

1 WAYNE K. LEMIEUX (SBN 43501)
W. KEITH LEMIEUX (SBN 161850)
2 LEMIEUX & O'NEILL
4165 E. Thousand Oaks Blvd., Suite 350
3 Westlake Village, California 91362
Telephone: (805) 495-4770
4 Facsimile: (805) 495-2787

5 Attorneys for LITTLE ROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION
DISTRICT, NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES
6 DISTRICT, LLANO DEL-RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL
WATER CO.
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

10
11 Coordinated Proceeding
Special Title (Rule 1550(b))

) **Judicial Council Coordination No. 4408**

12 ANTELOPE VALLEY GROUNDWATER
13 CASES

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar – Dept. 17

14 Included Actions:

) **DECLARATION OF PETER TUCULET ON
BEHALF OF PALM RANCH IRRIGATION
DISTRICT**

15 Los Angeles County Waterworks District No. 40
16 v. Diamond Farming Co. Los Angeles County
Superior Court Case No. BC 325201;

) **[PROVE UP HEARING]**

17 Los Angeles County Waterworks District No. 40
18 v. Diamond Farming Co., Kern County Superior
19 Court, Case No. S-1500-CV-234348;

) **DATE: Sept. 28, 2015
TIME: 9:00 A.M.**

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

) **DEPT: Los Angeles, Department 1**

23 AND RELATED CROSS-ACTIONS
24 _____
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DECLARATION

I, PETER TUCULET, declare as follows:

1. I am the General Manager of PALM RANCH IRRIGATION DISTRICT (herein “District”), a public water purveyor. I am authorized to make this declaration on behalf of the District. I am the custodian of records for the attached public records, which are kept in the ordinary course of business by me. I have worked for the District, a public agency, since 1997.

2. I previously submitted a declaration and exhibits during the Phase 4 trial on behalf of the District.

3. I have personal knowledge of the facts set forth herein, and if called to testify, I could and would competently testify thereto. As General Manager, I am familiar with the practices and management of the District, including but not limited to the record-keeping practices of the District, in maintaining current and historical groundwater pumping records. As General Manager, I am familiar with the history of the District, including how its groundwater pumping is measured as well as its historic groundwater pumping.

4. The District presently keeps records of its groundwater pumping. I am familiar with how meter readings and summary charts of groundwater pumping are, and have been, prepared and maintained by the District since I began working for the District and historically. Historically, groundwater pumping has been measured via meter readings, a SCADA system, and pump tests and recorded at the time of such readings and tests on summary charts and/or groundwater extraction reports. In the ordinary course of business, these records are maintained by the General Manager at the District office. Accordingly, these historic records are presently maintained at the District office, under my care, in the ordinary course of business. The manner of recording groundwater pumping historically and presently is such as to indicate the records’ trustworthiness.

5. District operates a water system responsible for providing water to homes and businesses. District pumps groundwater from the Antelope Valley Groundwater Adjudication Area, and purchases imported water. To ensure a safe and reliable public water supply to its customers and to comply with

1 various regulatory requirements, District generates records on its water production and its groundwater
2 delivery, including the following:

- 3 • Spreadsheets entitled “water production summaries” (“summary charts”);
- 4 • Annual Groundwater Extraction Recordation Summaries and Annual Notices of
5 Groundwater and Diversion (“extraction reports”).

6 6. Section 5001 of the Water Code requires “[e]ach person who, after 1955, extracts ground
7 water in excess of 25 acre-feet in any year [to] file with the [State Water Resource Control B]oard [(“State
8 Board”)] on or before March 1st of the succeeding year a ‘Notice of Extraction and Diversion of Water.’”
9 The annual Notice of Extraction and Diversion of Water must contain, among other things: (1) “[t]he
10 quantity of water taken from each surface and ground water source from which such person received any
11 water in the preceding calendar year”; and (2) “[l]ocation of each such surface and ground water source
12 through or by means of which water has been taken in such preceding year.” (Wat. Code § 5002.) Since
13 this enactment, District has filed groundwater extraction reports annually reflecting its groundwater
14 pumped.

15 7. To comply with its obligations under the Water Code, the District keeps records in the regular
16 course of its governmental operations that track groundwater pumped from each well. Each District well
17 has a flow meter that measures water produced. The meter readings are recorded at the time of the
18 readings and form the basis of District’s groundwater production, which is then reported to the State
19 Water Resources Control Board. District uses these readings to compile reports made to various State and
20 local agencies.

21 9. Throughout the time I have worked for the District, in the ordinary course of business, the
22 District records its water usage regularly at the time of its SCADA meter readings in summary charts. In
23 the ordinary course of business, the summary charts are prepared by me and maintained by me in the
24 District office. The totals the District submits to the state each year via groundwater extraction reports are
25 drawn directly from the SCADA meter readings and summary charts, which I review and input into the
26 groundwater extraction form.

