

1 Joseph D. Hughes, SBN 169375
Ravi S. Patel, SBN 301258
2 KLEIN, DENATALE, GOLDNER,
COOPER, ROSENLIB & KIMBALL, LLP
3 4550 California Ave., Second Floor
Bakersfield, CA 93309
4 Telephone: 661-395-1000
Facsimile: 661-326-0418
5 Email: jhughes@kleinlaw.com
rpatel@kleinlaw.com

6 Attorneys for H&N Development Co. West, Inc.

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 COUNTY OF LOS ANGELES

9 ANTELOPE VALLEY
10 GROUNDWATER CASES

11 Included Actions:

12 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.,
Superior Court of California, County of
13 Los Angeles, Case No. BC 325201;

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

16 Wm. Bolthouse Farms, Inc. v. City of
17 Lancaster, Diamond Farming Co. v. City
of Lancaster, Diamond Farming Co. v.
18 Palmdale Water Dist., Superior Court of
California, County of Riverside, Case
19 Nos. RIC 353 840, RIC 344 436, RIC
20 344 668

Judicial Council Coordination No. 4408

CLASS ACTION

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

21 SUPPLEMENTAL DECLARATION OF
22 NORIK NARAGHI
23 IN SUPPORT OF PROVE UP TRIAL

Phase 6 Trial Date: September 28, 2015
Time: 10:00 a.m.
Dept.: 1
24 Judge: Hon. Jack Komar

25 I, NORIK NARAGHI, declare as follows:

26 1. I am the corporate secretary of H&N Development CO. WEST, INC.,
27 (H&N Development), which is a party to this action. I have personal knowledge of each fact
28 in this declaration and would testify competently thereto under oath. This declaration is made
in support of the proposed Judgment and Physical Solution to which H&N Development is a
party. This declaration supplements the declarations of Rod Stiefvater and me that were
admitted into evidence during the Phase 4 Trial as Exhibit 4-H&N-2, which established

1 ownership of H&N Development land in the Antelope Valley as well as the amount of
2 groundwater pumping that occurred on our land in years 2011 and 2012, and the use to which
3 that groundwater was put.

4 2. H&N Development is a duly organized and active California
5 corporation. H&N Development was formerly known as H and N Development Co., Inc.
6 These are the same entity, which underwent a corporate name change. H and N Development
7 Co., Inc., appeared on title to the lands described in paragraph 3 below from December 1980
8 through May 2011 when a Grant Deed was recorded to reflect the change in the corporate
9 name.

10 3. H&N Development owns real property that overlies the Antelope Valley
11 Area of Adjudication as decided by this Court. The land is composed of about 431.81 gross
12 acres located in the County of Kern and is identified by APNs: 359-031-07 (78.48 acres), 359-
13 032-20 (79.09 acres), 359-032-21 (79.09 acres), 359-032-08 (14.09 acres), 359-032-13 (77.88
14 acres), and 359-032-14 (103.18 acres) (**Property**).

15 4. H&N Development claims the right to produce and use groundwater
16 within the boundaries of its Property. The amount of groundwater produced from the Property,
17 measured in acre feet, for the following calendar years is as follows:

<u>Year</u>	<u>Amount (AF)</u>
2000	2,758
2001	2,758
2002	2,758
2003	2,758
2004	3,263

24 5. The groundwater produced from the Property for the calendar years
25 listed above was used for the irrigation of annual and permanent crops. APNs 359-032-20 and
26 359-032-21 were farmed with carrots and/or onions in years 2000-2003 using 690 acre feet of
27 water each year. APNs 359-031-07, 359-032-08, 359-032-13 and 359-032-14 were farmed
28 with alfalfa in years 2000-2003 using 2,068 acre feet of water each year. All of the parcels

1 Case No. JCCP4408

2

PROOF OF SERVICE

3

STATE OF CALIFORNIA, COUNTY OF KERN

4

I am employed in the County of Kern, State of California. I am over the age of eighteen
5 years and not a party to the within action; my business address is 4550 California Ave., Second
6 Floor, Bakersfield, CA 93309. My email address is syates@kleinlaw.com.

7

On September 29, 2015, I served the following document described as

8

**SUPPLEMENTAL DECLARATION OF NORIK NARAGHI
9 IN SUPPORT OF PROVE UP TRIAL**

9

on the interested parties in this action as follows:

10

BY ELECTRONIC MAIL Pursuant to California Rules of Court, rule 2.251, I posted
11 the document listed above to the Santa Clara Court website regarding the Antelope Valley
12 Groundwater matter.


13

Executed on September 29, 2015, at Bakersfield, California.

14

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

16


Shontice Yates

17

18

19

20

21

22

23

24

25

26

27

28