

EXHIBIT 7

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NEWS ■ A8

Friday

ember 25, 2015

pages, 7 sections

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100th year, No. 269



congratulate again
local high school
Golfer of Year

SPORTS ■ C-1



what a year!
From Adele
to 'Star Wars'

SHOWCASE ■ S10



Valley Press

Antelope Press

TODAY'S OUTLOOK



Cloudy and sun;
windy colder. Highs
in the mid-40s. Lows
in the low 20s.

WEATHER: C8 LOTTO: B1

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YOU NEED



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Merry Christmas, water drinkers

Judge signs agreement after 16-year court battle

By ALISHA SEMCHUCK
Valley Press Staff Writer

PALMDALE — After 16 years, a court battle involving thousands of litigants — city and county governments, farmers, property owners, water agencies and others — has ended with a Superior Court judge signing the final judgment settling who has the right to pump water from Antelope Valley wells.

Santa Clara Superior Court Judge Jack Komar on Wednesday approved the agreement that is intended to save the Valley's groundwater basin from depletion. The agreement goes into effect Jan. 1.



"Getting this judgment signed before the end of the year is a wonderful Christmas gift for the Antelope Valley because it enables us to begin moving toward sustainability starting Jan. 1," said attorney Tom Bunn, with the Pasadena-based law firm of Lagerlof, Senecal, Gosney & Kruse, who represented Palmdale Water District in court. "It took 16 years for the parties to agree on

See WATER on A5



SIGNING
DEAL

Santa Clara
Superior
Court Judge
Jack Komar
signs the final
judgment in the
Antelope Valley
Groundwater
Adjudication
cases. The
agreement goes
into effect Jan. 1.
Contributed

Bethlehem



LIVING NATIVITY

A Living Nativity scene with camels and goats on display for Christmas Eve at Desert Vineyard Christian Fellowship in Lancaster. The nativity lasted most of the afternoon and stretched into the early evening hours.

RON SIDDLE
Valley Press

Leaders

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WATER

From A4

the judgment, and it was a minor miracle when it finally happened. A lot of shared pain went into this judgment, and it took intense dedication and commitment by all the settling parties."

The agreement will be administered by a five-member board called the "watermaster," which will monitor the Valley's underground water basin to make sure it's not being harmed. According to trial testimony, since the 1940s more water has been pumped out of wells than is naturally replenished from winter storms and other sources.

Of the five watermaster board members, one will represent Antelope Valley-East Kern Water Agency, which provides California Aqueduct water to much of the Antelope Valley, and another will represent Los Angeles County Waterworks District 40, the Valley's biggest water retailer that supplies more than 200,000 homes and businesses. Another seat will be filled by another public water utility and two more by landowners.

The first watermaster meeting is slated for Jan. 21 at Lancaster City Hall but the time has not been confirmed.

"We only know two of the five members for sure," said Frank Donato, an AVEK director. "I don't know who the other three people are. I don't know who each prospective group will appoint."

"It is definitely a Christmas gift to all of us — all the residents of the Antelope Valley and especially to the builders. It means now the builders can expect to get water, and the prospective water agencies will be able to calculate the amount of water available for future development."

"Now," Donato said, "AVEK will be building new water banks that will supply future development with imported water."

Any new development must pay to guarantee a source for the water it will use, said John Ukkestad, a consultant and spokesman for Antelope Valley United Mutual Group, an organization that comprises 16 mutual water companies.

"After the court hearing yesterday, life got a lot better," Ukkestad said. "We've got this adjudication taken care of."

However, Ukkestad lamented the money in attorneys' fees that litigants poured into the lawsuit throughout the 16 years.

"Millions and millions of dollars have gone out of the Valley," he said.

Groundwater Adjudication in court records, the case began Oct. 29, 1999, when Diamond Farming Co. of Bakersfield filed suit against the city of Lancaster, the Palmdale agency, Antelope Valley Water Co., Palm Ranch Irrigation District, Quartz Hill Water District, Rosamond Community Services District and Mojave Public Utility District, claiming pumping by those agencies infringed on Diamond's rights to well water.

Since then, more and more plaintiffs and defendants, and cross-plaintiffs and cross-defendants, were added onto the case — from city government agencies and county agencies to public water suppliers, mutual water companies, private landowners and other farmers.

It took some friendly persuasion on the part of the judge to convince all those parties to agree after years of delay resulting from mistrust.

Still a few litigants expressed discontent to the judge, based on court records.

Because of that, Ukkestad said, "We expect this (final decision) to be appealed, but we believe the judgment and physical solution will hold up under appeal."

Key elements of the settlement's "physical solution" to stabilize groundwater levels include:

■ A management structure organized through a watermaster and watermaster engineer.

■ A financial plan to fund the management structure and implement the physical solution.

■ Flexible management tools to enable implementation of the judgment and management of the groundwater basin.

■ Continuing court jurisdiction for enforcement and modification of provisions of the judgment.

The groundwater basin's "native safe yield," as determined by the court, is 82,300 acre-feet annually of water pumped from wells. An acre-foot equals 325,851 gallons, approximately the amount of water — pre-drought — used by a typical Antelope Valley household in a single-family home.

The native safe yield, coupled with a supplemental safe yield of 27,700 acre-feet per year from sources such as irrigation water that percolates underground, equals a total safe yield of 110,000 acre-feet annually, based on court findings.

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