



## Drug warfare flares up near Arizona border

SECOND FRONT ■ B3

## Debt crisis pushes Europe toward reform

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## Galaxy star coaches at Valley camp

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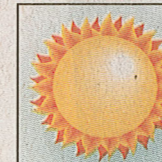


# Antelope Valley Press

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## TODAY'S OUTLOOK



Clear. Highs in mid-90s. Lows in upper 50s and 60s. Southwest winds 15 to 25 mph.

WEATHER: C8

LOTTO: B1

# County opts out of talks in water fight

## Mediation aimed at settling 11-year battle

By ALISHA SEMCHUCK  
Valley Press Staff Writer

**PALMDALE** — Los Angeles County officials have opted to skip mediation sessions intended to settle a legal battle over Antelope Valley water rights that has raged for nearly 11 years and cost Valley taxpayers and water users millions of dollars.

Palm Ranch Irrigation District in west Palmdale, Littlerock Creek Irrigation District, Llano Mutual Water Co. and Little Baldy Mutual Water Co. have also opted out of participating in the mediation, but officials of other agencies say they are participating in hopes of gaining a quicker agreement over who has rights to

pump Valley well water.

"In a situation like this, if you can arrive at a settlement agreement that accomplishes the major goals rather than spending years in various phases of a trial, all the participants can save money," said Dennis LaMoreaux, Palmdale Water District's general manager. "Instead of money spent on trials, they could focus on a solution that everybody negotiated. In this case that would mean managing of the Valley's groundwater resources sooner rather than later."

By not participating in the talks, county officials are sending a

message "that they, want to continue to litigate the water rights in the Valley and they can outspend us because of their unlimited public funds," said John Ukkestad, president of the Antelope Valley United Mutual Group, an association of 15 mutual water companies.

When questioned about their decision to skip these mediation sessions, county officials issued the



following statement:

"The county Waterworks District believes that an equitable settlement is possible for all stakeholders involved in (the) Antelope Valley groundwater adjudication.

"In fact, the Waterworks District participated in past mediation attempts, and was the sole funder of at least one such effort. However, the district believes that groundwater issues in the Antelope Valley have become increasingly complex within the past year and that a court-appointed judge is warranted to make this mediation attempt an

effective one."

Kerjon Lee, the Public Affairs manager in the county's flood control district, said the county "would be willing to enter mediation talks with the facilitator that the county recommends."

The legal battle dates back to October 1999, when Diamond Farming Co. in Bakersfield initiated a suit against Lancaster, Palmdale Water District, Quartz Hill Water District and several other entities over the rights to water beneath the lands the company farmed.

See FIGHT on A4

## Oil prices

## Pancakes and patriotism

## Californians

# FIGHT: Cost kept city out of Sacramento talks

From A1

The lawsuit has since grown to include thousands of plaintiffs, defendants, cross-plaintiffs and cross-defendants — a mix of government agencies, public water suppliers, mutual water companies, farmers and Antelope Valley landowners.

A recent Valley Press examination showed that spending on the litigation by Palmdale Water District, Palmdale, Lancaster, Quartz Hill Water District, the Antelope Valley-East Kern Water Agency and the mutual companies' consortium has amounted to more than \$4.6 million, according to estimates by their officials. As of July 2008, spending by the county Waterworks District amounted to approximately \$2 million, according to information released by county officials, but county officials now refuse to say how much has been spent in the succeeding two years.

A majority of the primary parties in the litigation have been meeting every other week since March for mediation sessions with Seattle-based attorney James C. Waldo.

Mike Mischel, director of Public Works for Palmdale, said the county "made an overture for the folks who are involved in the Waldo mediation for a separate mediation process" with another facilitator.

"That would mean traveling up to Sacramento," Mischel said. "I understand they did have one mediation session that was sparsely attended. The city of Palmdale did not attend due to financial restraints. We would like to settle the case. But the city can't afford for me to go up there, much less pay our attorney to attend those mediation sessions."

Palmdale has been participating in the sessions with Waldo.

However, Mischel said, "We are not able to pay for Waldo. Nor are we able to pay for the two experts recently hired by the Waldo mediation group to assist in coming up with a settlement proposal."

As far as his thoughts on the county's lack of participation in the mediation, Mischel said, "I think it's their decision."

"From where the city of Palmdale sits, we're interested in a fair settlement to this adjudication. That's why we will sit down and participate in settlement talks."

"I think the county is waiting to see what the Waldo group has to present to them. If they don't like what they hear, that's why we have a court system," Mischel said.

From the city's stance, Mischel added, "We have our citizens to look out for, and we have economic development to look out for, too."

Mischel was not the only one who found it curious that the county did not participate in the Waldo talks, the fourth attempt at mediation among the Valley's public water providers, landowners and farmers.

"They are the biggest player," Ukkestad said. "I think if an agreement is reached between the participants, it's going to be up to (Judge Jack) Komar."

Komar is the Santa Clara County Superior Court judge who has been presiding over the court case.

"My feelings are that Komar would like to get this thing settled instead of spending years in litigation. If it was an L.A. County judge deciding this case, it could prejudice the outcome."

"It would be political suicide to

not come to the table and negotiate on something of this nature," said Chad Reed, the Quartz Hill Water District general manager.

Whether by distancing itself from the Waldo talks would enable the county to block any settlement reached by mediation participants seems unclear.

"I'm not a lawyer, but I don't think they could stop it," said Dave Rizzo, president of the Antelope Valley-East Kern Water Agency board of directors. "I'm sure they could appeal it and take it to appeals court and go up the chain. You can fight against anything if you feel strong enough."

"Ultimately it comes down to the judge," Reed said. "If he persuades them that they need to be part of this mediation, that would make great strides."

"As a water supplier, I'm kind of confused as to why they wouldn't participate," Reed said.

"I don't know why they're not participating. I could speculate why, but I don't want to go on speculation," Rizzo said. "They're one of the biggest water users in the Valley, if not the biggest groundwater pumper and surface water user. If L.A. County was involved (in the mediation), there would be more of a unified regional effort."

"The majority of the water purveyors and people with water interests have been meeting and working toward a mediated solution," said Robert Neal, Lancaster's Public Works director. "We would like to have Los Angeles County Waterworks participate in that solution, and we have invited them to participate."

"We feel that a solution that includes them is better for the entire Antelope Valley. A solution that's reached without them, or without the parties in the mediation, isn't as good as if we were all working together."

"I'm sure they have a good reason as to why they haven't participated, but the invitation is still open," Neal said.

Ukkestad said the Antelope Valley United Mutual Group willingly entered the mediation talks "because this whole thing is out of hand, and it's costing the citizens of the Antelope Valley millions of dollars, and it will continue to do so in the future if we cannot reach a settlement."

"The final decision has to be for the overall good of this Valley and its residents," Ukkestad said.

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**NEW LOOK** — Residents enjoy the of the reconstruction of Lancaster Boulevard. After completion, annual fees paid by downtown

## LEVY

From A1

"We are coping with declining revenues as an association, but we don't want to put that burden back on the businesses to make up the difference," he said. "We know that they are already going through the pains that you go through in terms of a loss of foot traffic in front of their businesses for those few months."

According to city documents, The BLVD Association collected income totaling \$25,492 between July 1, 2009 and March 31.

Of that total, \$23,805 was from fees collected from member businesses.

During the same period, the association spent \$34,064, or \$8,572 more than it collected.

## PRICES: Kern County

From A1

Wind energy is a growing factor in Kern County's property tax portfolio but had only a slight effect on the numbers for the 2010-11 rolls.

"We anticipate for the upcoming year (2011-12) there will be new value" in wind energy property, Fitch said. "There's an awful lot of potential for revenues for the county, agencies and special districts."

While energy sector property tax revenues may be rising, residential property revenues fell by approximately \$1 billion, thanks to a valuation review of nearly all residential properties in the county.

After reviewing approximately 200,000 properties, the assessor will lower the value of more than half of those for this year.

Fitch noted this will be the third straight year of reductions for many of these property owners.

Over this three-year period, the

### GETTING IN TOUCH WITH THE



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#### HAVE YOU NEWS FOR US?

## METROLINK

From A1

However, riders like Cohen and a group of friends he has come to know through commuting said customer service is lacking on Metrolink. He said bathrooms go uncleaned and trains often run behind schedule, causing problems for those who use additional public transportation when they get to their stops.

"I rode the train for almost four years and last September I decided to call it quits," said Alvin Silva, who

Hilary Weisberg, who rides the Metrolink daily from Granada Hills to Union Station in L.A., said her monthly fare increase was relatively small, climbing from \$167.50 last month to \$181 for July. But for people like Cohen who absorbed the 6% hike on top of the decreased discount, the burden is too much.

"And they don't give us any better service for those rate hikes," she said.

Cohen said the board should consider scaling back the increases and offset their cost by selling advertising on blank space inside the trains.