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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
21 Kern, Case No. S-1500-CV-254-348**

22 **Wm. Bolthouse Farms, Inc. v. City of
23 Lancaster, Diamond Farming Co. v. City of
24 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist. Superior Court of
25 California, County of Riverside,
consolidated Actions, Case Nos. RIC 353
26 840, RIC 344 436, RIC 344 668**

27 -----
28 **AND RELATED ACTIONS.**

Judicial Council Coordination
Proceeding No. 4408

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

**DECLARATION OF RUSS DINGMAN
ON BEHALF OF STATE OF
CALIFORNIA, DEPARTMENT OF
PARKS AND RECREATION 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

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I, RUSS DINGMAN, declare as follows:

1. I am currently employed as a Staff Environmental Planner for the Tehachapi District with the California Department of Parks and Recreation (Parks and Recreation or DPR), an agency of the State of California, and one of the parties hereto. I am authorized to make this declaration for and on behalf of DPR. If called as a witness, I could and would competently testify to each fact herein.

2. I have been a Parks Planner for over fourteen (14) years representing the Tehachapi District.

3. In my role as the Staff Environmental Planner for the Tehachapi District, I supervise and coordinate the District's Services Program in the areas of natural and cultural resource management. I am responsible for the planning, organization and reviewing of the District's natural resource ongoing maintenance and natural and cultural resource programs. In addition, I serve as the Environmental Review Coordinator and Real Property Manager for the Tehachapi District.

4. DPR owns, operates and/or controls the following properties that overly the groundwater basin in the Antelope Valley Adjudication Area.

5. The **Antelope Valley Indian Museum State Historic Park** (Indian Museum Park) is located at 15701 East Avenue M, Lancaster. The Indian Museum Park contains approximately 250 acres of land. DPR pumps groundwater and treats a portion of it from one metered well at its Indian Museum Park. The treated water is used at the Museum, Day Use Area, Maintenance Yard, Mojave Sector office and for various onsite state employees. Untreated water is used to irrigate native vegetation and improve animal habitat within the Indian Museum Park.

6. The total amount of groundwater pumped at the Indian Museum Park from 2003-2012 through October, is as follows:

- 2003-.009 acre feet;
- 2004- 1.76 acre feet;
- 2005-1.65 acre feet;

1 2006-1.22 acre feet;
2 2007-1.65 acre feet;
3 2008 1.93 acre feet;
4 2010-1.50 acre feet;
5 2011-1.58 acre feet;
6 Jan- November 2012 -1.30 acre feet.

7 7. Attached as Exhibit A are the deeds associated with the Indian Museum Park
8 property. Attached as Exhibit B are the Bacti Reports which contain meter readings associated
9 with the Indian Museum Park water usage.

10 8. The **Antelope Valley California Poppy Natural Reserve** (AV Poppy Reserve) is
11 located at 15101 Lancaster Road, Lancaster. Parks and Recreation purchases and imports State
12 Water Project water from the Antelope Valley East Kern Water Agency (AVEK) and treats and
13 uses that water in lieu of pumping groundwater for use at the AV Poppy Reserve. Treated water
14 is used at the Visitor Center, Day Use Area, Maintenance/Resource Yard and the Tehachapi
15 District office. Untreated water is used to irrigate native vegetation, planting, improve animal
16 habitat and fire suppression for control burns within the AV Poppy Reserve. The AV Poppy
17 Reserve contains approximately 1700 acres of land.

18 9. For Fiscal Years 2008 through 2012 (July 1 through June 30th) the amount of water
19 purchased from AVEK for the AV Poppy Reserve was as follows:

20 2007-6.00 acre feet;
21 2008-6.00 acre feet;
22 2009 6.00 acre feet;
23 2010 6.00 acre feet,
24 2011-5.5 acre feet;
25 Jan-November 2012-5.5 acre feet.

26 10. Parks and Recreation has two wells on the AV Poppy Reserve which are currently
27 inactive and we believe the wells were shut down in or about 1985 due to inability to produce
28 water.

1 11. Attached as Exhibit C are the deeds associated with the AV Poppy Reserve property.
2 Attached as Exhibit D are the billing records from AVEK associated with the AV Poppy Reserve
3 water usage.

4 12. The **Arthur B. Ripley Desert Woodlands Park** (Ripley State Park) contains a total
5 of approximately 566 acres of land. Untreated water purchased from AVEK for the AV Poppy
6 Reserve is intermittently used at Ripley State Park to irrigate native vegetation, planting, and to
7 improve animal habitat within Ripley State Park. Attached as Exhibit E are the deeds associated
8 with the Ripley State Park property.

9 13. The **Saddleback Butte State Park** (Saddleback State Park) is located at 43230 172nd
10 Street East, Lancaster. Saddleback State Park contains approximately 2955 acres of land. Parks
11 and Recreation currently purchases water from Los Angeles County Waterworks District 40 for
12 use at its Saddleback State Park. The purchased treated water is used at the Visitor Center, Day
13 Use Area, Campground and Maintenance/Resource Yard. The purchased water is also used for
14 domestic purposes for the visitors of the park.

15 14. The amount of water purchased from Los Angeles County Waterworks District 40 in
16 fiscal years (July 1 through June 30th) is as follows:

17 2006-.041 acre feet;

18 2007-.041 acre feet;

19 2008-.021 acre feet;

20 2009-.012 acre feet;

21 2010-.012 acre feet,

22 2011-.004 acre feet;

23 Jan- November 2012-.002 acre feet.

24 15. Attached hereto as Exhibit F are the deeds associated with Saddleback State Park.
25 Attached hereto as Exhibit G are the billing records from Los Angeles County Waterworks
26 District 40 associated with the Saddleback State Park water usage.

27 16. Parks and Recreation lists its above water purchased in lieu of groundwater
28 production and maintains it has a right to pump that water from the Antelope Valley Adjudication

1 Area as an overlier, but has chosen to purchase the water in order to preserve the aquifer of an
2 overdrafted basin.

3 17. Parks and Recreation is claiming future unexercised rights to water in the
4 groundwater basin for public benefit uses. Parks and Recreation is seeking a total water right in
5 the amount of nine (9) Acre Feet for its current pumping and for future planned expansion of
6 public facilities for visitor use at the four properties, as identified above.

7 18. Attached hereto as Exhibit H are the Park boundary and parcel maps for the Indian
8 Museum Park, the AV Poppy Reserve, Ripley State Park and Saddleback State Park.

9 19. Parks and Recreation is not claiming return flow credits.

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

12 Executed on January 31, 2013, in Sacramento, California.

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By: Russ Dingman by DLW
RUSS DINGMAN
Staff Environmental Planner
California Department of Parks and Recreation