
APPENDIX A – ADOPTING RESOLUTION

**PALMDALE WATER DISTRICT
RESOLUTION NO. 05-12**

**RESOLUTION ADOPTING, DIRECTING FILING OF, AND
IMPLEMENTING THE PALMDALE WATER DISTRICT
2005 URBAN WATER MANAGEMENT PLAN**

WHEREAS, the California Legislature enacted Assembly Bill 797 during the 1983-1984 Regular Session of the California Legislature (Water Code Section 10610 et. seq.), known as the Urban Water Management Planning Act (the Act), which has been amended subsequently and which mandates that every urban supplier of water providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, prepare an Urban Water Management Plan, (the Plan), the primary objective of which is to plan for the conservation and efficient use of water; and

WHEREAS, the Palmdale Water District prepared and filed a Plan with the California Department of Water Resources in December 1985, December 1990, December 1995, and December 2000; and

WHEREAS, the Act requires that the Plan be periodically reviewed at least once every five years, and that the urban water supplier shall make any amendments or changes to the plan which are indicated by the review; and

WHEREAS, the Act requires that the Plan be adopted by December 31, 2005, after public review and hearings, and filed with the California Department of Water Resources within thirty days of adoption; and

WHEREAS, the District is an urban supplier of water providing water to over 109,000 customers, and has therefore, prepared and circulated for public review a Draft 2005 Urban Water Management Plan, in compliance with the requirements of the Act, and a properly noticed public hearing regarding said Draft Plan was held by the Palmdale Water District on December 5, 2005.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Palmdale Water District as follows:

1. The 2005 Urban Water Management Plan is hereby approved.
2. The General Manager is hereby authorized and directed to file the Plan with the California Department of Water Resources within thirty days after this date, in accordance with the Act;

3. When required by conditions contained in the Plan, the General Manager is authorized to declare a Water Shortage Emergency and to implement water conservation programs as detailed in the Plan, including recommendations to the Board of Directors regarding necessary procedures, rules, and regulations to carry out effective and equitable water conservation programs.

PASSED AND ADOPTED at a regular meeting of the board of Directors held on December 19, 2005.



RAUL FIGUEROA, President,
Palmdale Water District Board of Directors

ATTEST:



DICK WELLS, Secretary,
Palmdale Water District Board of Directors

APPENDIX B - ADVERTISEMENT

Public Notices

**NOTICE OF PUBLIC HEARING
2005 URBAN WATER
MANAGEMENT PLAN**

Pursuant to California Water Code section 10642, a public hearing will be held on the 2005 Urban Water Management Plan (2005 UWMP).

The Palmdale Water District will conduct a public hearing on December 5, 2005, at 7:00 PM in the District offices at 2029 East Avenue Q, Palmdale, California, to receive public comment relative to the proposed District 2005 UWMP. The California Water Code requires all urban water suppliers within the state, servicing 3,000 or more connections to prepare an Urban Water Management Plan and update them every five years, with years ending with 0 and 5. This will be an update to the District's 2000 Urban Water Management Plan, which was last adopted by the Board in December, 2000. The 2005 UWMP includes revisions to comply with recent amendments to the California Water Code.

Copies of the 2005 UWMP Public Review Document are available, during normal business hours, at the District Office located at 2029 East Avenue Q, Palmdale, California 93550. You can also access this document on the District's web site at <http://www.palmdalewater.org/>.

For questions concerning the 2005 UWMP document, please contact Mr. Curtis Paxton, Assistant General Manager, at (661) 847-4111 Ext. 146. Written comments are requested by the close of business on November 5, 2005.

Send written comments to:

Palmdale Water District
2029 East Avenue Q
Palmdale, CA 93550
Attn: Curtis Paxton
Published: 11/21, 11/28, 2005

Public Notices

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Palmdale Water District
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Published: 11/21, 11/28, 2005

**APPENDIX C – SUMMONS AND COMPLAINT FOR
DECLARATORY AND INJUNCTIVE RELIEF AND
ADJUDICATION OF WATER RIGHTS**

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:**(AVISO AL DEMANDADO):**

DIAMOND FARMING COMPANY; WM. BOLTHOUSE FARMS, INC.; CALIFORNIA WATER SERVICE COMPANY; CITY OF LANCASTER; CITY OF PALMDALE; LITTLEROCK CREEK IRRIGATION DISTRICT; PALMDALE WATER DISTRICT; (See Attached Additional Parties Form)

YOU ARE BEING SUED BY PLAINTIFF:**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

Los Angeles County Superior Court
Central District
111 North Hill Street
Los Angeles, California 90012-3014

CASE NUMBER:
(Número del Caso):

BC 325201

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Eric L. Garner, Esq. - Jeffrey V. Dunn, Esq. (951) 686-1450 (951) 686-3083
Best Best & Krieger LLP
3750 University Avenue
Riverside, California 92502

DATE: November 29, 2004

(Fecha)

Clerk, by _____, Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):

3. on behalf of (specify):

under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)

other (specify):

4. by personal delivery on (date):

[SEAL]

SHORT TITLE: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 vs. DIAMOND FARMING COMPANY; et al.	CASE NUMBER:
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INSTRUCTIONS FOR USE

- ▶ This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- ▶ If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

Plaintiff Defendant Cross-Complainant Cross-Defendant

PALM RANCH IRRIGATION DISTRICT;
QUARTZ HILL WATER DISTRICT;
DOES 1 through 25,000, inclusive

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Eric L. Garner, Bar No. 130665 Jeffrey V. Dunn, Bar No. 131926 Best Best & Krieger LLP 3750 University Avenue Riverside, California 92502 TELEPHONE NO.: 951-686-1450 FAX NO.: 951-686-3083	FOR COURT USE ONLY
ATTORNEY FOR (Name): L.A. County Waterworks District No. 40	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: Central District	
CASE NAME: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 v. DIAMOND FARMING COMPANY; et al.	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 1811)
	CASE NUMBER: JUDGE: DEPT.:

All five (5) items below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

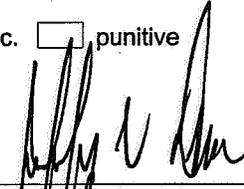
Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input checked="" type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 1800 of the California Rules of Court. If case is complex, mark the factors requiring exceptional judicial management:

- | | |
|--|--|
| a. <input checked="" type="checkbox"/> Large number of separately represented parties | d. <input checked="" type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input checked="" type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states or countries, or in a federal court |
| c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence | f. <input checked="" type="checkbox"/> Substantial post-judgment judicial supervision |

3. Type of remedies sought (check all that apply):
a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify):
5. This case is is not a class action suit.

Date: November 29, 2004
Jeffrey V. Dunn
(TYPE OR PRINT NAME) ▶  (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate, Family, or Welfare and Institutions Code). (Cal. Rules of Court, rule 201.8.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 1800 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a complex case, this cover sheet shall be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers

If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must check **all five** items on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. You do not need to submit a cover sheet with amended papers. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 201.8(c) and 227 of the California Rules of Court.

To Parties in Complex Cases

In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 1800 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
 - Medical Malpractice—Physicians & Surgeons
 - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
 - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
 - Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
 - Negligent Breach of Contract/Warranty
 - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
 - Collection Case—Seller Plaintiff
 - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential.*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ—Administrative Mandamus
 - Writ—Mandamus on Limited Court Case Matter
 - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rule 1800-1812)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Toxic Tort/Environmental (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment (*non-domestic relations*)
 - Sister State Judgment
 - Administrative Agency Award (*not unpaid taxes*)
 - Petition/Certification of Entry of Judgment on Unpaid Tax
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
- Declaratory Relief Only
- Injunctive Relief Only (*non-harassment*)
- Mechanics Lien
- Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief from Late Claim
 - Other Civil Petition

**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL _____ HOURS/ DAYS.

Item II. Select the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (See Column C below)

1. Class Actions must be filed in the County Courthouse, Central District.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 2., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 2., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 2., 4.	
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 2., 4.	
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 2., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 2., 4.	
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Intellectual Property (19)	<input type="checkbox"/> A6016 Intellectual Property	2., 3.

Non-Personal Injury/Property Damage/
 Wrongful Death Tort (Cont'd.)
 Employment
 Contract
 Real Property
 Unlawful Detainer
 Judicial Review

SHORT TITLE: L.A. COUNTY WATERWORKS DISTRICT NO. 40 v. DIAMOND FARMING COMPANY, et al.		CASE NUMBER
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer - Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/ Vacate Arbitration	2., 5.

Judicial Review (Cont'd.)

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

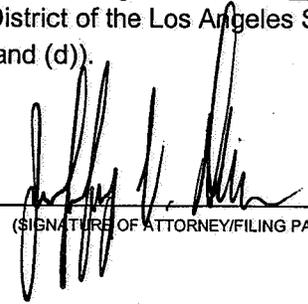
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ / Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input checked="" type="checkbox"/> A6030 Declaratory Relief Only <input checked="" type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership/Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE			ADDRESS:
<input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input checked="" type="checkbox"/> 9. <input type="checkbox"/> 10.			L.A. County Waterworks District No. 40 1000 South Fremont Avenue
CITY: Alhambra	STATE: CA	ZIP CODE: 91803	

Item IV. *Declaration of Assignment*: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the _____ courthouse in the Central District of the Los Angeles Superior Court (Code of Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subs. (b), (c) and (d)).

Dated: 11-29-04



 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING DOCUMENTS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet form JC 982.2(b)(1).
4. Complete Addendum to Civil Case Cover Sheet form CIV 109 _____ (eff. Date).
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form 982(a)(27), if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

1 BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
2 JEFFREY V. DUNN, Bar No. 131926
3 5 PARK PLAZA, SUITE 1500
IRVINE, CALIFORNIA 92614
TELEPHONE: (949) 263-2600
4 TELECOPIER: (949) 260-0972

**EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103**

5 OFFICE OF COUNTY COUNSEL
COUNTY OF LOS ANGELES
6 RAYMOND G. FORTNER, JR., Bar No. 42230
ASSISTANT COUNTY COUNSEL
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10 Attorneys for Plaintiff
11 LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES – CENTRAL DISTRICT
14

15 LOS ANGELES COUNTY
16 WATERWORKS DISTRICT NO. 40,

17 Plaintiff,

18 vs.

19 DIAMOND FARMING COMPANY, a
corporation;
20 WM. BOLTHOUSE FARMS, INC., a
corporation;
21 CALIFORNIA WATER SERVICE
COMPANY;
22 CITY OF LANCASTER;
CITY OF PALMDALE;
23 LITTLEROCK CREEK IRRIGATION
DISTRICT;
24 PALMDALE WATER DISTRICT;
PALM RANCH IRRIGATION
25 DISTRICT,
QUARTZ HILL WATER DISTRICT;
26 and DOES 1 through 25,000 inclusive;

27 Defendants.
28

Case No. *BC325201*

COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF AND
ADJUDICATION OF WATER RIGHTS

1 Plaintiff Los Angeles County Waterworks District No. 40 alleges:
2

3 **INTRODUCTION**
4

5 1. This action seeks a judicial determination of all rights to ground water within the
6 Antelope Valley Groundwater Basin. The adjudication is necessary to protect and conserve the
7 vital water groundwater supply of the Antelope Valley that is vital to the health, safety and
8 welfare of tens of thousands of persons and entities in communities who depend upon water
9 deliveries from Los Angeles County Waterworks District No. 40, Antelope Valley (the
10 "District"). For these reasons, the District files this complaint to promote and protect the general
11 public welfare in the Antelope Valley; to protect the District's rights to pump and deliver water to
12 the public; to protect the Antelope Valley from a loss of the public groundwater supply, to
13 prevent degradation of the quality of the public groundwater supply; and to prevent land
14 subsidence and higher costs to the public for water.
15

16 2. The District is a public agency governed by the Los Angeles County Board of
17 Supervisors and lawfully organized to, among other things, provide water to the public in a large
18 portion of the Antelope Valley. District customers must have a reliable and safe groundwater
19 supply for domestic and business needs. To provide water to the public, the District has drilled
20 and equipped wells to pump groundwater. The District has also constructed, maintained and
21 operated a waterworks delivery system to supply the groundwater to the public. Without an
22 adequate and safe groundwater supply, Antelope Valley residents and businesses in the Antelope
23 Valley would likely not have enough water.
24

25 3. The District has appropriative and prescriptive rights to Basin groundwater as the
26 District has pumped water from the Basin since at least 1919. Since that time, the District has
27 pumped water from the Antelope Valley Basin and/or stored water in the Antelope Valley Basin
28 by reasonable extraction means and has used the Antelope Valley Basin and/or its water for

1 reasonable and beneficial purposes, and has done so under a claim of right in an actual, open,
2 notorious, exclusive, continuous, uninterrupted, hostile, adverse, use and/or manner for a period
3 of time of at least five and before filing this complaint.
4

5 4. Due to the shortage of water in the Basin, the District has purchased State Water
6 Project water from the Antelope Valley-East Kern Water Agency in addition to pumping
7 groundwater. The State Water Project water originates in northern California and would not
8 reach the Basin but for the District's purchases. District customers pay millions of dollars each
9 year for State Water Project water. The District purchases approximately 30,000 acre feet of
10 Project water each year and delivers the purchased Project water to the public through the
11 District's waterworks systems.
12

13 5. The District depends on the Basin for pumping of approximately 20,000 acre feet
14 of water each year. District customers use Project water for a variety of uses and thus a portion of
15 the Project water percolates into the Basin and commingles with the Basin's water from natural
16 sources. The District's purchase and delivery of Project water augments the natural supply of
17 groundwater in the Basin. Without the substantial investment of the District in purchasing the
18 State Water Project water, the District would need to pump 50,000 acre feet of groundwater each
19 year.
20

21 6. By storing Project water or other imported water in the Basin, the District could
22 recover the stored water during times of drought, water supply emergencies, or other water
23 shortages to ensure a safe and reliable supply of water to the public. The District is pursuing
24 approvals to allow for the construction and operation of injection wells or other means by which
25 State Water Project water or other water imported from outside the Basin may be injected or
26 placed for storage in the Basin.
27

28 7. To provide water to the public, the District has and claims the following rights,

1 each of which is paramount and superior to any overlying rights or other water rights, if any,
2 claimed by any defendant:

3
4 A. The right to pump groundwater from the Antelope Valley Groundwater
5 Basin in an annual amount equal to the highest volume of groundwater extracted by the District in
6 any year preceding entry of judgment in this action according to proof, but not less than 18,944
7 acre feet;

8
9 B. The right to pump or authorize others to extract from the Antelope Valley
10 Groundwater Basin a volume of water equal in quantity to that volume of water previously
11 purchased by the District from the Antelope Valley-East Kern Water Agency and which has
12 augmented the supply of water in the Basin in any year preceding entry of judgment in this action
13 according to proof, but not less than 18,944 acre feet;

14
15 C. The right to pump or authorize others to extract from the Antelope Valley
16 Groundwater Basin a volume of water equal in quantity to that volume of water purchased in the
17 future by the District from the Antelope Valley-East Kern Water Agency which augments the
18 supply of water in the Basin; and

19
20 D. The right to pump or authorize others to extract from the Antelope Valley
21 Basin a volume of water equal in quantity to that volume of water injected into the Basin or
22 placed within the Basin by the District or on its behalf.

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1 **THE ANTELOPE VALLEY GROUNDWATER BASIN IS AND HAS BEEN IN A STATE**
2 **OF OVERDRAFT**

3
4 8. The Antelope Valley Groundwater Basin is located in Los Angeles and Kern
5 counties. The Basin is located in an arid valley in the Mojave Desert, about 50 miles northeast of
6 Los Angeles. The Basin encompasses about 940 square miles and generally includes the
7 communities of Lancaster, Palmdale and Rosamond. The Basin is bounded on the south by the
8 San Gabriel Mountains and on the northwest by the Tehachapi Mountains.

9
10 9. For over a century courts in California have used the groundwater basin concept to
11 resolve groundwater disputes. A groundwater basin is an alluvial aquifer with reasonably well-
12 defined boundaries in a lateral direction and a definable bottom.

13
14 10. Before there was groundwater pumping, natural water recharge to the Basin was in
15 balance with water discharged from the Basin and water levels generally remained constant and
16 in a state of long-term equilibrium. In or about 1915 there was significant pumping, primarily for
17 agricultural purposes. Over time the rise of agricultural pumping destroyed the ground water
18 level equilibrium and caused a, long-term decline in groundwater levels and groundwater storage
19 in the Basin.

20
21 11. There has never been a limit on groundwater pumping in the Basin. As a result of
22 this lack of groundwater control and management over the past eighty years, the Basin has lost an
23 estimated eight million acre feet of water. This loss of groundwater caused chronic declines in
24 groundwater levels and land subsidence.

25
26 12. Land subsidence is the sinking of the Earth's surface due to subsurface movement
27 of earth materials and is primarily caused by groundwater pumping. The District is informed and
28 believes and upon that basis alleges that as much as six feet of subsidence has occurred in

1 portions of the Basin. The negative effects of land subsidence observed in the Basin include loss
2 of groundwater storage space, cracks and fissures at the land surface and damage to real property.

3
4 13. Land subsidence, loss of groundwater storage, and declining groundwater levels
5 injure the public welfare and threaten the communities that depend upon the Basin water. Land
6 subsidence and chronic declines in groundwater levels continue because of unlimited
7 groundwater pumping in the Basin.

8
9 14. Although agricultural pumping decreased for a limited time when groundwater
10 levels became too low for agriculture to pump water from the Basin, agricultural pumping has
11 increased in the past decade. During the same time, continued urbanization in and around the
12 cities of Palmdale and Lancaster has increased the public's need for water. Existing pumping
13 causes damage and injury to the Basin including land subsidence. Land subsidence exists and
14 will increase unless the court establishes a safe yield for the Basin and limits pumping to the
15 Basin's safe yield.

16
17 15. The District is informed and believes and upon that basis alleges the Basin is and
18 has been in an overdraft condition for more than five (5) consecutive years and before the filing
19 of the complaint in Riverside County Superior Court Case No. 34436 entitled *Diamond Farming*
20 *Company vs. City of Lancaster*, and before the filing of this complaint. During said time periods,
21 total annual demands upon the Basin have exceeded and continue to exceed the supply of water
22 from natural sources. Consequently, there is and has been a progressive and chronic decline in
23 Basin water levels and the available natural supply is being and has been chronically depleted.
24 Unless limited by order and judgment of the court, potable Basin water will be exhausted and
25 land subsidence will continue.

26
27 16. Each defendant has, and is now, pumping, appropriating and diverting water from
28 the natural supply of the Basin, and/or claims some interest in the Basin water. The District is

1 informed and believes and upon that basis alleges that the combined extraction of water by
2 defendants exceeds the annual production of water from the Antelope Valley Basin, and that each
3 defendant claims a right to take water and threatens to increase its taking of water without regard
4 to the rights of the District. Defendants' pumping reduces Basin water tables and contributes to
5 the deficiency of the Basin water supply as a whole. The deficiency results in a shortage of water
6 to the public who depend upon the District to supply water from the Basin. Defendants continued
7 and increasing extraction of Basin water has resulted in, and will result in, a diminution, reduction
8 and impairment of the Basin water supply; causes land subsidence; and has and will deprive the
9 District of its rights to provide water for the public's health, welfare and benefit.

10
11 17. The District is informed and believes and thereon alleges there are conflicting
12 claims of rights to the Basin and/or its water.

13
14 18. The District is informed and believes and thereon alleges that defendants who own
15 real property in the Basin claim an overlying right to pump Basin water. The overlying right is
16 limited to the native safe yield of the Basin. The District alleges that because subsidence is an
17 undesirable result and is occurring in the Basin, defendants are and have been pumping more than
18 the Basin's safe yield.

19
20
21 **PARTIES**

22
23 19. The District is informed and believes that Diamond Farming Company is a
24 California corporation doing business in Los Angeles County.

25
26 20. The District is informed and believes that Wm. Bolthouse Farms, Inc. is a
27 Michigan corporation doing business in Los Angeles County.

1 21. The District is informed and believes that the California Water Service Company
2 is a California corporation that provides water to consumers within Los Angeles County.

3
4 22. The District is informed and believes that the City of Lancaster is a municipal
5 corporation situated within Los Angeles County.

6
7 23. The District is informed and believes that the City of Palmdale is a municipal
8 corporation situated within Los Angeles County.

9
10 24. The District is informed and believes that the Littlerock Creek Irrigation District is
11 a public agency that provides water to consumers within Los Angeles County.

12
13 25. The District is informed and believes that the Palmdale Water District is a public
14 agency that provides water to consumers within Los Angeles County.

15
16 26. The District is informed and believes that the Palm Ranch Irrigation District is a
17 public agency that provides water to consumers within Los Angeles County.

18
19 27. The District is informed and believes that the Quartz Hill Water District is a public
20 agency that provides water to consumers within Los Angeles County.

21
22 28. The District is informed and believes, and on that basis alleges, that defendant
23 Does 1 through 25,000, inclusive, own and/or lease real property within the Antelope Valley
24 Groundwater Basin, extract water from the Basin, claim some right, title or interest to Basin
25 water, and/or that their claims are adverse to the District's rights and claims. The District is
26 unaware of their true names and capacities and therefore sues those defendants by fictitious
27 names. The District will seek leave to amend this complaint to add such names and capacities
28 when ascertained.

1 FIRST CAUSE OF ACTION

2 (For Declaratory Relief – Prescriptive Rights – Against all Defendants Except Public
3 Entity Defendants)
4

5 29. The District alleges and incorporates by reference herein allegations in paragraphs
6 1 through 28, inclusive.
7

8 30. Prescriptive rights have been recognized by the California Supreme Court for
9 public entities for over fifty years. The District alleges that it has continuously and for more than
10 five years and before the date of this action pumped water from the Basin for reasonable and
11 beneficial purposes and has done so under a claim of right in an actual, open, notorious,
12 exclusive, continuous, hostile and adverse manner. The District further alleges that defendants
13 have had actual and/or constructive notice of District’s pumping either of which is sufficient to
14 establish District’s prescriptive right.
15

16 31. The District contends that defendants’ rights to pump Basin water are subordinate
17 to the prescriptive right of the District and to the general welfare of the citizens, inhabitants and
18 customers serviced by Los Angeles County Waterworks District No. 40, Antelope Valley.
19

20 32. An actual controversy has arisen between the District and defendants. The District
21 alleges, on information and belief, that defendants' dispute the contentions of the District as
22 described in the immediately preceding paragraph.
23

24 33. The District seeks a judicial determination as to the correctness of its contentions
25 and an *inter se* finding as to the priority and amount of Basin water to which the District and each
26 defendant are entitled to pump from the Basin.
27

28 //

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SECOND CAUSE OF ACTION

(For Declaratory Relief – Appropriative Rights – Against all Defendants)

34. The District alleges and incorporates by reference herein allegations in paragraphs 1 through 33, inclusive.

35. The District alleges that in addition to, or alternatively to, its prescriptive rights, it has appropriative rights to pump water from the Basin. Appropriative rights attach to surplus water from the Basin. There is surplus water in the Basin when the amount of water being extracted from it is less than the maximum that can be withdrawn without adverse effects on the Basin's long-term supply.

36. Surplus water exists when the pumping from the Basin is less than the safe yield. Safe yield is the maximum quantity of water which can be withdrawn annually from a groundwater Basin under a given set of conditions without causing an undesirable result. Undesirable result generally refers to a gradual lowering of the groundwater levels in the Basin, but also includes subsidence.

37. Overlying pumpers are only entitled to make reasonable and beneficial use of the native safe yield.

38. An actual controversy has arisen between the District and defendants. The District alleges, on information and belief, that defendants seek to prevent District from pumping surplus water.

39. The District seeks judicial determination as to the quantity of safe yield, the quantity of surplus water available, the correlative overlying rights of defendants to the safe yield

1 and an *inter se* determination of the rights of overlying, appropriative and prescriptive pumpers.

2
3 **THIRD CAUSE OF ACTION**

4 (For Declaratory Relief – Physical Solution – Against all Defendants)

5
6 40. The District alleges and incorporates by reference herein allegations in paragraphs
7 1 through 39, inclusive.

8
9 41. Upon information and belief, the District alleges that defendants claim an interest
10 or rights to Basin water and further claim they can increase their pumping without regard to the
11 rights of the District. Unless restrained by order of the court, defendants will continue to take
12 increasing amounts of Basin water to the great and irreparable damage and injury to the District
13 and to the Basin. The damage and injury to the Basin cannot be compensated for in money
14 damages.

15
16 42. By reason of the large and increasing amounts of Basin water extracted by
17 defendants as alleged above, the amount of Basin water available to the District has been reduced.
18 Unless defendants and each of them are enjoined and restrained, the aforementioned conditions
19 will continue and will become more severe; and there will be further depletion of the Basin
20 groundwater supply which will further permanently damage the Basin's ability to supply water to
21 the public.

22
23 43. Pursuant to California law it is the duty of the trial court to consider a "physical
24 solution" to water rights disputes. A physical solution is a common sense approach to resolving
25 water rights litigation that seeks to satisfy the reasonable and beneficial needs of all parties
26 through augmenting the water supply or other practical measures. The physical solution is a
27 practical way of fulfilling the mandate of Article X, section 2 of the California Constitution that
28 the water resources of the State be put to use to the fullest extent of which they are capable.

1 water in the Basin and the District has the sole right to pump or otherwise use its stored imported
2 Project water. The rights, if any, of defendants are limited to the native supply of the Basin and
3 to their own imported water, and defendants' rights, if any, do not extend to groundwater derived
4 from any water imported into the Basin by the District.
5

6 55. An actual controversy has arisen between the District and defendants. The District
7 alleges, on information and belief, that defendants' dispute the District's contentions described in
8 paragraphs 52 through 54, inclusive.
9

10 56. The District seeks a judicial determination as to the correctness of its contentions,
11 that the District can store and recapture its imported Project water in the Basin, and that the
12 District has the sole right to pump or otherwise use such stored Project water.
13
14

15 **SIXTH CAUSE OF ACTION**

16 (Declaratory Relief – Recapture of Return Flows

17 From Imported Water Stored in The Basin – Against all Defendants)
18

19 57. The District alleges and incorporates by reference herein allegations in paragraphs
20 1 through 56, inclusive.
21

22 58. A portion of the water that the District imports and uses and continues to import
23 and use from outside the Basin returns or enters and will continue to return or enter the Basin and
24 are commonly known as “return flows.” These return flows augment the Basin’s water supply.
25

26 59. The District alleges that there is available space in the Basin to store return flows
27 from us of the water imported by District.
28

1 constitutes waste, unreasonable use or an unreasonable method of diversion or use within the
2 meaning of Article X, Section 2 of the California Constitution, and is thereby unlawful.

3
4 66. An actual controversy has arisen between the District and defendants. The District
5 alleges, on information and belief, the defendants' dispute the District's contentions in paragraphs
6 64 through 65, inclusive.

7
8 67. The District seeks a judicial declaration that defendants have no rights to
9 unreasonable use, unreasonable methods of use, or waste of water, and their rights, if any, should
10 be determined *inter se* on the reasonable use of water in the arid Antelope Valley rather than upon
11 the amount of water actually used.

12
13
14 **EIGHTH CAUSE OF ACTION**

15 (Unreasonable Use of Water - Against Defendants Diamond Farming and
16 Wm. Bolthouse Farms)

17
18 68. The District alleges and incorporates by reference herein allegations in paragraphs
19 1 through 67, inclusive.

20
21 69. Article X, Section 2 of the California Constitution is the cardinal principle of
22 California water law, superior to any priorities and requires that water use not be unreasonable or
23 wasteful. Reasonable use of water depends on the facts and circumstances of each case.

24
25 70. The District is informed and believes and on that basis alleges that there were and
26 are overdraft conditions in the Basin before defendants Diamond Farming and Wm. Bolthouse
27 Farms began pumping Basin water in the 1990's. For their own private profit and in harm to the
28 public's need for a secure supply of Basin water, Defendants Diamond Farming and Wm.

1 Bolthouse Farms have increased their pumping so that they collectively take more Basin water
2 than any other single user of Basin water - despite existing Basin overdraft conditions including
3 land subsidence.

4
5 71. Defendants Diamond Farming and Wm. Bolthouse Farms recently commenced
6 additional, excessive pumping of Basin water for their private profit that causes harm to existing
7 agricultural users of Basin water and to the entities supplying water to the public all of whom
8 depend upon a safe and secure Basin water supply. Given the water overdraft conditions in the
9 Basin, the excessive uses of Basin water by defendants Diamond Farming and Wm. Bolthouse
10 Farms require an unreasonable amount of Basin water in the arid Antelope Valley and threaten
11 established communities and agricultural users that were and are already dependent upon Basin
12 water.

13
14 72. The District is informed and believes and on that basis alleges that the recently
15 commenced use of Basin water by defendants Diamond Farming and Wm Bolthouse Farms is
16 unreasonable in the arid Antelope Valley and constitutes waste, unreasonable use or an
17 unreasonable method of diversion or use within the meaning of Article X, Section 2 of the
18 California Constitution, and is injurious to the public and thereby unlawful.

19
20 73. An actual controversy has arisen between the District and defendants Diamond
21 Farming and Wm. Bolthouse Farms. The District alleges, on information and belief, the
22 defendants' dispute the District's contentions in paragraphs 69 through 72, inclusive.

23
24 74. The District seeks a judicial declaration that defendants Diamond Farming and
25 Wm. Bolthouse Farms have no right to take Basin water in any way that harms the public, creates
26 a risk of overdraft conditions in the Basin, constitutes unreasonable methods of use, or waste of
27 water; and their rights, if any, should be determined *inter se* on the previously-existing public and
28 agricultural needs and uses of Basin water in the arid Antelope Valley.

PRAYER FOR RELIEF

WHEREFORE, Los Angeles County Waterworks District No. 40, Antelope Valley prays for judgment as follows:

1. Judicial declarations consistent with the District's contentions in paragraphs 31, 35-39, 40-44, 46-50, 52-56, 58-62, 64-67, and 69-74, above;

2. For preliminary and permanent injunctions which prohibit defendants, and each of them, from taking, wasting or failing to conserve water from the Antelope Valley Groundwater Basin in any manner which interferes with the rights of the Los Angeles Waterworks District No. 40, Antelope Valley to take water from or store water in the Basin to meet its reasonable present and future needs;

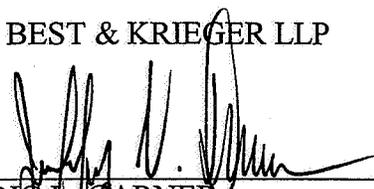
3. For prejudgment interest as permitted law;

4. For attorney, appraisal and expert witness fees and costs incurred in this action; and

5. Such other relief as the court deems just and proper.

Dated: November 29, 2004

BEST BEST & KRIEGER LLP

By: 

ERIC I. GARNER
JEFFREY V. DUNN
Attorneys for Plaintiff
LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 40

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APPENDIX D – 2004 CONSUMER CONFIDENCE REPORT



2004 Consumer Confidence Report

Questions or comments on the contents of this report are encouraged:

Call Gregory A. Druzak, Production and Control Superintendent, 661-947-4111 x306 or Bo Labisi, Water Quality Specialist, 661-947-4111 x309 Monday through Friday, 7:30 a.m. to 4:00 p.m.

Attendance, participation, questions, and comments are encouraged:

- Attend Board of Directors' meetings the first and third Monday of each month. Board meetings start at 7:00 p.m. and are held at the District office, 2029 East Avenue Q, Palmdale.
- Call 661-947-4111 with questions about the District or to file a water quality complaint.
- Call 661-947-4111 x120 for information on water conservation or water education.
- Visit our web site at www.palmdalewater.org.

This Consumer Confidence Report will provide you with a better understanding of the quality of your drinking water.

The Palmdale Water District is confident its drinking water is of the highest quality. Included in this Report are details about where your water comes from, what it contains, and how it compares to State standards. We are committed to providing you with this information because informed customers are our best allies. Take the time to review this Consumer Confidence Report and Water Quality Data Chart to become an informed consumer. The Water Quality Data Chart may seem a little complicated but with a little patience you can learn more about your water.

You'll notice that water quality testing on the Chart is divided into two standards – *Primary* and *Secondary*.

Primary standards are set to protect public health from contaminants in water that may be immediately harmful to humans or affect their health if consumed for long periods of time.

Secondary standards govern aesthetic qualities of water such as taste, mineral content, odor, color, and turbidity.

Stringent water quality testing is performed before the water is delivered to you, the consumer. Last year, PWD tested more than 3,000 samples for over 80 regulated contaminants. Only ten of these regulated contaminants were detected with detection levels under the Maximum Contaminant Level allowed by the State.

This Consumer Confidence Report is a snapshot of last year's water quality. Please call 661-947-4111 x306 or x309 with any questions.

PWD sources of water supply

PWD obtains its water from one of three sources or a combination of these sources.

• The first, which some of you may be familiar with, is **surface water** from the State Water Project (California Aqueduct). This water source begins in Northern California. Water flows into the Delta near Sacramento and is pumped traveling South to Palmdale Lake. The District is entitled to take 21,300 acre feet, or 6.9 billion gallons, of water each year from the aqueduct into Palmdale Lake for treatment.

• The second source of **surface water** is from the reservoir created by Littlerock Dam. Littlerock Dam was originally built in 1922 and was recently renovated to increase the storage capacity of the reservoir to 3,500 acre feet, or 1.1 billion gallons, of water. Littlerock Dam

Reservoir is fed by natural run-off from snow packs in the local mountains and from rainfall. The water is then transferred from Littlerock Reservoir to Palmdale Lake for treatment through a Ditch connecting the two reservoirs.

• A third source of water for the District's customers is **ground water**. *Ground water* is pumped from the Antelope Valley ground water basin through 24 wells. This water is treated with chlorine and placed into the distribution system.

All sources are constantly tested and treated in compliance with all applicable regulations to insure high water quality and dependability of the water system. The Palmdale Water District delivers approximately 60% surface water and 40% ground water to its consumers.

Atencion Residentes! Que no hablan Ingles: Este informe contiene información muy importante sobre su agua potable. Tradúzcalo ó hable con alguien que lo entienda bien, ó para recibir una version en Español sobre este informe, favor de llamar a la oficina de P.W.D. al teléfono 947-4111.

Conserve Water



Every Drop Counts



Definitions

The following definitions of key terms are provided to help you understand the data used in this report.

- **Maximum Contaminant Level (MCL):** The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste, and appearance of drinking water.
- **Maximum Contaminant Level Goal (MCLG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency (USEPA).
- **Public Health Goal (PHG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency (CEPA).
- **Maximum Residual Disinfectant Level (MRDL):** A level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap.
- **Maximum Residual Disinfectant Level Goal (MRDLG):** EPA-established goal for disinfectants at levels at which no known or anticipated adverse effects on the health of persons occur and that allow an adequate margin of safety. MRDLGs are non-enforceable health goals based only on health effects and exposure information and do not reflect the benefit of the addition of the chemicals for control of waterborne microbial contaminants.
- **Running Annual Average (RAA):** The running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected.
- **Detection Limit for purposes of reporting (DLR):** The designated minimum level at or above which any analytical finding of a contaminant in drinking water shall be reported to the Department of Health Services.
- **Unregulated Contaminant Monitoring (UCMR):** Unregulated contaminant monitoring helps EPA and the California Department of Health Services to determine where certain contaminants occur and whether the contaminants need to be regulated.
- **Treatment Technique (TT):** A required process intended to reduce the level of a contaminant in drinking water.
- **Regulatory Action Level (AL):** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.
- **Primary Drinking Water Standard (PDWS):** MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements and water treatment requirements.
- **Secondary Drinking Water Standard (SDWS):** MCLs for contaminants that affect taste, odor, or appearance of the drinking water. Contaminants with SDWSs do not affect the health at the MCL level.

Abbreviations used in 2004 Water Quality Data Chart:

- ND: Not detectable at testing limit (DLR)
- NA: Not Applicable
- Nreg: No regulation
- < Less Than
- > Greater Than
- pCi/L: picocuries per liter (a measure of radiation)
Comparison examples for the following measurements are provided to help you better understand the amount of chemical contaminants detected in the water.
- ppm: parts per million or milligrams per liter (mg/L) = 1 drop in 10 gallons
- ppb: parts per billion or micrograms per liter (ug/L) = 1 drop in 10,000 gallons
- ppt: parts per trillion or nanograms per liter (ng/L) = 1 drop in 100,000 gallons

Drinking Water Source Assessment and Protection Program

The Palmdale Water District's Sanitary Survey, including a Source Water Assessment of surface waters, was updated in 2002 in compliance with State of California regulations. The assessment of surface water sources included Littlerock Reservoir and Palmdale Lake. A Groundwater Assessment and Protection Program was completed in January of 1999, and a Wellhead Protection Plan was completed in November 2000.

The District's drinking water sources are considered most vulnerable to the following activities: illegal activities, such as unauthorized dumping; recreation; highways; railroads; and sewer collection systems. A comprehensive source water

protection program can prevent contaminants from entering the public water supply, reduce treatment costs, and increase public confidence in the quality, reliability and safety of drinking water.

You can help prevent water contamination and pollution by properly disposing of trash and waste materials. Remember, anything you throw in the trash, dump on the ground, or pour down the drain can eventually reach water sources and cause contamination.

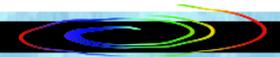
The Sanitary Survey, Source Water Assessment, Groundwater Assessment, and Wellhead Protection Plan are available for review at the District's office by calling Gregory Dluzak at 661-947-4111 x306.

Conserve Water



Every Drop Counts

2004 Water Quality Data Chart



The Water Quality Data chart lists all drinking water contaminants detected during the 2004 calendar year. The presence of these contaminants in the water does not necessarily indicate the water poses a health risk. PWD tests for many contaminants in addition to those listed in the chart. Test results for these additional contaminants were all "None Detected (ND)" and are not required to be included in the chart. The state requires monitoring for certain contaminants less than once per year because the concentrations of these contaminants do not vary significantly from year to year. As a result, some of the data, though representative of the water quality, is more than one year old. Unless otherwise noted, the data presented in this chart is from testing done January 1 to December 31, 2004.

PARAMETER	MCL or MRDL (units)	DLR	SAMPLE* FREQUENCY Surface Water/Groundwater	TREATED SURFACE WATER		GROUND WATER SAMPLED IN 2004		EPA (MCLG) PHG or MRDLG	TYPICAL SOURCE OF CONTAMINANT
				Range	Sampled 01/07/2004 or Average Effluent	Range	Average		
Primary Standards									
Turbidity (Water Clarity) Turbidity is a measure of the cloudiness of the water. We measure it because it is a good indicator of the effectiveness of our filtration system. Treated Surface Water Range and Average are of Daily Maximum	TT = 1 NTU Groundwater = 5NTU TT = 95% of samples ≤ 0.3 NTU	N/A	Continuous/ Once in 3yrs.	0.045 - 0.233 N/A	0.072 100%	<0.2 - 8.8 N/A	<0.2 N/A	N/A N/A	Soil Runoff
Dist. System Microbiological									
Total Coliform Bacteria (% Positive/month)	<5.0%/month	N/A	Weekly/N/A	N/A	0.00%	N/A	N/A	0	Naturally present in the environment
Organic Chemicals									
Disinfection Byproducts				System RAA from Distribution System					
				All Sample Range	Highest Running Annual Average				
TTHMs	80µg/L	0.5	Monthly/N/A	ND - 138	65.5		N/A	N/A	By-product of drinking water chlorination
HAA5	60µg/L	N/A	Quarterly/N/A	ND - 40	17.0		N/A	N/A	By-product of drinking water chlorination
Disinfectant Residual									
Chlorine Residual	4.0 (mg/L as Cl ₂)	N/A	Weekly/N/A	ND - 2.2	0.98		N/A	4	Drinking water disinfectant added for treatment
Disinfectant Byproduct Precursors									
Control of DBP Precursor (Total Organic Carbon, TOC)	TT= ratio of actual TOC removal to required TOC removal shall be ≥ 1	0.3	Monthly/N/A	1.61 - 2.79	2.13	N/A	N/A	N/A	Various natural and manmade sources
Inorganic Chemicals									
Arsenic	50µg/L	2	Yearly/Once in 3yrs.	N/A	ND	ND - 3	ND	0.004	Erosion of natural deposits, orchard runoff, glass & electronics wastes
Barium	1000µg/L	100	Yearly/Once in 3yrs.	N/A	ND	ND - 107	ND	2000	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Fluoride	2mg/L	0.1	Quarterly/Quarterly	0.103 - 0.2	0.134	0.129 - 0.565	0.229	1	Erosion of natural deposits, dental treatment, fertilizer & aluminum factories
Nitrate (as NO ₃)	45mg/L	2	Quarterly/Quarterly	N/A	ND	ND - 13.9	3.91	45	Runoff from fertilizer use, leaching from septic tanks, natural deposits
Nitrate & Nitrite (as N)	10000µg/L	400	Quarterly/Quarterly	N/A	ND	ND - 3139	881	Zero	Runoff from fertilizer use, leaching from septic tanks, natural deposits
Radioactivity									
Gross Alpha Activity	15 pCi/l	3	Once/9yrs.**	N/A	ND	ND - 4	ND	N/A	Decay of natural and manmade deposits
Tap Monitoring Lead & Copper	Action Level		No. of samples in 2003	90th Percentile	No sites exceeded AL				
Lead	15µg/L	5	33	<5	None		N/A	2	Corrosion of home plumbing, industrial discharges, erosion of natural deposits
Copper	1.3mg/L	0.05	33	0.218	None		N/A	0.17	Corrosion of home plumbing, erosion of natural deposits, wood preservatives
Secondary Standards									
Inorganic Chemicals									
Aluminum	200µg/L	50	Monthly/Once in 3yrs.	ND - 80	34	10 - 190	12.5	600	Erosion of natural deposits, residue from water treatment
Color	15 units	N/A	Weekly/Once in 3yrs.	<5	<5	<5	<5	N/A	Naturally occurring organic materials
Odor-Threshold	3 units	1	Weekly/Once in 3yrs.	1 - 1.4	1	<1	<1	Zero	Naturally occurring organic materials
Chloride	500mg/L	N/A	Quarterly/Once in 3yrs.	64.0 - 70.8	67.4	4.6 - 53.9	16.6	250	Runoff/leaching from natural deposits, seawater influence
Copper	1000µg/L	50	Yearly/Once in 3yrs.	N/A	ND	ND	N/A	0.17	Corrosion of home plumbing, erosion of natural deposits, wood preservatives
Iron	300µg/L	100	Yearly/Once in 3yrs.	N/A	ND	ND - 1130	67	300	Leaching from natural deposits, industrial wastes
Sulfate	500mg/L	0.5	Quarterly/Once in 3yrs.	40.0 - 58.1	51.6	17.3 - 84.4	33.4	250	Runoff/leaching of natural deposits, industrial wastes
Zinc	5000µg/L	50	Monthly/Once in 3yrs.	ND - 790	333	20 - 190	22	5	Runoff/leaching of natural deposits, industrial wastes, corrosion control
Total Dissolved Solids	1000mg/L	N/A	Yearly/Once in 3yrs.	N/A	300	130 - 390	209	N/A	Runoff/leaching of natural deposits
Specific Conductance	1600 µmhos/cm	N/A	Yearly/Once in 3yrs.	N/A	515	227 - 664	353	N/A	Substances that form ions when in water, seawater influence
Additional Constituents Analyzed									
pH	N/A (Units)	N/A	Continuous/Once in 3yrs.	7.1 - 7.8	7.3	7.9 - 8.6	8.2	N/A	Leaching from natural deposits
Hardness	N/A(mg/L)	N/A	Weekly/Once in 3yrs.	91.0 - 158	130	20 - 221	96	N/A	Dissolved calcium, magnesium, strontium, ferrous iron & manganese
Alkalinity	N/A(mg/L)	N/A	Weekly/Once in 3yrs.	80.2 - 130	93.3	90 - 210	119	N/A	Dissolved as water passes through limestone deposits
Sodium	N/A(mg/L)	N/A	Yearly/Once in 3yrs.	N/A	53	19 - 66	39	N/A	Generally naturally-occurring salt present in water
Calcium	N/A(mg/L)	N/A	Yearly/Once in 3yrs.	N/A	27	8 - 59	30	N/A	Dissolved as water passes through limestone deposits
Potassium	N/A(mg/L)	N/A	Yearly/Once in 3yrs.	N/A	3.00	ND - 2.0	1.7	N/A	Leaching from natural deposits
Magnesium	N/A(mg/L)	N/A	Yearly/Once in 3yrs.	N/A	13.0	2.0 - 18	5.7	N/A	Dissolved as water passes through magnesium-bearing minerals
Special Testing									
Giardia in Palmdale Lake	N/A (cysts/100L)	N/A	Monthly/N/A	N/A	ND	N/A	N/A	Zero	Human and animal fecal waste
Cryptosporidium in Palmdale Lake	N/A (oocysts/100L)	N/A	Monthly/N/A	N/A	ND	N/A	N/A	N/A	Human and animal fecal waste
MTBE	13µg/L	3	Yearly/Once in 3yrs.	N/A	ND	ND	ND	13	Leaking underground storage tanks and pipelines, 2-cycle engines
Chlorate (Action Level=800µg/L)	N/A (µg/L)	20	Yearly/N/A	N/A	69.2	N/A	N/A	N/A	By-product of drinking water disinfection
UCMR					Average				
Chromium VI	No Standard(µg/L)	1	Yearly/Yearly	N/A	ND	ND - 11.7	4.17	N/A	Steel and pulp mill discharges, chrome plating, natural erosion
Perchlorate	No Standard(µg/L)	1	Quarterly 2002/ Quarterly 2002	N/A	ND	ND	ND	6	Aerospace industry - solid propellant for rockets, missiles and fireworks, industrial wastes from matches, flares, pyrotechnics, ordnance and explosives manufacture
Boron (AL = 1,000 µg/L)	No Standard(µg/L)	100	Yearly/Once in 3yrs.	N/A	100	ND	ND	N/A	Industrial waste discharges, particularly from tallow manufacturing
Vanadium (AL = 50µg/L)	No Standard(µg/L)	3	Yearly/Once in 3yrs.	N/A	2	8.0 - 40	19	N/A	Leaching from natural deposits, steel manufacturing, hazardous waste sites

Unregulated contaminant monitoring helps EPA and the California Department of Health Services to determine where certain contaminants occur and whether the contaminants need to be regulated.

*Wells are sampled once/3yrs except for Fluoride, Chloride, Nitrate, & Nitrite.

** Sampled between 2001 and 2004. Some Wells are sampled once/6yrs.

Chlorine Residual

Chlorine Residual RAA is the running annual arithmetic average, computed quarterly, of monthly averages of weekly samples from 23 distribution system sites between January to December 2004. Our maximum RAA in 2004 was 0.98 mg/L compared to the Maximum Residual Disinfectant Level RAA of 4.00 mg/L.

Total Organic Carbon (TOC)

Total Organic Carbon (TOC) has no health effects. However, TOC provides a medium for the formation of disinfection byproducts. TOC result is based on quarterly RAA of percent removal ratio. Paired samples (one from source and the other from treated water) are collected monthly. The percent removal between source water and treated water is divided by the required monthly TOC percent removal based on certain criteria which all public water systems must follow. The quarterly RAA of these monthly results should be 1.00 or higher. Our lowest quarterly RAA in 2004 was 1.21.

Arsenic

In the Primary Standards Inorganic Chemicals section of the chart for Arsenic, surface water sample was None Detected (ND). For groundwater samples (25 total), the range was None Detected to 3.0 ppb. Five other groundwater sources made the range of 2.0 ppb to 3.0 ppb. However, the average for all groundwater sources based on 2004 analysis is less than the DLR of 2 ppb.

- *Health effects of Arsenic:* While your drinking water meets the current standard for arsenic, it does contain low levels of arsenic. The standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. The California Department of Health Services continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems.

Barium:

In the Primary Standards Inorganic Chemicals section of the chart for Barium, surface water sample was None Detected (ND). In the groundwater column, the range of Barium is None Detected (ND) to 107 ppm, which is well under the MCL of 2000 ppb. Out of 23 wells tested, one well exceeded the DLR for barium.

- *Health effects of Barium:* Some people who drink water containing barium in excess of the MCL over many years may experience an increase in blood pressure.

Nitrate

In the Primary Standards Inorganic Chemicals section of the chart for Nitrate as (NO₃), surface water sample was ND. In the groundwater column, the range of nitrate is None Detected (ND) to 13.9 ppm, and the average is 3.91 ppm. The State Department of Health Services requires annual sampling if all results are less than 50% of the MCL. If the result from any one source is greater than 50% of the MCL, then sampling must be done quarterly at that source. The District samples all its wells on a quarterly basis (4 times a year). The numbers expressed on the chart are derived from quarterly sampling of all District wells, except those that are out of service.

- *Health effects of Nitrate:* Nitrate in drinking water at levels above 45 ppm is a health risk for infants of less than six months of age. Such nitrate levels in drinking water can interfere with the capacity of the infant's blood to carry oxygen, resulting in a serious illness; symptoms include shortness of breath and blueness of the skin. Nitrate levels above 45 ppm may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask advice from your health care provider. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity.

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Lead and Copper

The tap samples for Lead and Copper were taken in the year 2003 (33 samples total). The 90th percentile results of <5 ppb for lead and 218 ppb for copper are well within the AL of 15 ppb lead and the AL of 1,300 ppb for copper. The District is scheduled to draw new sample sets in the year 2006.

- *Health effects of Lead:* Infants and children who drink water containing lead in excess of the action level may experience delays in their physical or mental development. Children may show slight deficits in attention span and learning abilities. Adults who drink this water over many years may develop kidney problems or high blood pressure. Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and flush your tap for 30 seconds to 2 minutes before using tap water. Additional information is available from the Safe Drinking Water Hotline (800-426-4791).
- *Health effects of Copper:* Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time may experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years may suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

Educational Information and Possible Drinking Water Contaminants

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (1-800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791). PWD tested for cryptosporidium monthly in 2004 and results were "none detected."

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- *Microbial Contaminants*, such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- *Inorganic Contaminants*, such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- *Pesticides and herbicides*, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- *Organic chemical contaminants*, including synthetic and volatile organic chemicals, that are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.
- *Radioactive contaminants*, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, USEPA and the California Department of Health Services (Department) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. Department regulations also establish limits for contaminants in bottled water that must provide the same protection for public health.

Conserve Water



Every Drop Counts

Palmdale Water District
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Be Wary of Solicitations to Test Your Water

It's been brought to the Palmdale Water District's attention that, once again, solicitors selling water purifying systems are making their way through neighborhoods. Typically, residents are being asked to leave a water sample in a ziplock baggie and fill in a questionnaire. Residents are then informed that the water is not safe, and the solicitor requests a meeting with the homeowner. This is where the selling tactics begin to purchase a supposed water purifying system at a price of \$1,200 to \$5,000!

These companies DO NOT represent the Palmdale Water District. Your water is completely safe to drink as indicated by the contents of this Consumer Confidence Report. Any information to the contrary is simply a scare tactic by these solicitors for you to purchase their system. If the water were not safe to drink, the Palmdale Water District would notify you according to state standards.

The Palmdale Water District does not ask individual residences for water samples. We have 31 sampling stations throughout the District. Samples taken from our sampling stations are done so in a sanitized environment. A ziplock baggie is not a sanitized method for collecting water samples and, quite likely, the baggie is contaminated before you even fill it with water. Palmdale Water District employees are also easily identified by uniforms and company vehicles.

If you wish to add a home (point of use) treatment device for personal reasons to remove chlorine taste or to soften the water, visit the California Department of Health Services web site at www.dhs.ca.gov/ps/dd/wem/technical/certification/devices.html for a listing of certified devices. However, you must remember that once installed even the best treatment device must be properly maintained to function properly.

Mission Statement

Palmdale Water District...
 dedicated to providing clean, pure...

Water system facilities to meet current and future needs,

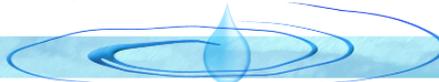
Attentive staff committed to customer satisfaction,

Treatment and testing to ensure high quality water,

Education on water conservation and safety,

Reliable supply and reasonable rates.

Conserve Water



Every Drop Counts

APPENDIX E – HISTORICAL MONTHLY WATER PRODUCTION

Month/ Year	Production Consumption		Active Connections	% Water Loss			Use per Conn. (gallons)	Per Capita Water Use	
	(ac.-ft.)	(ac.-ft.)		Month	12-Mo. Aver.	24-Mo. Aver.		(gal/day/per.)	(12 mo. Avr.)
Jan 93	715.9	776.5	9,566	(8.46)	8.47	9.18	11,901.60	107.84	192.48
Feb 93	662.9	676.7	11,832	(2.08)	8.47	8.88	10,305.53	103.39	192.56
Mar 93	1,012.1	621.2	9,472	38.62	8.36	8.94	9,502.06	86.10	192.05
Apr 93	1,444.5	1,045.8	11,584	27.60	8.95	9.88	16,185.28	151.55	191.77
May 93	1,937.5	1,323.3	9,494	31.70	8.56	9.63	20,458.62	185.38	194.68
Jun 93	2,040.3	1,870.3	11,614	8.33	8.47	9.54	28,874.32	270.36	195.65
Jul 93	2,373.7	1,864.2	9,485	21.46	7.37	8.94	28,792.42	260.90	197.00
Aug 93	2,416.0	2,540.9	11,624	(5.17)	7.27	9.07	39,225.41	355.43	198.23
Sep 93	2,071.4	1,906.5	9,515	7.96	6.35	8.00	29,390.02	275.19	200.70
Oct 93	1,607.6	2,121.3	11,618	(31.95)	6.94	8.31	32,710.60	296.40	200.17
Nov 93	1,198.2	1,274.1	9,503	(6.33)	6.19	7.34	19,657.87	184.06	201.91
Dec 93	866.0	1,140.0	11,582	(31.64)	6.21	7.52	17,618.90	159.65	202.60
Jan 94	919.3	856.2	9,462	6.86	6.46	7.45	13,258.50	120.14	203.02
Feb 94	748.9	721.3	11,098	3.69	7.06	7.75	11,432.48	114.69	204.04
Mar 94	1,177.4	916.9	10,092	22.13	7.25	7.79	14,100.63	127.77	204.99
Apr 94	1,606.3	1,285.0	11,795	20.00	6.49	7.68	19,132.18	179.14	208.46
May 94	1,904.7	1,472.9	15,644	22.67	6.03	7.26	17,492.53	158.50	210.76
Jun 94	2,382.8	2,187.1	21,514	8.21	5.07	6.73	33,127.98	310.19	208.52
Jul 94	2,815.8	2,304.7	20,861	18.15	5.12	6.20	36,002.01	326.22	211.84
Aug 94	2,767.4	2,705.0	21,404	2.25	5.01	6.09	41,183.18	373.17	217.28
Sep 94	2,311.3	2,330.0	20,839	(0.81)	5.85	6.09	36,435.65	341.16	218.76
Oct 94	1,777.1	1,953.2	20,898	(9.91)	4.88	5.85	30,457.17	275.98	224.26
Nov 94	1,215.4	1,412.6	21,131	(16.23)	6.49	6.35	21,784.45	203.97	222.56
Dec 94	992.4	1,113.1	20,747	(12.16)	5.89	6.04	17,483.42	158.42	224.22
Jan 95	815.7	942.9	21,208	(15.59)	6.60	6.53	14,488.17	131.28	224.11
Feb 95	963.5	746.4	20,991	22.53	5.71	6.35	11,587.40	116.25	225.04
Mar 95	1,084.3	924.4	21,217	14.75	6.56	6.89	14,197.88	128.65	225.17
Apr 95	1,600.8	1,041.7	21,137	34.93	6.10	6.29	16,060.05	150.37	225.24
May 95	2,009.6	1,480.0	21,327	26.35	7.26	6.67	22,614.11	204.91	222.85
Jun 95	2,380.4	1,915.4	21,431	19.53	7.69	6.44	29,124.91	272.71	226.72
Jul 95	2,894.6	2,283.4	21,391	21.12	8.99	7.12	34,785.51	315.20	223.59
Aug 95	2,994.9	2,534.2	21,384	15.38	9.44	7.28	38,618.86	349.94	222.67
Sep 95	2,633.2	2,614.9	21,441	0.69	11.23	8.61	39,742.72	372.12	220.74
Oct 95	2,097.3	2,205.3	21,159	(5.15)	11.23	8.14	33,964.10	307.76	223.32
Nov 95	1,551.5	1,748.3	21,474	(12.68)	11.38	9.01	26,530.81	248.42	225.97
Dec 95	1,206.9	1,409.1	21,510	(16.75)	11.21	8.65	21,347.59	193.44	229.67
Jan 96	1,101.6	1,101.3	21,261	0.03	10.74	8.75	16,879.88	137.16	232.59
Feb 96	943.2	904.3	21,411	4.12	11.16	8.56	13,763.32	123.82	233.08

Month/ Year	Production Consumption		Active Connections	% Water Loss			Use per Conn. (gallons)	Per Capita Water Use	
	(ac.-ft.)	(ac.-ft.)		Month	12-Mo. Aver.	24-Mo. Aver.		(gal/day/per.)	(12 mo. Avr.)
Mar 96	1,263.0	897.5	21,253	28.94	10.38	8.55	13,761.37	111.82	233.71
Apr 96	1,902.9	1,283.9	21,331	32.53	11.21	8.78	19,614.06	164.69	232.30
May 96	2,429.6	1,863.5	21,369	23.30	11.32	9.40	28,417.95	230.91	233.50
Jun 96	2,745.6	2,266.1	21,353	17.46	11.27	9.59	34,583.40	290.37	235.66
Jul 96	3,129.9	2,668.1	21,495	14.75	11.16	10.15	40,449.41	328.67	237.14
Aug 96	2,986.5	2,773.5	21,578	7.13	10.43	9.97	41,885.58	340.34	238.26
Sep 96	2,549.8	2,633.1	21,501	(3.27)	9.40	10.26	39,907.66	335.08	237.46
Oct 96	2,076.2	2,163.3	21,520	(4.20)	9.01	10.06	32,758.35	266.18	234.37
Nov 96	1,304.9	1,756.2	21,463	(34.59)	9.10	10.19	26,664.35	223.88	230.91
Dec 96	1,080.4	1,146.9	21,341	(6.16)	8.12	9.61	17,512.91	142.30	228.86
Jan 97	964.4	857.4	19,322	11.09	8.74	9.71	14,460.35	117.50	224.60
Feb 97	1,083.8	831.9	21,378	23.24	9.25	10.19	12,680.94	110.14	222.96
Mar 97	1,702.4	1,095.0	21,423	35.68	10.10	10.24	16,656.41	135.34	221.82
Apr 97	1,862.5	1,555.6	21,381	16.48	10.93	11.06	23,709.23	199.07	223.78
May 97	2,480.8	1,755.6	21,474	29.23	9.64	10.46	26,641.59	216.48	226.65
Jun 97	2,542.4	2,277.7	21,453	10.41	10.28	10.77	34,598.40	290.50	225.45
Jul 97	2,905.1	2,442.7	21,347	15.92	9.47	10.31	37,289.01	302.99	225.46
Aug 97	2,912.6	2,594.0	21,406	10.94	9.56	10.00	39,489.53	320.87	223.32
Sep 97	2,352.5	2,504.9	21,323	(6.48)	10.04	9.72	38,281.56	321.42	221.69
Oct 97	1,944.5	2,164.5	21,418	(11.31)	9.83	9.41	32,932.61	267.59	220.56
Nov 97	1,364.4	1,736.0	21,178	(27.24)	9.31	9.21	26,712.36	224.29	220.67
Dec 97	1,036.7	1,226.5	21,416	(18.30)	9.63	8.87	18,662.19	151.64	220.71
Jan 98	992.2	912.5	21,297	8.03	9.12	8.93	13,962.46	113.45	221.49
Feb 98	810.3	883.7	21,202	(9.06)	8.99	9.12	13,582.37	122.19	221.15
Mar 98	1,077.2	804.1	21,189	25.35	7.67	8.90	12,366.51	100.48	222.15
Apr 98	1,266.4	913.6	21,285	27.86	6.39	8.74	13,987.17	117.44	219.25
May 98	1,710.9	1,262.2	21,237	26.23	6.78	8.28	19,367.90	157.37	212.44
Jun 98	2,273.4	1,633.2	21,272	28.16	5.70	8.15	25,019.50	210.07	207.52
Jul 98	2,930.7	2,238.6	21,393	23.61	7.60	8.60	34,100.30	277.08	200.82
Aug 98	2,872.7	2,605.8	21,347	9.29	8.70	9.16	39,779.11	323.22	198.66
Sep 98	2,213.4	2,465.6	21,536	(11.39)	8.46	9.30	37,308.27	313.25	198.85
Oct 98	1,942.5	2,169.0	21,569	(11.66)	8.03	8.99	32,770.05	266.27	198.17
Nov 98	1,376.7	1,672.0	21,546	(21.45)	8.00	8.70	25,287.55	212.32	198.06
Dec 98	1,159.5	1,289.2	21,563	(11.18)	8.37	9.04	19,482.52	158.30	197.07
Jan 99	1,182.7	1,103.5	21,530	6.70	8.61	8.88	16,702.28	135.71	197.62
Feb 99	1,010.9	1,041.7	21,595	(3.05)	8.53	8.77	15,719.44	141.41	199.48
Mar 99	1,431.3	1,129.2	21,676	21.11	8.65	8.14	16,976.00	137.94	201.08
Apr 99	1,488.8	1,596.1	21,672	(7.21)	8.65	7.49	24,000.46	201.52	204.20

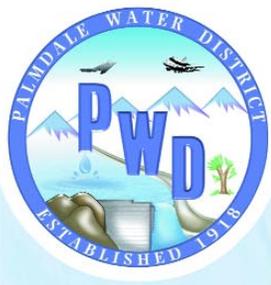
Month/ Year	Production Consumption		Active Connections	% Water Loss			Use per Conn. (gallons)	Per Capita Water Use	
	(ac.-ft.)	(ac.-ft.)		Month	12-Mo. Aver.	24-Mo. Aver.		(gal/day/per.)	(12 mo. Avr.)
May 99	2,095.0	1,580.1	21,765	24.58	6.43	6.60	23,657.75	192.23	211.21
Jun 99	2,465.7	2,031.3	21,909	17.62	6.61	6.17	30,213.36	253.68	214.11
Jul 99	2,931.4	2,805.6	21,964	4.29	5.63	6.58	41,625.73	338.23	217.75
Aug 99	2,879.6	2,755.6	21,999	4.31	3.07	5.79	40,818.26	331.67	222.84
Sep 99	2,558.5	2,579.2	22,140	(0.81)	2.43	5.34	37,962.36	318.74	223.54
Oct 99	2,283.0	2,263.1	22,208	0.87	3.42	5.62	33,208.22	269.83	224.00
Nov 99	1,652.0	1,873.8	22,250	(13.43)	4.45	6.13	27,444.16	230.43	224.30
Dec 99	1,417.8	1,465.9	22,295	(3.39)	4.71	6.43	21,425.58	174.09	225.81
Jan 00	1,231.5	1,267.0	22,313	(2.88)	5.01	6.70	18,504.61	150.36	227.12
Feb 00	1,081.0	1,040.0	22,335	3.79	4.51	6.40	15,173.82	131.80	228.34
Mar 00	1,432.0	951.4	22,490	33.56	4.80	6.62	13,785.46	112.01	227.54
Apr 00	1,913.5	1,689.3	22,406	11.72	5.56	7.03	24,569.14	206.29	225.38
May 00	2,534.3	1,869.4	22,526	26.24	6.84	6.65	27,043.67	219.74	225.78
Jun 00	3,017.8	2,524.1	22,632	16.36	7.34	6.99	36,343.58	305.15	228.07
Jul 00	3,273.1	3,106.5	22,701	5.09	7.41	6.57	44,593.74	362.34	232.36
Aug 00	3,271.5	2,776.7	22,779	15.13	7.47	5.42	39,722.55	322.76	234.37
Sep 00	2,715.6	2,864.5	22,703	(5.48)	8.80	5.85	41,115.78	345.22	233.63
Oct 00	2,245.3	2,250.3	22,751	(0.22)	8.25	6.00	32,231.59	261.90	235.84
Nov 00	1,763.4	1,711.0	22,742	2.97	8.17	6.42	24,517.66	205.86	235.18
Dec 00	1,422.1	1,303.3	22,756	8.36	9.19	7.08	18,663.05	151.65	233.13
Jan 01	1,149.4	1,271.6	22,802	(10.63)	9.84	7.54	18,173.22	147.67	231.26
Feb 01	1,002.5	1,026.7	22,768	(2.42)	9.53	7.14	14,695.10	132.20	231.03
Mar 01	1,365.2	847.0	22,795	37.96	9.31	7.16	12,108.24	98.38	231.07
Apr 01	1,774.1	1,492.4	22,761	15.88	9.48	7.60	21,366.90	179.40	229.93
May 01	2,636.8	1,894.9	22,939	28.14	9.76	8.35	26,919.45	218.73	227.69
Jun 01	3,087.2	2,774.1	22,893	10.14	10.02	8.71	39,488.16	331.55	227.61
Jul 01	3,190.9	2,988.6	23,014	6.34	9.29	8.36	42,318.10	343.85	229.81
Aug 01	3,208.1	2,840.6	23,149	11.46	9.46	8.47	39,987.60	324.92	228.26
Sep 01	2,803.5	3,016.7	23,007	(7.60)	8.98	8.89	42,728.13	358.76	228.44
Oct 01	2,285.6	2,103.2	23,036	7.98	8.70	8.48	29,751.91	241.75	229.57
Nov 01	1,530.9	1,974.8	23,208	(29.00)	9.42	8.79	27,728.78	232.82	227.89
Dec 01	1,208.0	1,111.5	23,186	7.99	7.55	8.38	15,622.22	126.94	230.14
Jan 02	1,203.5	1,097.0	23,065	8.85	7.53	8.70	15,499.03	125.94	228.08
Feb 02	1,145.5	1,284.8	23,201	(12.16)	8.42	8.98	18,045.81	162.34	226.27

Month/ Year	Production Consumption		Active Connections	% Water Loss			Use per Conn. (gallons)	Per Capita Water Use	
	(ac.-ft.)	(ac.-ft.)		Month	12-Mo. Aver.	24-Mo. Aver.		(gal/day/per.)	(12 mo. Avr.)
Mar 02	1,579.0	1,204.9	23,236	23.69	7.92	8.62	16,897.51	137.30	228.78
Apr 02	2,034.0	1,567.0	23,336	22.96	7.29	8.38	21,881.74	183.73	232.03
May 02	2,470.8	2,007.0	23,336	18.77	7.93	8.84	28,026.34	227.73	232.39
Jun 02	2,928.3	2,543.1	23,406	13.16	6.90	8.46	35,406.14	297.28	233.13
Jul 02	3,344.9	2,855.2	23,262	14.64	7.23	8.26	39,997.18	325.00	230.28
Aug 02	3,254.9	3,214.8	23,358	1.23	8.30	8.88	44,849.65	364.42	228.71
Sep 02	2,735.7	2,838.4	23,501	(3.75)	7.02	7.99	39,357.60	330.46	232.00
Oct 02	2,238.9	2,430.7	23,475	(8.57)	7.46	8.08	33,742.05	283.31	229.64
Nov 02	1,567.8	1,470.5	23,249	6.21	6.02	7.72	20,611.16	173.06	233.10
Dec 02	1,164.7	1,259.5	23,305	(8.14)	8.12	7.84	17,611.09	147.87	228.12
Jan 03	1,276.2	1,243.0	23,338	2.60	7.38	7.46	17,356.21	141.03	229.87
Feb 03	1,081.6	1,279.9	23,347	(18.33)	7.08	7.74	17,864.57	160.71	231.13
Mar 03	1,407.2	1,034.6	23,396	26.48	6.87	7.39	14,410.48	117.09	230.99
Apr 03	1,646.0	1,618.9	23,403	1.65	6.91	7.10	22,542.19	189.27	229.31
May 03	2,178.4	1,673.5	23,419	23.18	5.26	6.62	23,286.54	189.21	229.77
Jun 03	2,763.3	2,507.9	23,436	9.24	5.49	6.21	34,871.79	292.79	226.56
Jul 03	3,252.0	3,195.0	23,444	1.75	5.00	6.13	44,411.02	360.86	226.19
Aug 03	3,123.2	2,786.6	23,456	10.78	3.26	5.84	38,714.01	314.57	229.17
Sep 03	2,697.6	2,841.9	23,468	(5.35)	4.49	5.79	39,462.38	331.34	225.02
Oct 03	2,473.4	2,700.9	23,476	(9.20)	4.32	5.94	37,491.01	304.63	225.09
Nov 03	1,599.6	1,829.2	23,601	(14.35)	4.14	5.10	25,256.66	212.06	226.87
Dec 03	1,412.9	1,218.0	23,681	13.79	2.81	5.52	16,760.80	136.19	230.12
Jan 04	1,339.1	1,390.1	23,707	(3.81)	3.94	5.69	19,108.35	155.26	229.15
Feb 04	1,155.7	1,080.2	23,718	6.54	3.59	5.36	14,840.81	133.51	230.33
Mar 04	1,743.6	1,070.8	23,919	38.59	4.68	5.79	14,588.17	118.54	228.07
Apr 04	2,117.0	1,895.3	23,948	10.47	5.80	6.35	25,789.75	216.54	228.19
May 04	2,789.0	2,283.1	24,221	18.14	6.45	5.86	30,717.11	249.59	230.46
Jun 04	2,891.5	2,560.4	24,412	11.45	6.30	5.91	34,177.89	286.97	235.49
Jul 04	3,303.6	2,728.2	24,330	17.42	6.55	5.81	36,540.56	296.91	235.00
Aug 04	3,417.5	3,127.7	24,220	8.48	8.49	5.98	42,082.74	341.94	229.68
Sep 04	2,870.0	3,045.5	24,259	(6.11)	8.22	6.45	40,909.68	343.49	231.96
Oct 04	2,153.2	2,385.8	24,275	(10.80)	8.05	6.29	32,027.18	260.24	232.97
Nov 04	1,449.3	1,416.1	24,400	2.29	8.13	6.22	18,912.62	158.80	229.27
Dec 04	1,416.6	1,245.5	24,418	12.08	9.16	6.11	16,622.45	135.07	224.83
Jan 05	1,134.3	1,219.2	24,407	(7.48)	9.07	6.59	16,278.26	132.27	224.74
Feb 05	1,152.9	907.7	24,470	21.27	9.01	6.38	12,088.04	108.74	222.82
Mar 05	1,421.9	950.5	24,482	33.16	9.66	7.23	12,651.15	102.80	220.76

Palmdale Water District
APPENDIX F - WATER NEWS

December 2005

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Palmdale Water District

Water News



Keeping You Informed

The following is an update of PWD projects. Call 947-4111 x118 if you have any questions about these projects.

- ▶ **2850' Water Service Zone Improvements.** The 24" transmission main, 45th Street Booster Station, and 4MG Tank at Avenue T-8 and 50th Street East are now complete and will increase reliability of the water supply in this water pressure service zone area.
- ▶ **Water Treatment Plant Phase I Upgrades.** Upgrades are needed to continue meeting more stringent water quality regulations. Phase I improvements are expected to be complete by spring of 2006.
- ▶ **Hydro-Electric Generator at Palmdale Lake.** This project will offset electricity costs at the 6MG clearwell and booster station near Avenue S and Sierra Highway. The generator was factory tested September 12 in France and will be shipped to PWD by the end of September for installation.
- ▶ **11th Street East Mainline Replacement Between Ave. Q and Ave. R.** This project will be advertised for bids early October, 2005 with construction expected to begin by December, 2005.
- ▶ **16" Transmission Main in Ave. R-12 east of 47th Street East.** This project is expected to be advertised for bids in early October, 2005 with construction expected to begin in December, 2005.
- ▶ **(2) 4 Million Gallon Water Storage Tanks.** One tank will be located at Avenue T-8 and 50th Street East and the other at the 45th Street Tank Site. Construction is expected to begin in November, 2005.

New "Don't Waste Water" Hotline

The Palmdale Water District now has an active number (661-456-1099) for its customers to call when they see water being wasted due to: visible lawn over-watering practices, broken sprinkler heads or incorrectly directed sprinkler heads, and broken pipes leading to street run off.



The Hotline is consistent with the District's "No Water Waste Policy," which helps prevent continued and unreasonable use of water. You can also call the District's number: 947-4111, extension #6.

Conservation (using water wisely) is a year-round effort for all of us. For a copy of the Water Waste Policy and conservation tips, call Claudette @ 947-4111 x120. The Hotline can be a valuable tool protecting our water from polluted run off and waste when used with discretion. Unnecessary wasted water leading to street run off is the main concern.



When calling the Hotline, please give accurate information, your name and telephone number, and the location and type of incident that has occurred. 💧

Online Payments: Pay "Online" Instead of "In Line"

PWD'S online payment feature is now fully functional. You can use your Visa or MasterCard debit or credit card to take advantage of this convenient payment option. Simply sign up for "Online Account Access" and transform your computer into a virtual 24/7 visit of PWD's office!

To sign up, visit www.palmdalewater.org. Under "Information Services" click on "Customer Service," click "Online Account Access," then click on "Sign up." Complete and submit the Account Access Registration form. Within 24 - 72 hours, depending on when you register, you'll receive an email notice from PWD that your registration is complete, and your online account is ready for you to access.

You can now make online payments within a secure environment, check account balances, view billing histories, request billing information updates, initiate turn-on and turn-off requests, and view a detailed explanation of your water billing statement. All online payments will be applied towards your account the next business day, excluding weekends and holidays.

If you don't have access to the internet, you can still take advantage of the Visa or MasterCard debit or credit card payment method. Simply call PWD at 947-4111 during our normal business hours of Monday - Friday, 8 am to 5 pm. A customer service representative can process your payment over the phone. Due to a short staff during the lunch

hours of 11:30 am to 1:30 pm, you may experience extended on hold wait times. 💧

ACCOUNT ACCESS
24 HOURS a day
7 DAYS a week

➤ **Already signed up?**
[Click here](#) to access the login page.

➤ **Want to Pay your Bill?**
[Click here](#) for your options.

Atencion residentes que no hablan Ingles: Para recibir una version en Español sobre las noticias del agua o para cualquier pregunta o duda acerca del agua, de las reglas de la compañía o de su estado de cuenta, favor de llamar a la oficina de P.W.D. al teléfono 947-4111.



Hurricane Katrina Help

The disaster caused by Hurricane Katrina heightens the importance of safe drinking water. As you are aware, it can mean the difference between life and death. The most effective way for people to assist in the relief effort is to send cash contributions to relief funds established by state governments in the disaster area. Through the American Water Works Association's (AWWA) web site, the Palmdale Water District found the following relief funds:

- *Alabama Governor's Emergency Relief Fund*, 1-877-273-5018, www.servealabama.gov; Mail checks/money orders to: Alabama Governor's Emergency Relief Fund, P.O. Box 1523, Montgomery, AL 36102

- *Louisiana Disaster Recovery Foundation*, 1-877-HELPLA1, www.louisiana.gov; Mail checks/money orders to: Louisiana Disaster Recovery Foundation, 1201 North Third Street, Suite 7-240, P.O. Box 94095, Baton Rouge, LA 70804-9095



(Photo: FoxNews.com) Sept. 2: Sailors and Marines load a MH-60 Sea Hawk helicopter with water in the Gulf of Mexico.

- *Mississippi Hurricane Recovery Fund*, 1-866-230-8903, www.mississippi-recovery.com; Mail checks/money orders to: Mississippi Hurricane Recovery Fund, P.O. Box 3562, Jackson, MS 39207

You can find more information at awwa.org, Hurricane Help Center or usafreedomcorps.gov. You can also log on to palmdalewater.org for links to more Katrina help sites. 💧

Beware of Imposters

Often posing as Palmdale Water District employees, solicitors selling water purifying systems continue to approach PWD customers. They may ask to enter your home to check or test the quality of your water or leave a plastic bag or container on your porch requesting a water sample. The solicitors then inform you that your water is not safe to drink or has high chemical levels and urge you to purchase their water filtering or water softening system. Be advised that these companies do not represent the Palmdale Water District.

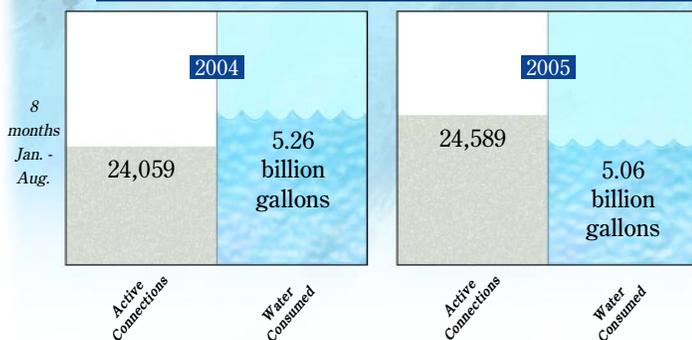
Be assured that the water delivered to you by PWD is of the highest quality. It is completely safe to drink. Any information to the contrary is simply a scare tactic by these solicitors for you to purchase their system.

PWD employees will not approach a customer unexpectedly asking to test your water or to enter your home. We have 31 sample stations at various points throughout the District for testing and assuring water quality.

Always ask for identification from anyone requesting to enter your home. PWD field employees are easily identified by uniformed orange shirts bearing the PWD logo. They drive District vehicles also identified by the District's logo and carry a PWD identification card, not just a paper business card.

If you are concerned with chlorine taste or with the hardness of the water and wish to purchase a home (point of use) treatment device, visit the California Department of Health Services' web site at www.dhs.ca.gov/ps/ddwem/technical/certification/devices.html for a listing of certified devices. 💧

Water Watch... raising awareness of water consumption



As the weather cools, remember to re-set sprinkler timers and cut back on outside watering. Thanks for using water wisely!

Look What's Coming...

Teachers and parents:

Don't miss the 2006 Landscape-in-a-box Contest for 4th - 8th grade classes.

Prizes for students and classrooms.

Materials will be ready

February 17, 2006.

Call Claudette 947-4111 x120.

Need a science project?

Use your landscape-in-a-box!

FREE Landscape Workshop

at the District office in October. Brad & Cindy, from Green Bee Nursery, will be on hand to help with **landscape designs** and questions. Call Linda 947-4111 x101 for date and more information.

Time to Plant and Redesign...But Don't Want to Start Over?

An old landscape can easily be renovated in stages to make it less thirsty and more maintenance free.

Assessing what's there. Before making changes, take a look at what features of your landscape could work better in function or design. What are the weaknesses, dry spots, tired or old plants? Identify existing plants which are low water consumers or are mixed with thirsty plants. Isolate plants you want to keep and work a new design around them.

Zoning your landscape. First, sketch on paper the existing zones; mark any rearrangements you wish to make. You can uproot, transplant, or regroup plantings gradually. By organizing your yard into zones, you can give each area the appropriate amount of water and avoid over-watering and run off. Divide your plants into three (3) zones: a low-water-use zone, a moderate-water-use zone, and a high-water-use zone.

Targeting areas for improvement. You may need to devise a long-range plan if you want to make extensive changes so you should try to put your money and time where you'll see water saving results first. One way is to remove thirsty plants from a water thirsty bed. Or you could eliminate your thirsty lawn and put in ground cover.



How do you want your front yard to look? A lot of grass and no character or practical turf areas and lush vegetation?



Limiting turf areas. No matter where you live, lawn requires constant upkeep—mowing, weeding, fertilizing, and lots of water. It makes perfectly good sense in arid areas to make practical-sized turf areas. Most family activities can be designed around 600 – 800 sq. ft. of turf.

Plan turf areas with these guidelines in mind.

- Choose grass type carefully, newer grass types are hardy and use less water.
- Place yard where it will be most useful. If front yard is never used, consider ground cover or other plantings.
- Edge the lawn's perimeters with wood or masonry strips for easier mowing.
- Avoid planting low-water-use trees or shrubs in water-guzzling turf areas.

shrubs in water-guzzling turf areas.

- The physical layout of the turf should be shaped to mow and irrigate easily.
- Place annuals or vegetables near turf areas so they will benefit from extra water applied in the area.
- Don't place grass on slopes where water will run off and soil will erode.

What to Do in October

By the end of October it will be getting cooler. One of the first things to remember as the season changes is to adjust your irrigation system. A good way to adjust your system is to start by turning off one watering day for a week and then another gradually always watching to see if plants are staying healthy.

PLANT: Bulbs, anemones, daffodils, or ranunculus. You can buy hyacinth or tulip bulbs, but put them in the refrigerator 4 – 6 weeks before planting.

PLANT: Natives. Native shrubs like ceanothus and toyon make great choices for erosion control on slopes. Check for sales at this time of year.

MAINTENANCE: Divide perennials; dig up agapanthus, daylilies, Shasta daisies, and other overcrowded perennials.

FEED ROSES: Give roses one last feeding early this month. Some gardeners sprinkle a handful of Epsom salts, about 1/4 cup per mature plant. The salts help roses absorb nutrients from alkaline soils.

REJUVENATE LAWNS: If you have a cool season grass, such as fescue, this is the time to rake out thatch. If you have a warm season grass, such as Bermuda that goes brown in winter, over-seed it with ryegrass. Before over-seeding, cut grass short, mulch with a fine grain soil amendment, and keep the ground damp until seeds sprout.

MANAGE PESTS: Aphids and whiteflies multiply when temperatures cool. Use a spray mixture of water and dish soap. Make sure you spray under and over the leaves.

Recommended Plant of the Season

AUTUMN JOY SEDUM: This is an outstanding landscape border plant with long-lasting flowers. It grows from early spring to late fall. As the season gets cooler, the flowers turn to a rich burgundy. If you have a place in the yard that doesn't get much water, this is the plant for you. Place in full sun, 18-inches apart. Autumn Joy is drought-tolerant and attracts butterflies. It is hardy to -40 degrees.





Water News

Palmdale Water District

Palmdale Water District
2029 E. Avenue Q
Palmdale, CA 93550
661-947-4111
www.palmdalewater.org
2005
Board of Directors
Jeffery A. Storm Sr. *Division 1*
Ronald D. Cunningham *Division 2*
Sheryl A. Sarna *Division 3*
Raul Figueroa *Division 4*
Nolan Negard *Division 5*
General Manager
Dennis LaMoreaux



WaterNews is a publication of the Palmdale Water District.
Call 661-947-4111 x103, email WaterNews@palmdalewater.org,
or write to PWD, ATTN: Water News, 2029 E. Ave. Q, Palmdale, CA 93550
with questions or for general District information.

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Ask Us!

Q. Why is my water pressure so low?

A. Normal water pressure varies from 40 to 120 pounds per square inch (psi) due to our different service elevation zones. If your water pressure is lower than 40 psi, you may have a faulty water pressure regulator or it may need adjusting. Water pressure regulators reduce the water pressure coming into your house when the water pressure in the street main line is above 80 psi. When a pressure regulator is faulty, you can experience either too much or too little water pressure. Water pressure regulators are typically located on the customer's side of the water meter. Any repairs or adjustments are the responsibility of the property owner.

A home filtration or water softening system can also create low water pressure. These systems require regular maintenance. Dirty filters or clogged systems can result in low water pressure or no water at all. Most home filtration or water softening systems have a bypass switch. This allows you to completely bypass your system to see if it is the source of your low water pressure.

Now Let Us Ask You!

Q. What is the telephone number for PWD's new "Don't Waste Water Hotline"?

The answer is somewhere in this issue of *Water News*. Call Dawn at 947-4111 x103, email WaterNews@palmdalewater.org, or write to PWD with your answer. Ten prize winners will be randomly selected from the first 30 correct responses. (One prize winner per household. Employees of the Palmdale Water District and their families are not eligible to win.)

"Spray, rotary, and bubbler" is the correct answer to last issue's question: "What are the basic categories for sprinkler heads?" Congratulations to our winners!

Community Corner Call 267-5112 with any questions.

Fall Festival: Oct. 8, 9 am – 8 pm; Oct. 9, 10 am – 6 pm
@ Marie Kerr Park, 39700 30th St. E., Palmdale.

Palmdale Chamber of Commerce Holiday Parade:
Dec. 10, 10 am on Palmdale Blvd. starting at 20th St. E. ending at Poncitlan Square @ 9th St. E. Enjoy the festival at Poncitlan Square after the parade.

▼ PWD Board Meetings:

Board of Director meetings are held the 1st and 3rd Monday of each month at 7:00 p.m. Meetings are held at the District office at 2029 E. Ave. Q, Palmdale and are open to the public.

▼ PWD Holiday Closures:

PWD offices will be closed Friday, November 11, to observe Veteran's Day; Thursday, November 24, and Friday, November 25, to observe Thanksgiving; Friday, December 23, and Monday, December 26, for Christmas; and Friday, December 30, and Monday, January 2, 2006, for New Year's. Making note of these closures can help you avoid any inconvenience.



APPENDIX O

WATER WASTE POLICY

Due to the drought throughout California, Palmdale Water District is experiencing a serious water shortage. The District has enacted various conservation programs in an attempt to protect its limited water supply.

California law prohibits the waste and unreasonable use of water and requires that the District take all appropriate actions to prevent waste and unreasonable use of this limited resource.

Despite its conservation efforts, the District is experiencing instances of over-irrigation by certain Consumers, resulting in run off and waste of water.

In order to prevent continued waste and unreasonable use of water and to protect its limited available water supply, the District shall implement the following:

Procedure

1. Upon notification or observation of waste or misuse of water, the District shall:
 - a. Make a photographic record of such waste or misuse;
 - b. Give notice to the Consumer in writing or by use of a door tag; and
 - c. Log the warning on the Consumer's service record.
2. Upon the second offense, the District shall:
 - a. Assess a surcharge of \$50.00 upon the Consumer;
 - b. Give notice to the Consumer in writing that if such waste or misuse occurs again, the Consumer will be subject to disconnection.
3. Upon the third offense, the District shall:
 - a. Give notice to the Consumer that disconnection of service will occur within 5 days after notice.
 - b. Charge the Consumer a disconnection fee as set forth in Appendix D, as well as a reconnection fee as set forth in Appendix D, if service is later restored.

The District recognizes that there may be mitigating or intervening circumstances that bear upon a Consumer's apparent misuse of water. Upon receipt of any notice regarding purported misuse or waste of water, the Consumer shall have 5 working days within which to file a written request for reconsideration with the Engineer-Manager. If the Consumer is not satisfied with the Engineer-Manager's decision, the Consumer shall have 15 days within which to file a written appeal with the Board. The Board's decision shall be final and conclusive.

ADOPTED BY THE BOARD OF DIRECTORS OF PALMDALE WATER DISTRICT AT A REGULAR MEETING HELD AUGUST 13, 1991.

APPENDIX H – RESOLUTION 91-4

RESOLUTION OF THE BOARD OF DIRECTORS OF
PALMDALE WATER DISTRICT ADOPTING A VOLUNTARY
WATER CONSERVATION PROGRAM

WHEREAS, Palmdale Water District is a water district empowered to provide water service within district boundaries; and

WHEREAS, due to inadequate rainfall, California is suffering from four years of drought, with continuing water shortages predicted in Palmdale Water District's service area; and

WHEREAS, precipitation for the current water year has been substantially below normal, particularly in the watersheds of the sources of water supplies serving Southern California and many communities in the State are suffering water shortages; and

WHEREAS, the Governor of the State of California has asked all Californians to conserve water on a voluntary basis; and

WHEREAS, Palmdale Water District relies on rainfall and water supplied by the State Water Project for its water needs; and

WHEREAS, State Water Project deliveries have been drastically curtailed in response to the drought conditions; and

WHEREAS, the drought conditions continue to deplete groundwater supplies in Palmdale Water District's service area; and

WHEREAS, Palmdale Water District has the power and authority to adopt water conservation measures within its boundaries; and

WHEREAS, given the current drought conditions, Palmdale Water District finds it necessary to undertake a phased water conservation program;

NOW, THEREFORE, BE IT RESOLVED, that the Engineer-Manager is authorized to implement a voluntary water conservation program, with a goal of reducing water use by fifteen percent (15%), to reduce the risk and severity of water shortage during the drought; and

BE IT FURTHER RESOLVED, that Palmdale Water District will:

- a. Audit its landscape irrigation systems to maximize irrigation efficiency; adjust sprinklers and irrigation systems to avoid overspray, runoff and waste;
- b. Not irrigate its landscape areas during the hot hours of the day and/or during the morning and evening peak hours and avoid watering on windy days;
- c. Not hose down driveways, sidewalks and other paved surfaces, except for health or sanitary reasons;
- d. Retrofit plumbing fixtures with low-flow devices, except for those fixtures that require high-flow fixtures for health and/or sanitary reasons;
- e. Check faucets, toilets and pipes, both indoor and outdoor, for leaks and repair them immediately.

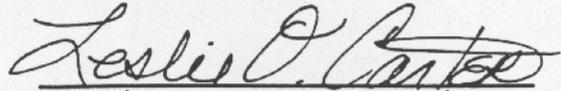
BE IT FURTHER RESOLVED, that Palmdale Water District urges its customers to:

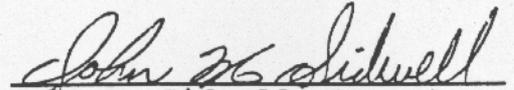
- a. Adjust sprinklers and irrigation systems to avoid overspray, runoff and waste;
- b. Avoid watering in the hot part of the day and/or during the morning and evening peak hours and avoid watering on windy days;
- c. Install new drought tolerant landscaping, low-water-using trees and plants and efficient irrigation systems;
- d. Shut off decorative fountains, unless a water recycling system is used;
- e. Not hose down driveways, sidewalks and other paved surfaces, except for health or sanitary reasons;
- f. Install pool and spa covers to minimize water loss due to evaporation;
- g. Not allow the hose to run while washing any vehicle and to use a bucket or a hose with an automatic cutoff valve;
- h. Retrofit indoor plumbing fixtures with low flow devices;
- i. Check faucets, toilets and pipes, both indoor and outdoor, including house service laterals and sprinkler piping, for leaks and repair them immediately, or upon demand of the water district.

BE IT FURTHER RESOLVED, that Palmdale Water District finds that a program of voluntary measures to reduce consumption will assist in achieving the goal of conserving the water supply without causing unnecessary adverse economic consequences; and

BE IT FURTHER RESOLVED, that if critical water shortages continue to exist and if voluntary measures prove insufficient to accomplish the necessary conservation, Palmdale Water District will consider further action to curtail water use.

PASSED AND ADOPTED at a regular meeting of the Board of
Directors of Palmdale Water District held on February 12, 1991.


Leslie O. Carter, President
Palmdale Water District


John M. Sidwell, Secretary
Palmdale Water District

Palmdale Water District service area; and

WHEREAS, the Palmdale Water District has experienced continuing problems with groundwater production wells; and

WHEREAS, the pumps on four of the largest wells utilized by Palmdale Water District are powered by gas engines having no emission control equipment. Without a variance from the South Coast Air Quality Management District, the District will not be able to produce water from those wells; and

WHEREAS, the District may be unable to obtain emergency water deliveries from the State Water Project for the dry summer months; and

WHEREAS, an engineering study prepared on behalf of the Palmdale Water District has concluded that the projected water supply of the District will not be enough to meet anticipated customer demands for water this year; and

WHEREAS, the ordinary demands and requirements of the District's customers cannot be satisfied without depleting the available water supply to such an extent that there would be insufficient available water for human consumption, sanitation and fire protection; and

WHEREAS, the Palmdale Water District has the power and authority to adopt water conservation measures within its boundaries; and

WHEREAS, following the District's implementation of both a voluntary water conservation program and water conservation regulations, these measures have not resulted in the necessary reduction in consumption; and

WHEREAS, due to the critical water shortage, Palmdale Water District now finds it necessary to adopt additional water conservation measures, including mandatory water rationing and a moratorium on new connections, which measures shall be implemented should present conditions continue to the point where there is imminent danger of insufficient water available for human consumption, sanitation and fire protection.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1: Findings: The Board of Directors of the Palmdale Water District hereby finds and declares as follows:

- 1) There is the possibility that the District will not be able to use several of its largest production wells, which would result in a substantial decrease in the District's water production capacity.
- 2) The State Water Project water available to the District has been cut by ninety percent, with no guarantee that the District will receive emergency water deliveries during the dry summer months.

3) Continued production of water from the groundwater basin without proportionate recharge of the basin through stream runoff, rainfall and snow melt, could result in irreparable damage to the storage capacity of the basin and impair the long-term water delivery capability of the District.

4) Voluntary water conservation measures have not resulted in the necessary reduction in consumption.

5) At present, the anticipated water available to the District is insufficient to meet anticipated demands.

6) Should existing circumstances continue, or should the District lose its water production capacity, there will be insufficient water available for human consumption, sanitation and fire protection.

7) Any additional connections to the Palmdale Water District's system would create additional burden and demand on the system that could not be met by existing supplies, and would further endanger the District's ability to provide water for human consumption, sanitation and fire protection.

Section 2: Declaration of Water Shortage Emergency:

The Board of Directors of the Palmdale Water District, in accordance with the foregoing findings, hereby determines and declares the existence of an emergency condition of water

APPENDIX I – RESOLUTION 91-9

RESOLUTION OF THE BOARD OF DIRECTORS OF PALMDALE WATER DISTRICT
DECLARING A WATER SHORTAGE EMERGENCY CONDITION AND ADOPTING
REGULATIONS AND RESTRICTIONS ON THE DELIVERY AND CONSUMPTION
OF WATER FOR PUBLIC USE

WHEREAS, Palmdale Water District is a water district empowered to provide water service within District boundaries; and

WHEREAS, due to inadequate rainfall, California is suffering from four years of drought, with continuing water shortage predicted in the Palmdale Water District's service area ;
and

WHEREAS, precipitation over the past four years remains substantially below normal, particularly in the watersheds of the sources of water supply serving Southern California and many communities in the state are suffering water shortages; and

WHEREAS, the Palmdale Water District relies on rainfall and water supply from the State Water Project for its water needs; and

WHEREAS, State Water Project deliveries to Palmdale Water District have been reduced by ninety percent in response to the drought conditions; and

WHEREAS, the drought conditions continue to deplete groundwater supplies in the

shortage within its service area, and further determines and declares that the regulations and restrictions on delivery of water and consumption of water within its service area as hereinafter set forth are necessary, in the sound discretion of the Board of Directors of the Palmdale Water District, to conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

Section 3: Authorization to Implement Restrictions on Water Consumption:

The Board of Directors of the Palmdale Water District hereby authorizes the Engineer-Manager of the District to take such steps as are necessary, upon a determination by the Engineer-Manager, that there is an imminent danger that the District will be unable to supply sufficient water for human consumption, sanitation, and fire protection, to implement the regulations and restrictions on water consumption as hereinafter set forth.

Section 4: Moratorium on New Connections: The Engineer-Manager is hereby authorized, in accordance with the foregoing findings and conditions, to impose a moratorium on new connections to the Palmdale Water District's water system. Such moratorium shall take effect immediately upon the declaration thereof by the Engineer-Manager pursuant to the authority authorized by this Resolution.

Section 5: Mandatory Water Rationing: The Engineer-Manager of the Palmdale Water District is hereby authorized in accordance with the foregoing findings and conditions, to impose such water rationing as he deems necessary, in his sole discretion, to protect the water supply of the Palmdale Water District and to guarantee adequate supply for domestic use, sanitation, and fire protection, as follows:

1) Stage 1: Water Rationing: A twenty percent reduction in water deliveries to all District customers.

2) Stage 2: Water Rationing: A thirty percent reduction in water deliveries to all District customers.

3) Stage 3: Water Rationing: A forty percent reduction in water deliveries to all District customers.

The amount of any reduction will be determined by establishing a base water use for each residential, commercial and industrial consumer of the District corresponding to the amount of water delivered to that consumer during the immediately preceding year, and applying the reduction amount to such base water use.

Section 6: Duration of Water Emergency: The regulations and restrictions set forth herein shall take full force and effect upon declaration thereof by the Engineer-Manager of the Palmdale Water District, and shall remain in full force and effect until the supply of water available for distribution within the District service area has been replenished or augmented, as determined by the Engineer-Manager such that a sufficient supply of water is available for human consumption, sanitation, and fire protection, or until further action by the Board of Directors.

Section 7: Appeal: Decisions made by Palmdale Water District under the regulations set forth in this Resolution may be appealed by consumers in accordance with the procedure set forth in the District Rules and Regulations.

Section 8: Violation: A violation of the regulations and restrictions set forth herein may result in a fine and shall result in the discontinuing of service to consumers willfully

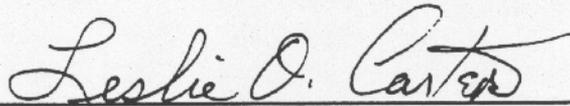
violating the conservation measures set forth herein.

Section 9: Severability: If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such invalid part.

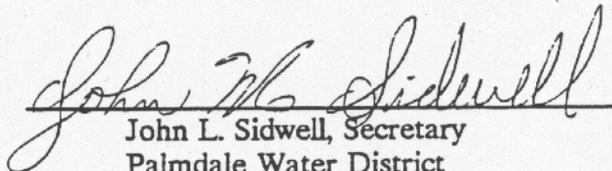
Section 10: Effective Date: This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions pursuant to Public Resources Code § 21080(b)(4).

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on April 9, 1991.



Leslie O. Carter, President
Palmdale Water District



John L. Sidwell, Secretary
Palmdale Water District

APPENDIX J – RESOLUTION 91-10

RESOLUTION NO. 91-10

**RESOLUTION OF THE BOARD OF DIRECTORS
OF PALMDALE WATER DISTRICT
ESTABLISHING CONSERVATION REGULATIONS**

WHEREAS, the Palmdale Water District is a water district empowered to provide water service within District boundaries; and

WHEREAS, due to inadequate rainfall, California is suffering from five years of drought, with continuing water shortages predicted in the Palmdale Water District's service area; and

WHEREAS, precipitation for the current water year has been substantially below normal, particularly in the watersheds of the sources of water supplies serving Southern California and many communities in the State are suffering water shortages; and

WHEREAS, the Palmdale Water District relies on rainfall and water supplied by the State Water Project for its water needs; and

WHEREAS, State Water Project deliveries have been substantially reduced in response to the drought conditions; and

WHEREAS, the drought conditions and over-pumping continue to deplete groundwater supplies in the Palmdale Water District's service area; and

WHEREAS, the Palmdale Water District has the power and authority to adopt water conservation measures within its boundaries; and

WHEREAS, following the District's implementation of both a voluntary water conservation program and adoption of water conservation regulations, critical water shortages continue to exist and the foregoing measures have proved insufficient to accomplish the necessary conservation, Palmdale Water District finds it necessary to adopt additional water conservation measures which include incentive water rates together with the mandatory regulations regarding water use; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1. BASE WATER USE - A base water use shall be established for each residential, commercial, and industrial consumer of the Palmdale Water District corresponding to the amount of water delivered to that consumer during the last annual water year ending on December 31, 1990.

Section 2. RATE FOR EXCESS USED - Water consumption by a

consumer which is in excess of the specified conservation percentage of the base water use, as described in Section 3, will be charged at a rate of \$3.00 per 100 cubic feet of water, or fraction thereof, in addition to the current base water rate.

Section 3. CONSERVATION GOAL - The conservation goal of the District is a reduction in water use of 20 percent (20%), which goal is subject to adjustment from time to time based upon demands, supplies, and conservation.

Section 4. BASE AMOUNT ADJUSTMENT GUIDELINES - The General Manager shall establish guidelines for determining if a consumer should be allowed an adjustment of permissible water usage considering, (a) the effectiveness of water conservation achieved by the consumer, (b) growth in family members and/or development within the residence or establishment of the consumer, and (c) any other factors which may have impacted the water supply available to the consumer.

Section 5. MANDATORY WATER CONSERVATION REGULATIONS - The Engineer-Manager is authorized and directed to take all steps necessary to advise the District's customers of the following mandatory regulations:

1. There shall be no hose washing of sidewalks, walkways, buildings, walls, patios, driveways, parking areas or other paved surfaces, or walls, except to eliminate conditions dangerous to public health or safety or when required as surface preparation for the application of architectural coating or painting.
2. Washing of motor vehicles, trailers, boats, and other types of equipment shall be done only with a hand-held bucket or a hose equipped with a

positive shut-off nozzle for quick rinses, except that washing may be done with reclaimed wastewater or by a commercial car wash using recycled system.

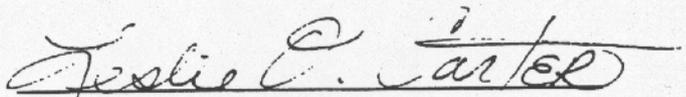
3. No water shall be used to clean, fill, or maintain levels in decorative fountains, ponds, lakes, or other similar aesthetic structures unless such water is part of a recycling system.
4. No restaurant, hotel, cafe, cafeteria, or other public place where food is sold, served, or offered for sale, shall serve drinking water to any customer unless expressly requested and shall display a notice to that effect.
5. All water users shall promptly repair all leaks from indoor and outdoor plumbing fixtures.
6. No lawn, landscape, or other turf area shall be watered more often than every other day nor during the hours between 10:00 a.m. and 4:00 p.m.
7. No water users shall cause or allow the water to run off landscape areas into adjoining streets, sidewalks, or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.
8. The owner and manager of every hotel, motel, inn, guest house, bed and breakfast facility, and short-term commercial lodging shall post a notice of such shortage and any necessary compliance measures.
9. Commercial nurseries, golf courses, parks, school yards, and other public open space, and landscaped areas shall be prohibited from watering lawn, landscaping, and other turf areas more often than every third day and between the hours of 6:00 a.m. and 6:00 p.m., except that there shall be no restriction on watering utilizing reclaimed water.
10. The use of water from fire hydrants shall be limited to fire fighting and related activities and other uses of water for municipal purposes shall be limited to activities necessary to maintain the public health, safety, and welfare.

Section 6. SEVERABILITY - If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such invalid part.

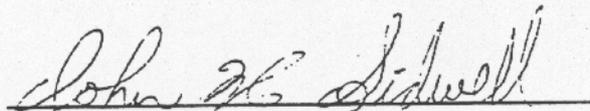
Section 7. EFFECTIVE DATE - This Resolution shall take effect and shall affect all water billings prepared after the effective date of the Resolution imposing mandatory water use restrictions pursuant to Resolution No. 91-9.

BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code Sections 21080(b)(4) and 21080(b)(8), respectively.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on July 9 , 1991.



Leslie O. Carter, President
Palmdale Water District



John M. Sidwell, Secretary
Palmdale Water District

APPENDIX K - REFERENCES

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