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10 LITTLEROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT, and
11 Defendants NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES
12 DISTRICT, LLANO DEL RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL
13 WATER 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:

) **DECLARATION OF PETER TUCULET IN**
) **SUPPORT OF OPPOSITION TO WOOD**
) **CLASS' MOTION FOR AWARD OF**
) **ATTORNEYS' FEES, COSTS AND**
) **INCENTIVE AWARD AND IN SUPPORT OF**
) **JOINDER IN LOS ANGELES COUNTY**
) **WATERWORKS DISTRICT NO. 40'S**
) **OPPOSITION TO WOOD CLASS' MOTION**

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.
29 Palmdale Water District, Riverside County
30 Superior Court, Consolidated Actions, Case Nos.
31 RIC 353840, RIC 344436, RIC 344668

) **DATE: April 1, 2016**
) **TIME: 1:30 p.m.**
) **DEPT: TBA**

32 AND RELATED CROSS-ACTIONS

1 I, PETER TUCULET, declare as follows:

2 1. I am the General Manager of PALM RANCH IRRIGATION DISTRICT (herein
3 "District"), a public water purveyor. I am authorized to make this declaration on behalf of the District.
4 I have worked for the District, a public agency, since 1997.

5 2. I have personal knowledge of the facts set forth herein, and if called to testify, I could and
6 would competently testify thereto. As General Manager and a long-time employee of the District, I am
7 familiar with the practices and management of the District, including but not limited to the record-keeping
8 practices of District, the number of connections, type of water use by customers (for example, domestic,
9 irrigation or commercial), the District budget and amount in reserve, and the amount expended by the
10 District on attorneys' fees.

11 3. There are currently 1,672 connections that receive water service from the District. Of
12 these, approximately 1,637 are households with the remainder being commercial or irrigation use. The
13 District has an annual operating budget of \$771,729. The District has \$1,037,145.28 in reserve for fiscal
14 year 2014-2015. The District has only 3 employees.


15 4. Throughout the 15 years of this litigation, the District spent a total of \$426,213.69 in
16 attorneys' fees. They were billed at billing rates from between \$170 through \$400 per hour, the average
17 being \$291 per hour. The District did not have the financial means to pay for legal fees at a higher rate. If
18 the amount paid as legal fees is broken down by connection, each customer of the District has already
19 paid approximately \$254.91 in defending this litigation. In addition, the District expects it will continue to
20 incur legal fees as it defends this matter through appeal, as well as in connection with the formation and
21 operation of the Watermaster.

22 5. As a public agency, the District cannot operate at a profit but is permitted to have a reserve
23 fund. If the amount requested by the Wood Class were awarded against the District, this would greatly
24 exceed the operating budget and reserve fund, and therefore, the District would have insufficient funds to
25 continue to operate and provide water to the community.

6. State-mandated drought measures have resulted in a serious burden on the revenue of the District. Due to our limited budget and staff, I have had to do field work, in addition to my General Manager duties, because we do not have sufficient funds to hire more staff. The District has had to lay off staff. The Districts has begun to draw down on its own financial reserve in order to cover its basic expenses.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed this 14th day of March, 2016 in Quartz Hill, California.


PETER TUCULET, Declarant