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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**

16 **Included Actions:**

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

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

21 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v. City of
22 **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

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26 **AND RELATED ACTIONS.**

Judicial Council Coordination
Proceeding No. 4408

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

DECLARATION OF DAVID GERARD
ON BEHALF OF STATE OF
CALIFORNIA, DEPARTMENT OF
VETERANS AFFAIRS 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, DAVID R. GERARD, declare as follows:

2 1. I am the Assistant Deputy Secretary for the Capital Assets and Facilities
3 Management of the Department of Veterans Affairs (Veterans Department), an agency of the
4 State of California, one of the parties hereto. I am authorized to make this declaration for and on
5 behalf of the Veterans Department. If called as a witness, I could and would competently testify
6 to each fact herein.

7 2. The Veterans Department owns property located at 45221 30th Street West,
8 Lancaster, Los Angeles County (approximately 22.44 acres) (the Property). A true and correct
9 copy of the deed in the name of the State of California is attached as Exhibit A hereto. The
10 Veterans Department is one of ten State agencies that own property within the Antelope Valley
11 Adjudication Area. This declaration is made on behalf of the Veterans Department only.

12 3. The Veterans Department currently purchases water from Los Angeles County
13 Waterworks District 40 for The William J. "Pete" Knight Veterans Home of California-Lancaster
14 located at the Property. The Veterans Department uses the water for domestic use at this facility
15 and offices related thereto.

16 4. For the years 2010-2012 the Veterans home purchased water as follows: 2010 –
17 28.37 Acre Feet, 2011 – 20.75 Acre Feet, 2012 through October, - 25.12 Acre Feet. The
18 Lancaster Veterans home is not at full capacity at the facility, but will be soon. The Veterans
19 Department estimates that at full capacity of existing construction (not including a planned
20 expansion) the amount of use will be a minimum of approximately 40 Acre Feet per year. A true
21 and correct copy of the meter readings and summary chart for the Veterans Department's water
22 use is attached hereto as Exhibit B.

23 5. The Veterans Department does not produce/pump groundwater at the Property.
24 The Veterans Department lists the above water purchased in lieu of groundwater production and
25 maintains it has a right to pump that water from the Antelope Valley Adjudication Area as an
26 overliar, but has chosen to purchase the water in order to preserve the aquifer of an overdrafted
27 basin.

28 6. The Veterans Department is also claiming future unexercised rights to water in the

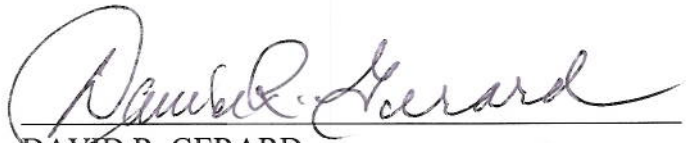
1 Antelope Valley Adjudication Area for public benefit uses. The Veterans Department is seeking
2 a water right in the amount of at least 100 Acre Feet per year for historic and future uses, namely
3 40 Acre Feet per year for its in lieu pumping, and an additional 60 Acre Feet per year for its
4 already proposed expansion to the Lancaster Veterans home.

5 7. The Veterans Department is not claiming return flow credits.

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

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

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By: 
DAVID R. GERARD
Assistant Deputy Secretary, Capital Assets and
Facilities Management
California Department of Veterans Affairs

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