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5 ANGELES COUNTY NOS. 14 & 20  
6  
7  
8

**EXEMPT FROM FILING FEES  
UNDER GOVERNMENT CODE  
SECTION 6103**

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF LOS ANGELES  
11

12 **ANTELOPE VALLEY  
GROUNDWATER CASES**

13 Included Actions:

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

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

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

Judicial Council Coordination No. 4408

CLASS ACTION

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

**DECLARATION OF RAYMOND  
TREMBLAY IN LIEU OF DEPOSITION  
TESTIMONY FOR PHASE 4 TRIAL**

**DECLARATION**

I, Raymond Tremblay, declare:

1. I am Assistant Departmental Engineer for County Sanitation Districts of Los Angeles County, Planning Department. County Sanitation Districts of Los Angeles County Nos. 14 and 20 (“LACSD” or “Districts”) are parties to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration.<sup>1</sup> This declaration applies only to the categories I have filled in. The items left blank or crossed out do not apply to me. I have personal knowledge of each fact herein and would testify competently thereto under oath.

**Property Ownership and Parcel Size**

2. The Districts own property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in Los Angeles County and is identified by the following APN/APNs: See attached list as Exhibit A [If additional room is needed, please identify the APN/APNs in Exhibit A.] A true and correct copy of Exhibit A is attached hereto and incorporated herein.

3. The Districts claim groundwater rights only as to the properties listed in Paragraph 2 and Exhibit A.

4. For each APN/APNs identified above, the total acreage by parcel is as follows:

See attached list as Exhibit A [If additional room is needed, please identify the APN/APNs and parcel size in Exhibit A.] A true and correct copy of Exhibit A is attached hereto and incorporated herein.

~~5. For each APN/APNs identified above \_\_\_\_\_ owned the property during the following time period: \_\_\_\_\_.~~

6. The following are all individuals/entities appearing on the title for the above identified APN/APNS from Jan 1, 2000 to the present: See Exhibit A for original owner. The Districts are current owners of all parcels \_\_\_\_\_.

~~7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the \_\_\_\_\_~~

<sup>1</sup> We have attempted to adhere to the precise language of the stipulation adopted by the court. We made slight changes to non-substantive provisions of the stipulation and can provide a redline version of those changes upon request.

1 title during the following time: \_\_\_\_\_.

2

3

4 Leases

5 8. \_\_\_\_\_ (declarant or party affiliated with declarant) leases property that  
6 \_\_\_\_\_ own and that overlies the Antelope Valley Area of Adjudication as  
7 decided by this court and identified by the following APNS:

8

9 9. The total acreage by parcel is:

10

11 10. The property is currently leased to:

12

13 11. The property was leased on the following dates:

14

15 12. The lease provides that \_\_\_\_\_ may claim groundwater rights from the use of  
16 water on the leased property. Attached to this declaration is a true and correct copy of the lease.  
17 [If additional room is needed, please list APN/APNs, acreage by APN, Lessee by APN and dates  
18 for each Lessee by APN for each parcel in Exhibit C.] A true and correct copy of Exhibit C is  
19 attached hereto and incorporated herein.

20

21 13. \_\_\_\_\_ leases property from \_\_\_\_\_ which overlies the Antelope  
22 Valley Area of Adjudication as decided by this court and is identified by the following APNs:

23

24 14. The total acreage by parcel is:

25

26 15. The Lease provides that \_\_\_\_\_ may claim groundwater rights from use of  
27 water on leased property. Attached to this declaration is a true and correct copy of the lease.

28

1 ~~[If additional room is needed, please attach APN/APNs, Name of the Lessor and acreage by APN~~  
2 ~~for each parcel list in Exhibit D to this declaration.] A true and correct copy of Exhibit D is~~  
3 ~~attached hereto and incorporated herein.~~

4 16. \_\_\_\_\_ ~~claims groundwater rights only as to the leasehold interests listed~~  
5 ~~in Paragraph 15 and Exhibit D.~~

6 17. \_\_\_\_\_ ~~claims groundwater rights only as to the properties listed in~~  
7 ~~Paragraph 2 and Exhibit A and as to the leasehold interests listed in Paragraph 8 and Exhibit C.~~

8 18. ~~To the best of my knowledge, only \_\_\_\_\_ claims groundwater rights as to the~~  
9 ~~leased parcel(s) identified in paragraph 15 and Exhibit D.~~

10 **Water Meter Records**

11 19. The Districts measure the groundwater production on the above referenced properties by  
12 water meters. Attachment 1 contains the records for these water meters for the following years:  
13 2011 and 2012. A true and correct copy of Attachment 1 is attached hereto and incorporated  
14 herein.

15 20. Attachment 1 sets forth the total yearly production amounts by metered water well on the  
16 above referenced properties for the years 2011 and 2012. ~~A true and correct copy of Exhibit F is~~  
17 ~~attached hereto and incorporated herein.~~

18  
19 **State Water Project Purchases**

20 21. \_\_\_\_\_ ~~purchases State Water Project water from a State Water Contractor~~  
21 ~~for use by \_\_\_\_\_ on the properties referenced above. Exhibit G contains true~~  
22 ~~and correct copies of the invoices for delivery of State Water Project Water to the properties~~  
23 ~~referenced above.~~

24  
25 22. ~~Exhibit H sets forth the total yearly State Water Project water deliveries to the properties~~  
26 ~~referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit H~~  
27 ~~is attached hereto and incorporated herein.~~

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**Pump Tests/ Electric Records**

23. ~~In order to calculate groundwater pumped and used on the properties referenced above, \_\_\_\_\_ relied on pump tests and electric records. Exhibit I contains true and correct copies of the pump test records and electrical records for wells on the properties referenced above. The electric records attached to this declaration as Exhibit I do not include electric use on the properties referenced above for anything other than pumping groundwater.~~

24. ~~Exhibit J sets forth the amount of total yearly groundwater that \_\_\_\_\_ estimates was pumped and used on the properties referenced above for the years 2000-2004, 2011, and 2012 based on the attached pump test records and electrical records for the wells on the properties referenced above. A true and correct copy of Exhibit J is attached hereto and incorporated herein.~~

25. ~~Pump tests were performed on the following dates:~~  
\_\_\_\_\_.

26. ~~\_\_\_\_\_ is not producing pump test records for the following dates \_\_\_\_\_ because:~~  
\_\_\_\_\_.

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

**Pump Tests/Diesel Records**

28. ~~In order to calculate groundwater pumped and used on the properties referenced above, \_\_\_\_\_ relied on pump tests and diesel fuel records. Exhibit K contains true and correct copies of the records pertaining to pump tests and diesel fuel purchases for the properties referenced above. The diesel fuel records attached to this declaration as Exhibit K do not include diesel fuel used on the properties referenced above for anything other than pumping groundwater.~~

29. ~~Exhibit L sets forth the amounts of total yearly groundwater pumped and used on the properties referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of~~

1 ~~Exhibit L is attached hereto and incorporated herein.~~

2 30. ~~Pump tests were performed on the following dates:~~

3 \_\_\_\_\_.

4 31. \_\_\_\_\_ is not producing pump test records for the following  
5 dates \_\_\_\_\_ because:

6 \_\_\_\_\_.

7 32. ~~I am not aware of any other pump tests having been performed on the properties~~  
8 ~~referenced above.~~

9 **Crop Duties and Irrigated Acres**

10 33. In order to calculate water use on the properties referenced above, the Districts rely on the  
11 amount of acres in irrigation on the properties referenced above multiplied by the crop duty  
12 identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct copy of  
13 which is attached to this declaration as Attachment 2.

14 34. The total amount of irrigated acres and type of crops on the properties referenced above  
15 ~~by APN~~ for the years 2000-2004, 2011 and 2012 are described in Attachment 2. A true and  
16 correct copy of Attachment 2 is attached hereto and incorporated herein.

17 **Other Sources of Water**

18 35. On the properties referenced above, the Districts received water from sources other than  
19 groundwater pumped within the Basin or State Water Project Water. Attachment 1 sets forth the  
20 source of the water and the amounts received for the years 2011 and 2012.

21 **Use of Water** *(Complete for each APN. If water for used for multiple purposes, identify*  
22 *the amount of water for each use.)<sup>2</sup>*

23 36. Land now owned by the Districts used an estimated 5,326 acre feet of water on APN#s  
24 shown on Exhibit B (3 sheets) in 2000. The water was used for the following: crop irrigation.  
25 See Attachment 2 for available crop details.

26 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

27 \_\_\_\_\_

28 <sup>2</sup> The numbers provided pursuant to this declaration differ slightly from our response to discovery filed on December 21, 2012. This difference resulted from a calculation error that has been remedied in this declaration.

1 In lieu of answering this question, a crop map may be attached that shows the date, crop type,  
2 irrigated acreage and parcels.]

3 37. Land now owned by the Districts used an estimated 6,475 acre feet of water on APN#s  
4 shown on Exhibit C (3 sheets) in 2001. The water was used for the following: crop irrigation.  
5 See Attachment 2 for available crop details.

6 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

7 In lieu of answering this question, a crop map may be attached that shows the date, crop type,  
8 irrigated acreage and parcels.]

9 38. Land now owned by the Districts used an estimated 6,077 acre feet of water on APN#s  
10 shown on Exhibits D (3 sheets), G and H in 2002. The water was used for the following: crop  
11 irrigation. See Attachment 2 for available crop details

12 39. Land now owned by the Districts used an estimated 7,943 acre feet of water on APN#s  
13 shown on Exhibits E (3 sheets), G and I in 2003. The water was used for the following: crop  
14 irrigation. See Attachment 2 for available crop details.

15 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

16 In lieu of answering this question, a crop map may be attached that shows the date, crop type,  
17 irrigated acreage and parcels.]

18 40. Land now owned by the Districts used an estimated 7,392 acre feet of water on APN#s  
19 shown on Exhibits F (3 sheets), G and J in 2004. The water was used for the following: crop  
20 irrigation. See Attachment 2 for available crop details.

21 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

22 In lieu of answering this question, a crop map may be attached that shows the date, crop type,  
23 irrigated acreage and parcels.]

24 41. The Districts used 1,618 acre feet of water on Lancaster agricultural sites owned by the  
25 Districts in 2011. The water was used primarily for the following: crop irrigation and in-plant use  
26 (i.e. in lieu groundwater).

27 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

28 In lieu of answering this question, a crop map may be attached that shows the date, crop type,

1 irrigated acreage and parcels.]

2 42. The Districts used 3,082 acre feet of water on Lancaster agricultural sites in 2012. The  
3 water was used primarily for the following: crop irrigation and in-plant use (i.e. in lieu  
4 groundwater).

5 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.  
6 In lieu of answering this question, a crop map may be attached that shows the date, crop type,  
7 irrigated acreage and parcels.]

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

10

11 I declare under penalty of perjury under the laws of the State of California that the  
12 foregoing is true and correct. Executed this 31<sup>st</sup> day of January 2013, at Whittier, California.

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Raymond Tremblay

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