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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

Coordination Proceeding
Special Title (Rule 1550(b))
**ANTELOPE VALLEY
GROUNDWATER CASES**
Included Actions:
Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California
County of Los Angeles, Case No. BC
325201
Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Superior Court of California, County of
Kern, Case No. S-1500-CV 254348
Wm. Bolthouse Farms, Inc. v. City of
Lancaster Diamond Farming Co. v. City of
Lancaster Diamond Farming Co. v. Palmdale
Water Dist. Superior Court of California,
County of Riverside, consolidated actions,
Case Nos. RIC 353840, RIC 344436, RIC
344668

Judicial Council Coordination Proceeding
No. 4408
SC Case No. 105CV 049053
Assigned to Hon. Jack Komar

**DECLARATION OF WDS
CALIFORNIA II, LLC IN LIEU OF
DEPOSITION TESTIMONY FOR
PHASE 4 TRIAL**

DECLARATION

1
2 I, David Dorrance, declare:

3 1. I am the in-house technical project manager of WDS CALIFORNIA II, LLC, (“WDS”) a
4 party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this
5 declaration. This declaration applies only to the categories I have filled in. The items left blank,
6 deleted or crossed out from the draft form declaration do not apply to me. I have personal
7 knowledge of each fact herein and would testify competently thereto under oath.

8 **Property Ownership and Parcel Size**

9 2. WDS owns property that overlies the Antelope Valley Area of Adjudication as decided by
10 this Court. The property is in both Kern County and Los Angeles County and is identified and
11 listed in Exhibit “A” attached hereto and incorporated herein.

12 3. WDS claims groundwater rights in this declaration only as to the properties listed in
13 Paragraph 2 and Exhibit “A”.

14 4. For each APN/APNs identified above, the total acreage by parcel is identified and listed in
15 Exhibit “B” attached hereto and incorporated herein.

16 5. For each APN/APNs identified above WDS owned the property during the following time
17 period: See, Exhibit “C” to this Declaration which is attached hereto and incorporated herein.

18 6. The following are all individuals/entities appearing on the title for the above identified
19 APN/APNS from Jan 1, 2000 to the present: (See, Response to Paragraph 5 above.)

20 7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
21 title during the following time: (See, Response to Paragraphs 5 and 6 above.)

22 **Leases**

23 8. WDS (declarant or party affiliated with declarant and/or its predecessor in title) either has
24 in the past or does presently lease property to others that WDS owns and that overlies the Antelope
25 Valley Area of Adjudication as decided by this court and identified by the following APNS: See,
26 Exhibit “D” to this Declaration which is attached hereto and incorporated herein.

27 9. The total acreage by parcel is: (See, Response to Paragraph 4 above.)
28

1 10. The property is currently leased to: See, Exhibit "D" to this Declaration which is attached
2 hereto and incorporated herein

3 11. The property was leased on the following dates: (See, Response to Paragraph 10 above.)

4 12. The leases provide that the owner may claim groundwater rights from the use of water on
5 the leased property. Attached to this Declaration as Exhibit "E" is a true and correct copy of the
6 leases.

7 13. N/A.

8 14. N/A.

9 15. N/A.

10 16. N/A.

11 17. WDS claims groundwater rights in this declaration only as to the properties listed in
12 Paragraph 2 and as to the leasehold interests listed in Paragraph 8 and Exhibit "D".

13 18. N/A.

14 **Water Meter Records**

15 19. Grimmway Enterprises, has measured the groundwater production on certain of the above
16 referenced properties by water meters as identified in Exhibit "F". Exhibit "F" contains the records
17 for these water meters for the following years: 1998, 1999, 2000, 2002, 2003, 2004, 2005, 2006,
18 2007, 2008, 2009, 2010, 2011, 2012. A true and correct copy of Exhibit "F" is attached hereto and
19 incorporated herein.

20 20. Exhibit "F" sets forth the total yearly production amounts by metered water well on certain
21 of the above referenced properties for the years: 1998, 1999, 2000, 2002, 2003, 2004, 2005, 2006,
22 2007, 2008, 2009, 2010, 2011, 2012.

23 **State Water Project Purchases**

24 21. WDS (declarant or party affiliated with declarant and/or its predecessor in title) purchased
25 State Water Project water from a State Water Contractor for use on certain of the properties
26 referenced above. Exhibit "G" contains true and correct copies of all known information for
27 delivery of State Water Project Water to the properties referenced above.
28

1 22. Exhibit "G" sets forth the total yearly State Water Project water deliveries to certain of the
2 properties referenced above for the years 1976-2012.

3 **Pump Tests/ Electric Records**

4 23. In order to calculate groundwater pumped and used on certain of the properties referenced
5 above, WDS considered and relied on Southern California Edison and electric records and pump
6 tests conducted and maintained by Southern California Edison and S.A. Camp Company. Exhibit
7 "H" contains a true and correct copy of the pump test records and electrical records for wells on
8 certain of the properties referenced above. The electric records and pump test records attached to
9 this declaration as Exhibit "H" do not include electric use on the properties referenced above for
10 anything other than pumping groundwater.

11 24. Exhibit "H" sets forth the amount of total yearly groundwater estimated to be pumped and
12 used on certain of the properties listed in Paragraph 23 above for the years 1998 through 2012
13 based on the attached pump test records and electrical records for the wells on the properties
14 referenced above.

15 25. Pump tests were performed on the following dates: 9/8/98, 9/11/98, 7/14/99, 7/14/99,
16 10/6/00, 10/31/00, 6/11/01, 8/16/01, 2/21/02, 2/27/02, 2/27/02, 8/26/02, 8/26/02, 10/3/02, 9/2/03,
17 9/17/03, 9/17/03, 10/16/03, 10/29/03, 8/5/04, 8/5/04, 8/31/04, 10/2/04, 10/4/04, 10/4/04, 6/13/05,
18 6/13/05, 9/1/05, 9/16/05, 9/16/05, 9/26/05, 9/26/05, 12/20/05, 4/19/06, 4/19/06, 8/30/06, 8/30/06,
19 8/31/06, 9/1/06, 5/29/07, 6/5/07, 9/28/07, 9/28/07, 10/1/07, 10/1/07, 8/1/08, 8/1/08, 8/4/08,
20 9/22/08, 9/22/08, 2/11/09, 5/2/09, 8/27/09, 8/27/09, 8/28/09, 9/17/09, 7/15/10, 7/16/10, 7/16/10,
21 8/9/10, 8/12/10.

22 26. N/A.

23 27. I am not aware of any other pump tests having been performed on the properties referenced
24 above.

25 **Pump Tests/Diesel Records**

26 28. In order to calculate groundwater pumped and used on certain of the properties referenced
27 above WDS considered diesel engine information. Exhibit "I" contains a true and correct copy of
28 all known records and other information pertaining to pump tests and diesel engine condition and

1 operation.

2 29. N/A.

3 30. Range of years of pump tests: 1998 – 2010. Dates of pump tests (multiple tests on the
4 same date indicated by multiple tests of the same date): 9/8/98, 9/11/98, 7/14/99, 7/14/99, 10/6/00,
5 10/31/00, 6/11/01, 8/16/01, 2/21/02, 2/27/02, 2/27/02, 8/26/02, 8/26/02, 10/3/02, 9/2/03, 9/17/03,
6 9/17/03, 10/16/03, 10/29/03, 8/5/04, 8/5/04, 8/31/04, 10/2/04, 10/4/04, 10/4/04, 6/13/05, 6/13/05,
7 9/1/05, 9/16/05, 9/16/05, 9/26/05, 9/26/05, 12/20/05, 4/19/06, 4/19/06, 8/30/06, 8/30/06, 8/31/06,
8 9/1/06, 5/29/07, 6/5/07, 9/28/07, 9/28/07, 10/1/07, 10/1/07, 8/1/08, 8/1/08, 8/4/08, 9/22/08,
9 9/22/08, 2/11/09, 5/2/09, 8/27/09, 8/27/09, 8/28/09, 9/17/09, 7/15/10, 7/16/10, 7/16/10, 8/9/10,
10 8/12/10.

11 31. N/A.

12 32. I am not aware of any other pump of any other pump tests having been performed on the
13 properties reference above.

14 **Other Sources of Water**

15 33. N/A.

16 **Use of Water** (Complete for each APN. If water for used for multiple purposes, identify
17 the amount of water for each use.)

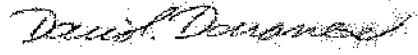
18 34. WDS used the stated acre-foot amounts of water on the respective parcels (identified by
19 Kern County and Los Angeles County APN) for the years 2000-2004 and 2011-2012 for the
20 irrigation of specific crops and domestic use as shown in Exhibits "F", "G", "H", "I" and "J"
21 attached hereto. An explanation of the methods and materials considered and relied upon by WDS
22 to determine the current amount of groundwater production are described and summarized in the
23 December 21, 2012 File Memorandum prepared by David Dorrance on behalf of WDS. The File
24 Memorandum and attachment is attached hereto and incorporated herein as Exhibit "K".
25 Additionally, all currently available information concerning crop water use and crop data are
26 attached hereto as Exhibits "L" and "M", respectively. (See also, Response of WDS to Court
27 Ordered Discovery for Phase 4 Trial and all-attachments.) The amount of water rights claimed by
28 WDS for reasonable and beneficial use is stated in Response 1(K)a to the Court Ordered

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Discovery.

35. Other than what is declared hereinabove, WDS did not produce or use water within the Antelope Valley Area of Adjudication for the years 2000-2004 and 2011-2012.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 31st day of January 2013, at Los Angeles, California.



DAVID DORRANCE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF KERN

I, ERIN L. LINDSEY, declare: I am and was at the times of the service hereunder mentioned, over the age of eighteen (18) years, and not a party to the within cause. My business address is 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

On January 31, 2013, I caused the below listed document(s) entitled as: **DECLARATION OF WDS CALIFORNIA II, LLC IN LIEU OF DEPOSITION TESTIMONY FOR PHASE 4 TRIAL** to be served on the parties via the following service:

X (BY POSTING) I posted the document listed above to the Santa Clara Superior Court website regarding the Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service posting completed through www.scefilings.org.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 31, 2013, at Bakersfield, California.


ERIN L. LINDSEY