No leases. No Exhibits C-D.

10 **Water Meter Records**

11 19. North Edwards Water District measures the groundwater production on the above
12 referenced properties by meters. Exhibit E contains meter records for 2002-2003, 2005, 2011-2012. A
13 true and correct copy of Exhibit E is attached hereto and incorporated herein.

14 20. Exhibit F charts set forth the total yearly production amounts by metered water well on the
15 above referenced properties for the years 1990-2012. The ground water pumped in October, November
16 and December of 2012 was 9.13 acre feet, 5.18 af and 6.10 af respectively. A true and correct copy of
17 Exhibit F is attached hereto and incorporated herein.

18 **State Water Project purchases**

19 21.-22. Not applicable. No Exhibits G-H.

20 **Pump Tests/ Electric Records**

21 23. North Edwards Water District relies on utility statistics reports for 2000-2001. Exhibit I
22 contains true and correct copies of the utility statistics for wells on the properties referenced above.

23 24. Exhibit F chart sets forth the amount of total yearly groundwater that North Edwards
24 Water District estimates was pumped on the properties and used by customers, referenced above for the
25 years 2000-2001 based on meter and the attached utility statistics for the wells on the properties
26

1 referenced above. A true and correct copy of Exhibit F chart is attached hereto and incorporated herein.

2 [There is no Exhibit J.]

3 25. Pump tests were performed on the following dates: Unknown. North Edwards relies on the
4 attached records, not pump tests.

5 26. North Edwards Water District is not producing pump test records for the following dates ____
6 because: See response to paragraph 25, above.

7 27. See response to paragraph 25, above.

8 **Pump Tests/Diesel Records**

9 28.-31. Not applicable. No Exhibit K-L.

10 **Crop Duties and Irrigated Acres**

11 33.-34. Not applicable. No Exhibits M-N.

12 **Other Sources of Water**

13 35. On the properties referenced above, North Edwards Water District did not receive water
14 from other sources other than groundwater during the time period covered by the Court-ordered Phase 4
15 discovery order.

16 **Use of Water** (Complete for each APN. If water for used for multiple purposes, identify the amount of
17 water for each use.)

18 36.-42. North Edwards Water District is a public water purveyor. Its water is not used to irrigate
19 its own property. Its property is used for water production. On information and belief, all groundwater
20 was used for municipal and domestic purposes by customers. See Exhibit F for amounts used per year.

21 [There is no Exhibit O.] Attached hereto as Exhibit P is a true and correct copy of a map of the District's
22 Service Area.

23 43. All of District's production and water use for 2000-2004, 2011 and 2012 is set forth in
24 Exhibit F, the exhibits hereto and this declaration.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 30th day of January 2013, at North Edwards, California.

Dollie Kostopoulos
Dollie Kostopoulos, Declarant