



## State of California Secretary of State

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of California this day of

January 27, 2014

**DEBRA BOWEN**  
Secretary of State

**PWS-0099-0001**

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SECRETARY OF STATE, DEBRA BOWEN

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REPORT ON  
ASSEMBLY BILL NO. 776  
(1961 General Session)

Findings

Conflicting testimony was presented to the Committee as to the benefits which will accrue to the El Dorado and West Side Park Mutual Water Companies as a result of continued inclusion within the Antelope Valley-East Kern Water Agency. The Committee is not convinced that there is conclusive evidence that the companies' service areas will so benefit by such inclusion.

The Committee found that the basic reasons for Legislative approval of Assembly Bill 776 in 1961 still exist. The Committee believes that the haste with which Senate Bill 1068 was amended in 1959 to include the Antelope Valley-East Kern Water Agency Act, in addition to the Mojave Water Agency Act, produced a situation whereby adequate consideration of the boundaries of the AVEK Agency was not possible. As a result of the unusual circumstances surrounding the passage of Senate Bill 1068, an inequity existed in the act as finally approved in 1959. Assembly Bill 776 corrected this inequity in the Legislature's original determination of the Agency's boundaries.

The Committee found that the actions of the officers and Board of Directors of the Antelope Valley-East Kern Water Agency since organization of the district indicate that the exclusion of these mutual water company service areas can only be accomplished by legislative action.

Recommendations

The Committee recommends that the Legislature exclude the service areas of these two mutual water companies from the

Antelope Valley-East Kern Water Agency. The Committee further intends to introduce appropriate legislation at the 1963 session to once again rectify the inequity resulting from hasty action on the original Agency act in 1959. (See page \_\_\_\_\_ for Committee bill.)

### Report on Hearings

Assembly Bill 776 was introduced by Assemblyman Tom Carrell at the 1961 Session of the Legislature on January 25, 1961, was passed unanimously by both houses, and was pocket vetoed by the Governor. The subject matter of the bill, however, was referred to interim study by the passage of House Resolution 106 during the 1962 regular Budget Session of the Legislature.

The bill excludes the service areas of the El Dorado Mutual Water Company and the West Side Park Mutual Water Company from the Antelope Valley-East Kern Water Agency, a special act district created in 1959 (Statutes of 1959, Chapter 2146, commencing with Section 49) and located in the Antelope Valley of Los Angeles and Kern Counties.

The two contiguous mutual water company service areas comprise approximately 1,400 acres out of the total agency area of 1,400,000 acres and are located near the southern boundary of the agency between the cities of Lancaster and Palmdale in Los Angeles County. The bill provides that the property in the area to be excluded shall be subject to taxation for indebtedness incurred prior to the exclusion.

A hearing on Assembly Bill 776 was held by the Committee at Lancaster on November 14, 1962, pursuant to notice. Representatives of the mutual water companies, proponents of the bill, based their support of the bill on a series of agreements over the exclusion, dating to the original passage of the Antelope Valley-East Kern Water Agency Act in 1959.

Mr. Randle Lunt, General Manager and Chief Engineer of the Agency, in opposition to the bill, presented geologic and other background information on the district designed to "conclusively show that the lands within AVEK will receive tangible and direct benefit from the functions performed by the Antelope Valley-East Kern Water Agency and that the removal of land from AVEK, such as the service areas of El Dorado and West Side Park Mutual Water Companies, would result in those lands being benefitted by the efforts of AVEK and escape the financial responsibility."

Mr. Lunt explained that the purpose of the Agency is the resolution of water problems including importation of supplemental Burns-Porter Act water from the State Water Facilities, prevention of destruction of the local ground water basin which currently is being overdrafted, and recovery and use for beneficial purposes of waste waters.

He stated that

"...these functions can be performed logically and most economically by AVEK and that the lands which have been considered for withdrawal from the Agency cannot escape being benefitted by the activities of this Agency and, therefore, cannot logically escape paying their proportionate share of the cost. It is a principle which applies to the establishment of the boundaries of improvement districts that all lands be included therein which shall benefit therefrom, and that conversely, all lands shall be excluded which are not so benefitted."

Mr. Lunt's statement included a number of ground water basin profiles indicating that the ground water supply

"...existing in the vicinity of the El Dorado Mutual Water Company and the West Side Park Mutual Water Company is not secure. The depth to water is increasing due in part to the pumping taking place in the

immediate vicinity but due largely to the heavy pumping in other areas. Well records indicate the existence of a ground water mound in that area which will gradually disappear. Water will flow away from the mound and the apex will flatten out. The water basin tends to become level. This will take place whether or not any more water is pumped from the El Dorado Mutual Water Company service area." (transcript, pages 11-12)

Mr. Lunt admitted, however, that the ground water profiles he presented were not of the specific conditions underlying the two mutual water company service areas but only "show generally the water situation as it exists in the valley."\* Mr. Warner S. Briggs, Secretary-General Manager of El Dorado and West Side Park Mutual Water Companies, testified that he did not agree that the mutual water companies' service areas would benefit from continued inclusion in AVEK. Mr. Briggs further testified that water levels in the companies' wells were dropping only from two to three feet a year. Mr. Briggs indicated that he felt that underground conditions varied greatly from area to area within the valley and ground water conditions in the companies' service areas were good. Regarding the ground water supply of the companies, Mr. Briggs stated "we'll be in good shape for a long, long time."\*\*

Similar conflicting testimony was presented regarding the benefits which will accrue to the mutual water companies' service areas as a result of underground replenishment and waste water reclamation by AVEK. Adequate technical data are not available for the Committee to assess local ground water hydrology in detail and to determine the extent of any benefits received.

Mr. Briggs; Mr. Joe Brooks, President of the West Side Park Mutual Water Company; Mr. Leslie J. Miller, President of the El Dorado Mutual Water Company; and Mr. John M. Coffeen, President of the South Antelope Valley Water Basin Association, made a joint

\* transcript, page 35  
\*\* transcript, page 92



presentation to the Committee in support of Assembly Bill 776. Their testimony centered around a complex series of agreements ~~which were~~ related to the original passage of the Antelope Valley-East Kern Water Agency Act.

This Agency act was most unusual in that it was introduced late in the 1959 session as an amendment to SB 1068 another agency act. Senate Bill 1068, as introduced by Senator Stanford Shaw on March 26, 1959 created the Antelope-Mojave Water Agency (substantially the area of the Mojave Water Agency which was finally enacted) wholly in San Bernardino County. The bill then passed the Senate on May 13, 1959.

On May 28, 1959 an amendment to SB 1068 longer than the bill itself was adopted by the Assembly after being reported out of the Assembly Water Committee. The amendment, sponsored by Assemblyman Allen Miller, was the Antelope Valley-East Kern Water Agency Act.

On June 3, 1959 Senate Bill 1068 was further amended to exclude certain lands in the Palmdale area from the proposed AVEK Agency. On June 15, just four days before final adjournment of the Legislature, an additional amendment was made in the Mojave Water Agency part of SB 1068.

Mr. Briggs and other proponents of the bill repeated to the Committee their 1961 contentions that the companies' representatives had been assured by Assemblyman Miller and the Administrative Assistant to Senator Shaw that following the formation of the AVEK Agency the service areas of the mutual water companies would be excluded on the local level.

Mr. Coffeen testified that he

"...was present at a meeting held in Sacramento June 1, 1959, which meeting was also attended by Judge Allen Miller, then Assemblyman Allen Miller, and Mr. Robert Wirsing, then Legislative Administrator (sic) for and acting in behalf of Senator Stanford C. Shaw, and that this meeting was held for the purpose of discussing the possibility of further amending the amendment to Senate Bill 1068, the Antelope Valley-East Kern Water Agency Act, to exclude the service areas of the El Dorado Mutual Water Company and the Westside Park Mutual Water Company from the boundaries of the Agency and that both Assemblyman Miller and Mr. Wirsing at the meeting explained to representatives of the mutual water companies who were also present...that a further amendment at this late date would probably preclude the passage of the bill and further, that if the Agency were formed, including the two mutual companies within its boundaries, that they would assist the two mutual water companies in excluding their areas from the Agency after it was formed." (emphasis added)

Mr. Briggs substantiated this statement. On July 6, 1960

Assemblyman Miller, then a Superior Court Judge, stated in a letter to Mr. Briggs that

"I distinctly recall that during the 1959 session, ~~and Mr. Miller~~... visited me in Sacramento and expressed concern over the inclusion of the area served by the El Dorado Mutual Water Company in the Bill SB 1068, creating the Antelope Valley-East Kern Water Basin Agency.

"I further recall advising you that any attempt at that time to achieve an exclusion in the Bill could possibly result in the defeat of the Bill primarily due to the fact that the amendment in resubmission would cause delay and might prevent adoption prior to the adjournment. I also advised you at that time that there was a provision in the act for the withdrawal of any area, and that undoubtedly upon application to the board of the agency, exclusion would be granted.

"However, I do not recall that I assured you I would help you in any attempt to withdraw from the district, despite the recitation of that fact in your letter of June 1 to me. This is the extent of my recollection, and I do not believe it would be advisable for me at this time to be an advocate or to press for the exclusion which you are seeking, this being a matter for negotiation between you and the agency board." (emphasis added)

A later communication from Judge Miller dated April 6, 1961 (in which the Judge restated his position somewhat differently) was submitted to the Committee. In this telegram to Mr. Robert J. Aikens, Secretary of the Board of AVEK, Judge Miller said

"There was no commitment of any kind between Senator Shaw and myself in reference to SB 1068, 1959 Session whereby we or either one of us would support the withdrawal of any area of water district from the agencies created by SB 1068. I have this day verified this recollection with Senator Shaw."

In response to Assemblyman Collier's question, "Did you have an agreement with these two mutual agencies at that particular time (at passage of the agency act) that they would be excluded?", Mr. Hunt replied, "No, sir."

However, Assemblyman Lanterman, at the same Lancaster hearing on November 14, 1962 stated that

"I was very, very careful to inquire of Assemblyman Miller at the time he introduced this tremendous sheaf of amendments (AVEK Agency amendment to SB 1068, 1959)..."

"ACTING CHAIRMAN LOWREY: I recall quite vividly.

"ASSEMBLYMAN LANTERMAN:...and I said...Assemblyman Miller, I am reluctant to vote on this. I almost feel that I should ask for a delay on this thing because due hearings cannot be given here and I don't want anybody hurt. I just don't want anything happening by having what you call precipitate action, the last minute by this kind of a device. And he said, I give you my assurance that there will be no hardships from this and I will be the first to try and rectify any kind of hardship, if it should occur.' Now on that assurance, I went along with these amendments and only on that assurance."

During the 1961 Session the Antelope Valley-East Kern Water Agency sponsored Assembly Bill 2256, which Mr. Aikens said was to "clarify our act."\*

\* Letter from Mr. Aikens to Alexander Pope, Legislative Secretary to the Governor, dated June 23, 1961

This bill included a number of technical corrections to the AVEK act but also included substantive revision of Section 84, covering exclusion. This bill increased exclusion petition requirements from 10 per cent of the voters in the last gubernatorial election to 25 per cent of the property owners and 51 per cent of the registered voters. The exclusion election was also changed from the area to be excluded only to an agency-wide election. Other changes were also made in this section.

AB 2256 was introduced on March 17 but was heard in the Senate Water Resources Committee simultaneously with AB 776. Both bills also received final passage in the Senate on the same day.

Mr. Briggs explained to the Committee that

"...at the time it (AB 776) went out of the last committee there was absolutely no opposition...We found out that the Governor had set the bill aside and was not going to sign it. We found out this at almost the deadline of signing the bill.

"...Mr. Aikens, who was representing and handling the legislative opposition to AB 776, agreed at the last moment with Mr. Wirsing (then a legislative representative for the two mutual water companies) and myself that they'd (AVER) drop all further opposition to our bill (AB 776). This bill went out on consent (calendar) from the last committee, as I was told; so, therefore, the Agency had dropped its opposition. We did not expect any further opposition, based on this, and therefore were not concerned.

"...However, on June the 23rd, 1961...a letter was sent to Alex Pope, Legislative Secretary to Governor Brown, regarding AB 776 and AB 2256." *(emphasis added)*

This letter reads as follows:

COPY

June 23, 1961

~~Mr. Alexander Pope  
Legislative Secretary to  
Governor Brown  
Governor's Office  
State Capitol  
Sacramento, California~~

RE: AB 776/AB 2256

Dear Mr. Pope:

I am taking the liberty at this time to request that the above referenced Assembly Bill AB 2256 be processed and presented to the Governor for his approval, and AB 776 be processed and presented to the Governor for his disapproval. *(emphasis added)*

A quick review of the two bills will readily show the reason for this agency's position and request.

AB 776 was presented to the legislature as a means of exclusion for a parcel of ground somewhat less than 1-3/4 square miles. Proponents of this legislation stated in effect, "...they had been promised exclusion upon the completion of the formation of this agency".

Attached hereto is a copy of a telegram addressed to me from Superior Court Judge Allan Miller clarifying the position he and Senator Stan Shaw took in the 1959 session of the legislature. I am sure that the telegram is self-explanatory.

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(COPY of letter to Alexander Pope, continued)

AB 2256 is our agency bill to clarify our act (Statutes of 1959) and, in addition, we rewrote Section 84 of the act defining exclusion procedures.

Our agency felt the exclusion procedures as originally written in the act were not in the best public interest, and the new legislation was a result of a study and public hearings regarding this particular feature of the agency act.

We feel in the agency that approval and passage of the agency bill, AB 2256, with the Governor's signature will be the reason for denial of AB 776.

As information, the Department of Water Resources has consistently endorsed our agency's legislative program, including the aforementioned bills at this session.

This note is written in conjunction with our telephone conversation of June 22 regarding this matter.

I would appreciate a conference with the Governor if there is in your or his opinion any action to be taken contrary to the position of the agency's request.

Thank you very much for this consideration.

Yours very truly,

~~/s/ ROBERT J. ALKINS~~

ROBERT J. ALKINS  
Secretary of the Board  
Antelope Valley-East  
Kern Water Agency  
(encl. added)

RJA:jie  
Enclosure

Assemblyman Lanterman recalled that

"When this bill, AB 2256, was brought before us to provide much tighter restrictions on the exclusion process, I was given public assurance by the author of the bill (Assemblyman Carrell) that all problems concerned with (AB) 776 and your exclusion had been reconciled and that there had been no further objection and no possible difficulties could arise as a result of the enactment of these increased prohibitions, as it relates to Exclusion. Now I want to make that very clear...I would not have voted for this bill (AB 2256) if that hadn't been agreed to."

Mr. Briggs replied

"...when I informed him (Assemblyman Carrell) that we'd found out that the Governor was going to veto our bill, he was astounded and he said it was his understanding that both bills were going to be signed."

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Mr. Lunt, the principal AVEK witness at the Committee's Lancaster hearing, has been employed by the Agency only since April 1962. Mr. Robert Aikens, now AVEK Administrative Assistant but Secretary of the Agency in 1961 and legislative representative at that time, was not in attendance at the Lancaster hearing and was, therefore, not able to comment on events of 1959 and 1961. The role which Mr. Lunt played in the formation of AVEK (Senate Bill 1068) and in the 1961 legislative amendments to the act (Assembly Bills 776 and 2256) is unclear.<sup>?</sup>

At the Lancaster hearing Mr. Lunt testified that "I was involved in this Committee which attempted to organize the district. He had previously explained that a committee first tried to form a valley-wide district under a general act. He continued, "I was not on that committee that made the decision to go to the Legislature and see if they could get essentially the same thing as the Municipal Water District Act of 1911 enacted by the Legislature and it was done...Essentially then this law is exactly the same in all its powers and functions as the Municipal Water District Act of 1911."<sup>\*</sup>

Several months earlier in San Bernardino, however, Mr. Lunt told this Committee that "I was the author of, and aided in organizing, the Antelope Valley-East Kern Water Agency."<sup>\*\*</sup>

\* For a comparison of the Antelope Valley-East Kern Water Agency Act and the Municipal Water District Act of 1911 see this Committee's Study of Water District Laws, Assembly Interim Committee Reports, 1961-1963, Vol. 26, No. 5.

\*\* San Bernardino transcript, May 15, 1962, p. 166

On several occasions, both before and after the effective date of the new exclusion provisions of AB 2256, the two mutual water companies filed petitions with the AVEK Board requesting exclusion:

1. December 15, 1959 - Petition for El Dorado exclusion filed  
April 5, 1960 - Petition denied
2. December 13, 1960 - Motion to grant El Dorado exclusion by ordinance denied
3. December 13, 1960 - Petition for West Side Park exclusion filed  
March 28, 1961 - Petition denied
4. September 12, 1961 - Petition for El Dorado and West Side Park exclusion filed  
January 9, 1962 - Petition denied



At the Lancaster hearing Mr. Aiken's letter to the Governor was the subject of a brief colloquy between Assemblyman Lanterman and Mr. Al Skelton, a member of the AVEK Board and its Auditor. The inconsistencies in the AVEK position relative to the exclusion are obvious:

"ASSEMBLYMAN LANTERMAN: ...the question I have raised about this at all times was the manner in which this was introduced at the last minute in the closing days of the session. We shouldn't have major legislation of the kind that created AVEK brought before us without the opportunity for everyone involved to have a hearing before their Legislature...The issue that I have raised is very simple; that any misunderstanding, any disagreement or any lack of equity that is involved in a matter of this kind should be rectified, period.

"MR. SKELTON: I agree with you.

"ASSEMBLYMAN LANTERMAN: All right.

"MR. SKELTON: But that was your responsibility, and you stated that you went along with it and if you had it to do over, you wouldn't.

"ASSEMBLYMAN LANTERMAN: No, my responsibility was to correct this by legislation; and that we did. But it was your Board, through your agent, your representative, who went to the Governor and said veto this bill.

"MR. SKELTON: I object to that.

"ASSEMBLYMAN LANTERMAN: ...Is the letter...as it was read to us--by Mr. Aikens to Mr. Pope--a copy of the letter that was sent?

"MR. SKELTON: I'll grant that it is...We wrote a letter stating that we didn't think there should be any exclusions and if you'll give me a chance later, I'll explain that."

Later Mr. Skelton explained that "This act, whether it's wrong or something's wrong with it that needs changing, I'm for changing. But it's an act that you fellows (Legislature) made..."

Following further discussion with Assemblyman Lanterman, Mr. Skelton reiterated, "if the Legislature lets them (the mutual water companies) out, that's okeh with me."

Mr. Briggs explained that the two companies were "not trying to get out of paying our cost of the (State's) aqueduct. We know we're going to pay that...But we will certainly contract, be part of a contracting agency, as soon as we can get out of AVEK." He continued by reassuring the Committee that "We're immediately going to protect ourselves by getting into another agency--whether it's the PID (Palmdale Irrigation District) or the South Antelope Valley Water District, or whatever they're going to call it."

Mr. Lowell Felt, Engineer-Manager of the Palmdale Irrigation District, testified briefly and explained that ground water levels in his area were receding at a rate of about five feet a year. "...Our situation there is certainly not any worse than it is within AVEK," he added.

The Department of Water Resources was represented at the hearing on AB 776 by Mr. Vernon Valantine, a Senior Engineer in the Department's Southern District office. Mr. Valantine stated that "the Department has not taken any position towards the renewal or final disposal of AB 776 at this time."

###

PRESENTATION BY RANDLE G. LUNT, CHIEF ENGINEER  
& GENERAL MANAGER OF THE ANTELOPE VALLEY-EAST  
KERN WATER AGENCY TO THE CALIFORNIA STATE  
ASSEMBLY INTERIM COMMITTEE ON WATER RELATING  
TO ASSEMBLY BILL 776 AT A HEARING IN LANCASTER,  
CALIFORNIA, NOVEMBER 14, 1962.

To the State Legislature Assembly Interim Committee on Water.

Gentlemen:

It has been my good fortune to have held positions which have given me the opportunity to become aware and appreciative of the thorough investigation and pre-legislation work performed by the important Legislative Interim Committee on Water. The recent years have been the most critical years in developing legislation which has established new water policies of the State necessary to deal with the great population growth in California which has caused the overdraft of ground water basins making it necessary to apportion and distribute the water resources of the State from water surplus areas to areas deficient in water. It is reassuring to find that the legislative branch of government is searching to unearth facts necessary to enact just and appropriate legislation.

Having created or caused to be created water agencies capable of resolving local water problems, the legislature can be assured that matters of local concern can, under procedures provided by law, be resolved without recourse to legislative action. This is, of course, as it should be and the cases of Assembly Bill 776 and House Resolution No. 106 are no exceptions.

## EXHIBITS

This report contains the following exhibits:

<u>EXHIBIT NUMBER</u>	<u>DESCRIPTION</u>
1	Map showing service areas of AVEK shown in green color.
2	Retail water purveyors.
3	A Plan of Water Conveyance within AVEK from State Project requiring 14 service connections.
4	A Plan of Water Conveyance within AVEK requiring one connection. NOTE: This plan assumes that the construction of the East Branch may be delayed for as much as ten to fifteen years.
5	Statistical information on present and projected population and assessed valuation and the estimated cost of constructing State and Agency facilities.
6	A generalized map of ground water basin in AVEK on which is shown section where profiles on Exhibits 7 and 8 are illustrated.

"Exhibit 1" shows in green color the service area of the Antelope Valley-East Kern Water Agency on which is indicated the probable routes of the Southern California and East Branch aqueducts from the Tehachapi Mountains through the Antelope Valley to the San Bernardino County boundary. The green area represents substantially all of the inter-dependent water basins and their supporting watersheds. These sub-basins of Antelope Valley are: The Neenach, Willow Springs, Gloster, Chaffee, Lancaster, Buttes, Rock Creek and North Muroc Water Basins. These basins are inter-related. The largest of which is

the Lancaster Basin.

#### AREAS WHICH TRIED TO BE EXCLUDED FROM AVEK

You have had under consideration Assembly Bill 776 and House Resolution 106 which have been sponsored by persons seeking to withdraw 1,140 acres of land situated well within the Agency from the 1,400,000 acres of the Antelope Valley-East Kern Water Agency. These areas are shown on Exhibit 2.

#### BENEFITTED LANDS INCLUDED IN AVEK

It is my desire to present to you information which should conclusively show that the lands within AVEK will receive tangible and direct benefit from the functions performed by the Antelope Valley-East Kern Water Agency and that the removal of lands from AVEK such as the service areas of El Dorado and Westside Park Mutual Water Companies would result in those lands being benefitted by the efforts of AVEK and escape the financial responsibility.

The Antelope Valley-East Kern Water Agency was created in 1959 for the purpose of resolving water problems, namely;

1. Importation of water from the State Project to supplement local water supplies.
2. To take steps which would prevent the destruction of the local water basin which is being depleted by removing more water from the basin than is replenished by rainfall and surface inflow.
3. To recover and put to beneficial use waste waters such as sewage effluent and flood waters which now are disposed of by evaporation.

I also hope to show that these functions can be performed logically and most economically by AVEK and that the lands which have been considered for withdrawal from the Agency cannot escape being benefitted by the activities of this Agency and, therefore, cannot logically escape paying their proportionate share of the cost. It is a principle which applies to the establishment of the boundaries of improvement districts that all lands be included therein which shall benefit therefrom, and that conversely all lands shall be excluded which are not so benefitted.

We, therefore, refer you to the aforementioned "Exhibit 1" which shows the service area of the Antelope Valley-East Kern Water Agency and to "Exhibit 2" which shows the service area of retail water purveyors within AVEK.

A special provision of AVEK law preserves the identity and does not interfere with the purposes and functions of water districts and water agencies. The retail water distributing agencies in AVEK will continue to perform their responsibilities of supplying their customers with water. AVEK will perform the responsibility of contracting to import water and of protecting and preserving the water resources within the Agency for the benefit of the water purveyors and users.

Please note the location on "Exhibit 2", the service area of the El Dorado Mutual Water Company and the Westside Park Mutual Water Company. Combined these two companies serve a population of about 1,000. The area is sparsely inhabited and presently requires but small quantities of water which is pumped from the ground water basin. Your attention is directed to the service areas

of County Waterworks District No. 4 and Quartz Hill County Waterworks District, Mojave and Edwards. These agencies are large producers of water from wells in the Antelope Valley and will obtain their future imported water supply from AVEK.

"Exhibit 3" depicts a water distribution system proposed to be built by AVEK, requiring fourteen service connections, for conveying water from the California aqueduct to such districts and communities. It is possible for this Agency to take all of its water from the State aqueduct in the vicinity of the Tehachapi Tunnel in the event construction of the East Branch aqueduct is delayed. Such a distribution system is illustrated on Exhibit 4 requiring one or two service connections in the event construction of the East Branch is delayed.

"Exhibit 6" is a generalized map of the AVEK water basins shown in white areas.

"Exhibit 7" shows ground water profiles in various parts of AVEK.

"Exhibit 8" is a profile running north and south through Range 12 West, which shows the ground water levels as they existed in 1927, 1941, 1950, and 1961. The profile also shows part of the basement complex and the impervious bottom of the basin. This profile passes through the El Dorado and Westside Park Mutual Water Companies service area.

#### GROUND WATER CONDITIONS

From the information shown in the exhibits, it is clear that the ground water supply existing in the vicinity of the El Dorado Mutual Water Company and the

Westside Park Mutual Water Company is not secure. The depth to water is increasing due in part to the pumping taking place in the immediate vicinity but due largely to the heavy pumping in other areas. Well records indicate the existence of a ground water mound, in that area, which will gradually disappear. Water will flow away from the mound and the apex will flatten out. The water basin tends to become level.

This will take place whether or not anymore water is pumped from the El Dorado Mutual Water Company service area.

#### GROUND WATER DEPRESSIONS

Exhibit 7, Section C-C" has been prepared from data furnished this office by the State Department of Water Resources. This profile runs east and west along Avenue F and shows the existence of two large depressions in the ground water surface caused by the heavy pumping for agricultural purposes about six miles east and about six miles west of Division Street. The continued pumping will result in the mound of water between these areas to gradually flow away into the depressed areas. This is taking place at the present time. Thus, the lowering of ground water levels will be accelerated by additional pumping in the populated areas. The ground water surface will then have dropped from an elevation of approximately 2,400 feet in 1927 to an average elevation of 2,200 feet in 1972. The most seriously effected areas now depending on the ground water basin will be those areas nearest to the foothills and in the areas where the annual recharge from runoff is small. The recession of the ground water



surface from the foothills has already decommissioned wells in the vicinity of Quartz Hill and other foothill areas.

#### PORTALS SENIOR CITIZENS PROJECT

In order to solve the water problems in Quartz Hill County Water District and in County Waterworks District No. 4 in the vicinity of 60th Street West, the two districts have entered into an agreement to construct a facility in accordance with the Antelope Valley-East Kern Water Agency's plan for water distribution which will transport water from the deeper aquifers to the foothill areas and will supply those areas with water until AVEK is able to deliver State Project Water to the local water districts. This system is now under construction and includes a pumping plant at 50th Street West and Avenue J-14 and a water main needed to deliver water from the pumping plant to Quartz Hill County Water District and to Waterworks District No. 4, including the Portals Senior Citizens Development. Thus, at the present time there is one large community whose water supply has seriously been reduced and its present supplies threatened by the recession of the ground water basin from the present well locations. AVEK will provide a service connection and water treatment plant to supply water to those districts from the Feather River Project.

#### DESERT VIEW HIGHLANDS PROJECT

Studies are now underway initiated by AVEK to provide a facility needed to transport water to Desert View Highlands, the Antelope Valley Country Club, and County Waterworks District No. 4 Avenue M annexation to prevent a possible disastrous water failure. For this purpose the Antelope Valley-East Kern Water

Agency contemplates building a large diameter water main in 10th Street West from the vicinity of Avenue G to deliver a superior quality and adequate quantity of water than is now available to Lancaster, Quartz Hill, the aforementioned golf course, Desert View Highlands and intervening properties. This project of the Antelope Valley-East Kern Water Agency will be the only secure means of resolving water problems in these populated areas before State Project water is available. This same larger diameter water main will be used for the purpose of conveying water from the State project to these same communities. This project will be of definite benefit to the El Dorado and Westside Park Mutual Water Companies service areas.

Without the exercise of the powers and responsibilities of AVEK to (1) participate in the California Water Plan, (2) import water into this basin, (3) reclaim waste waters and put them to beneficial uses, (4) prudently administer the water resources of the Agency; and (5) to transport water from surplus zones to water deficient zones, disaster would overtake many of the communities of Antelope Valley.

The legislature has created local governments, such as AVEK, to provide prudent administration of water resources; it has provided AVEK with processes whereby thorough hearings have, and can be held, on such matters as inclusions and exclusions before elected representatives of the people. There is no need for the legislature to be further imposed upon by considering such unworthy propositions as AB776.

This same philosophy of good government applies to AB2 relating to the Senior Citizens Village, where self concerned interests persist against logic to attempt to persuade the legislature to grant an unworthy request detrimental to the good citizens of Antelope Valley.