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10 LITTLEROCK 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) **Judicial Council Coordination No. 4408**
17 Special Title (Rule 1550(b)))
18 ANTELOPE VALLEY GROUNDWATER) Santa Clara Case No. 1-05-CV-049053
19 CASES) Assigned to the Honorable Jack Komar – Dept. 12
20 Included Actions:) **PALM RANCH IRRIGATION DISTRICT’S**
21) **DECLARATION IN LIEU OF DEPOSITION**
22) **FOR PHASE 4 TRIAL**
23 Los Angeles County Waterworks District No. 40)
24 v. Diamond Farming Co. Los Angeles County)
25 Superior Court Case No. BC 325201;)
26 Los Angeles County Waterworks District No. 40)
27 v. Diamond Farming Co., Kern County Superior)
28 Court, Case No. S-1500-CV-234348;)
Wm. Bolthouse Farms, Inc. v. City of Lancaster)
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

1 I, Peter Tuculet, declare:

2 1. I am General Manager for Palm Ranch Irrigation District (“District”), a party to this action.
3 In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This declaration
4 applies only to the categories I have filled in. The items left blank or indicated by “inapplicable” do not
5 apply to the District. Except where stated on information and belief, I have personal knowledge of each
6 fact herein and would testify competently thereto under oath.
7

8 **Property Ownership and Parcel Size**

9 2. Palm Ranch Irrigation District owns property that overlies the Antelope Valley Area of
10 Adjudication as decided by this Court. The land is in Los Angeles County and is identified by the
11 following APNs: Well number 4, APN 3204-012-903; Well number 5: APN 3204-012-902; Well number
12 7: APN 3203-032-902; Well number 8: APN 3203-016-900. A separate exhibit was not needed to answer
13 this question, and therefore, Exhibit A is intentionally omitted.

14 3. Palm Ranch Irrigation District claims groundwater rights but is not claiming that it uses its
15 pumped groundwater on its own parcels. It is a public water supplier. It uses water from its parcels for
16 distribution to its customers. This is further discussed in paragraph 44 below.

17 4. For each APN identified above, the total acreage by parcel is as follows:
18 APN 3204-012-903, 1.16 acres; APN 3204-012-902, 0.25 acres; APN 3203-032-902, 2.00 acres; APN
19 3203-016-900, 3.00 acres. A separate exhibit was not needed to answer this question, and therefore,
20 Exhibit B is intentionally omitted.

21 5. For each APN identified above, Palm Ranch Irrigation District owned the property during
22 the following time period: APN 3204-012-903, purchased 7/27/65; APN 3204-012-902, purchased
23 10/4/62; APN 3203-032-902, purchased 4/29/91; APN 3203-016-900, purchased 10/4/62. These parcels
24 are still owned by responding party.

25 6. The following are all individuals/entities appearing on the title for the above identified
26 APNS from January 1, 2000 to the present: Palm Ranch Irrigation District.

1 7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
2 title during the following time: Palm Ranch Irrigation District.

3 **Leases**

4 8.-18. Not applicable. A separate exhibit was not needed to answer this question, and therefore,
5 Exhibits C and D are intentionally omitted.

6 **Water Meter Records**

7 19. Palm Ranch Irrigation District measures the groundwater production on the above
8 referenced properties by a SCADA system. Exhibit E contains certain SCADA and meter records for
9 2011-2012 and 2001. A true and correct copy of Exhibit E is attached hereto and incorporated herein.

10 20. Exhibit F charts set forth the total yearly production amounts by metered water well on the
11 above referenced properties for the years 2001-2004, 2011, and 2012. A true and correct copy of Exhibit
12 F is attached hereto and incorporated herein. A true and correct copy of groundwater extraction reports
13 for 2000-2004, 2011-2012 are also attached as Exhibit Q, including those for 2000. (For additional facts
14 concerning 2001, see also paragraph 45 below.)

15 **AVEK purchases**

16 21. Palm Ranch Irrigation District purchases AVEK water from AVEK for use by Palm Ranch
17 Irrigation District to sell to its customers. Exhibit G contains true and correct copies of the invoices for
18 delivery of AVEK water during 2011-2012.

19 22. Exhibit F, charts, set forth the total yearly AVEK water deliveries to District for use by its
20 customers for the years 2001-2004, 2011, and 2012. A true and correct copy of Exhibit F is attached
21 hereto and incorporated herein. Palm Ranch Irrigation District does not purchase water from other
22 sources other than AVEK. Exhibit H was intentionally omitted because Exhibit F contains summaries of
23 AVEK deliveries.

24 **Pump Tests/ Electric Records**

25 23. In order to calculate groundwater pumped and used on the properties referenced above,
26 Palm Ranch Irrigation District also relied on pump tests and electric records. Exhibit I contains true and

1 correct copies of the pump test records and electrical records received from Southern California Edison
2 for wells on the properties referenced above. On information and belief, the electric records attached to
3 this declaration as Exhibit I do not include electric use on the properties referenced above for anything
4 other than pumping groundwater.

5 24. Exhibit F chart sets forth the amount of total yearly groundwater that Palm Ranch
6 Irrigation District estimates was pumped on the properties and used by customers, referenced above, for
7 the years 2001-2004, 2011, and 2012 based on the attached meter, SCADA, pump test records and
8 electrical records for the wells on the properties referenced above. (See also paragraph 45 below.) A
9 true and correct copy of Exhibit F, charts, is attached hereto and incorporated herein. Exhibit J was
10 intentionally omitted because the amount pumped is set forth in Exhibit F.

11 25. Pump tests were performed on the following dates:

12 For Well 4: Nov. 5, 2012, Oct. 25, 2010, November 18, 2008, November 29, 2005, November 16,
13 2004, March 17, 2003, October 23, 2001.

14 For Well 5: November 7, 2012, October 20, 2010, November 17, 2008, November 30, 2005,
15 November 16, 2004, March 11, 2003, October 23, 2001.

16 For Well 7: November 5, 2012, October 5, 2011, October 25, 2010, November 29, 2005,
17 November 15, 2004, April 22, 2003, October 22, 2001.

18 For Well number 8: November 5, 2012, October 25, 2010, November 29, 2005, November 15,
19 2004, March 13, 2003.

20 Palm Ranch Irrigation District is not producing pump test records for other dates because: The
21 District has not yet located records of any other pump tests.

22 27. I am not presently aware of the dates of the other pump tests performed on the properties
23 referenced above during the time applicable to this discovery.

24 **Pump Tests/Diesel Records**

25 28.-31. Not applicable. Therefore, Exhibits K and L were omitted.

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1 **Crop Duties and Irrigated Acres**

2 33.-34. Not applicable. Therefore, Exhibits M and N were omitted.

3 **Other Sources of Water**

4 35. On the properties referenced above, Palm Ranch Irrigation District did not receive water
5 from sources other than groundwater pumped within the Basin or AVEK water. Therefore, Exhibit O was
6 omitted.

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

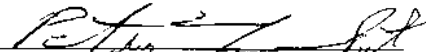
9 36.-42. Palm Ranch Irrigation District is a public water purveyor. Its water is not used to irrigate
10 its own property. Its parcels, identified above, contain wells, which are used for water production. On
11 information and belief, all groundwater was used for municipal, industrial and domestic purposes by
12 customers, and imported water was used for municipal, industrial and domestic uses. See Exhibit F for
13 amounts used per year. Attached hereto as Exhibit P is a true and correct copy of a map showing
14 Responding party's service area.

15 43. Other than what is declared herein and attached hereto and in Exhibits F and Q, Palm
16 Ranch Irrigation District did not produce or use water within the Antelope Valley Area of Adjudication
17 for 2000-2004, 2011, and 2012.

18 44. Herewith, attached as Exhibit Q is a true and correct copy of District's groundwater
19 extraction reports.

20 45. Attached as "Exhibit.E.Part2.Meter.pdf" is an original document from 2001. Upon recent
21 review of this document, I came to the opinion that an inadvertent error was made in the original 2001
22 document. (See 2001 Original, Exhibit E, Part 2.) If you add the gallons indicated in each numbered
23 column, then properly convert to acre feet, you get the following corrected totals for 2001: The total for
24 well 4 should read 501.76 acre feet. The total for well 5 should read 502.63. The total for well 6 should
25 read 203.84. The total for well 7 should read 474.92. The combined total of these wells for 2001 should
26 read 1683.15 (instead of 16829 af).

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct. Executed this 31st day of January 2013, at Quartz Hill, California.

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5 Peter Tuculet, Declarant

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