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EXEMPT FROM FILING FEES
[Gov. Code, § 6103]

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11
12 **Coordination Proceeding
13 Special Title (Rule 3.550(c))**

14 **ANTELOPE VALLEY GROUNDWATER
15 CASES**

Included Actions:

16 **Los Angeles County Waterworks District
17 No. 40 v. Diamond Farming Co.
Superior Court of California County of Los
18 Angeles, Case No. BC 325 201**

19 **Los Angeles County Waterworks District
20 No. 40 v. Diamond Farming Co.
Superior Court of California County of
Kern, Case No. S-1500-CV-254-348**

21 **Wm. Bolthouse Farms, Inc. v. City of
22 Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v.
23 Palmdale Water Dist. Superior Court of
California, County of Riverside,
24 consolidated Actions, Case Nos. RIC 353
840, RIC 344 436, RIC 344 668**

25 -----
26 **AND RELATED ACTIONS.**

Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053

**DECLARATION OF MAJOR LORREN
DEAKIN ON BEHALF OF STATE OF
CALIFORNIA, DEPARTMENT OF
MILITARY PURSUANT TO CASE
MANAGEMENT ORDER FOR PHASE
IV TRIAL**

[Assigned for All Purposes to the Honorable
Jack Komar]

Trial Date: May 28, 2013

OSC re: Approval of Stipulations:
March 15, 2013

Time: 9:00 a.m.
Dept: 1

Action Filed: October 26, 2005

1 I, MAJOR LORREN T. DEAKIN, declare as follows:

2 1. I am the Construction and Facilities Management Officer for the Department of the
3 Military, an agency of the State of California, one of the parties hereto. I am authorized to make
4 this declaration for and on behalf of the Department of Military. If called as a witness, I could
5 and would competently testify to each fact herein.

6 2. The Department of the Military (Military Department) owns property located at
7 47002 45th Street West, Lancaster, Los Angeles County that overlies the groundwater basin in the
8 Antelope Valley Adjudication Area (approximately 28.54 acres) (the Property). A true and
9 correct copy of the Property deed in the name of the State of California is attached as Exhibit A
10 hereto.

11 3. The Military Department is one of ten State agencies that own property within the
12 Antelope Valley Adjudication Area. This declaration is made on behalf of the Military
13 Department only.

14 4. The Military Department currently purchases water from Los Angeles County
15 Waterworks District 40 for use at its Lancaster Armory (Armory) located at the Property. The
16 Military Department uses the water for domestic use and for its fire sprinkler systems at the
17 Armory.

18 5. In the year 2008, the Military Department purchased approximately 0.473 Acre Feet
19 of water for the calendar year. In the year 2009, the Military Department purchased
20 approximately 0.477 Acre Feet of water for the calendar year. In the year 2010, the Military
21 Department purchased approximately 0.087 Acre Feet of water for the calendar year. In the year
22 2011, the Military Department purchased approximately 0.05 Acre Feet of water for the calendar
23 year. As can be seen from the above, water usage at the Armory will vary considerably
24 depending on the military needs at the Armory in any given year. True and correct copies of a
25 spreadsheet with water readings for the Military Department's water purchase accounts and the
26 water bills are attached as Exhibit B hereto.

27 6. The Military Department does not produce/pump groundwater at the Property. The
28 Military Department lists its above water purchased in lieu of groundwater production and

1 maintains it has a right to pump that water from the Antelope Valley Adjudication Area as an
2 overlier, but has chosen to purchase the water in order to preserve the aquifer of an overdrafted
3 basin.

4 7. Further, the Military Department does not waive its statutory right to pump for
5 emergencies pursuant to California Government Code sections 8567 and 8571, and California
6 Military and Veterans Code sections 143 and 146.

7 8. The Military Department is also claiming future unexercised rights to the beneficial
8 use of water in the Antelope Valley Adjudication Area, including expansion of the Armory for
9 public benefit uses.

10 9. The Military Department is seeking a water right in the amount of at least .70 Acre
11 Feet per year.

12 10. The Military Department is not claiming return flow credits.

13
14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct.

16 Executed on 30 JANUARY, 2013, in SACRAMENTO, California.

17

18

By:


MAJOR LORREN T. DEAKIN

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Maj, En.

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Construction and Facilities Management Officer

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