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6 DISTRICT NO. 40

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103

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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES

17 **ANTELOPE VALLEY**
GROUNDWATER CASES
18 Included Actions:
19 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
20 Court of California, County of Los
Angeles, Case No. BC 325201;
21 Los Angeles County Waterworks District
22 No. 40 v. Diamond Farming Co., Superior
Court of California, County of Kern, Case
23 No. S-1500-CV-254-348;
24 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
25 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
26 California, County of Riverside, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668
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Judicial Council Coordination No. 4408
CLASS ACTION
Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**DECLARATION OF TRACY M. SAIKI IN
LIEU OF DEPOSITION TESTIMONY FOR
PHASE 4 TRIAL; STIPULATION TO
DISMISS WM. BOLTHOUSE FARMS,
INC. FROM LITIGATION WITH NO
PREJUDICE TO BOLTHOUSE
PROPERTIES, LLC**

DECLARATION

I, TRACY M. SAIKI, declare:

1. I am the General Counsel of Wm. Bolthouse Farms, Inc., a party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This declaration applies only to the categories I have filled in. The items marked as "N/A" blank or crossed out do not apply to Wm. Bolthouse Farms, Inc. I have personal knowledge and or information and belief of each fact herein and would testify competently thereto under oath.

Property Ownership and Parcel Size

2. Bolthouse owns no property that overlies the Antelope Valley Area of Adjudication as decided by this Court.

3. N/A, based on response to paragraph 2.

4. N/A, based on response to paragraph 2.

5. N/A, based on response to paragraph 2.

6. N/A, based on response to paragraph 2.

7. N/A, based on response to paragraph 2.

Leases

8. Wm. Bolthouse Farms, Inc. (declarant or party affiliated with declarant) leases property that Bolthouse Properties, LLC owns and that overlies the Antelope Valley Area of Adjudication as decided by this court and identified by the following APNS:

REFER TO EXHIBIT "A"

9. The total acreage by parcel is:

REFER TO EXHIBIT "A"

10. The property is currently leased to:

Wm. Bolthouse Farms, Inc.

11. The property was leased on the following dates:

APRIL 1, 2005 to present

12. The lease provides that Bolthouse Properties, LLC retains groundwater rights from the use of water on the leased property. Attached to this declaration as Exhibit C and incorporated herein

1 is a true and correct copy of the relevant lease extracts.

2 REFER TO EXHIBIT "B" FOR LEASE EXTRACTS

3 13. N/A, based on response to paragraph 12.

4 14. N/A, based on response to paragraph 12.

5 15. N/A, based on response to paragraph 12.

6 16. N/A, based on response to paragraph 12.

7 17. N/A, based on response to paragraph 12.

8 18. N/A, based on response to paragraph 12.

9 Water Meter Records

10 19. N/A, based on response to paragraphs 2 and 12.

11 20. N/A, based on response to paragraphs 2 and 12.

12 State Water Project Purchases

13 21. N/A, based on response to paragraphs 2 and 12.

14 22. N/A, based on response to paragraphs 2 and 12.

15 Pump Tests/ Electric Records

16 23. N/A, based on response to paragraphs 2 and 12.

17 24. N/A, based on response to paragraphs 2 and 12.

18 25. N/A, based on response to paragraphs 2 and 12.

19 26. N/A, based on response to paragraphs 2 and 12.

20 27. N/A, based on response to paragraphs 2 and 12.

21 Pump Tests/Diesel Records

22 28. N/A, based on response to paragraphs 2 and 12..

23 29. N/A, based on response to paragraphs 2 and 12.

24 30. N/A, based on response to paragraphs 2 and 12.

25 31. N/A, based on response to paragraphs 2 and 12.

26 32. N/A, based on response to paragraphs 2 and 12.

27 Crop Duties and Irrigated Acres

28 33. N/A, based on response to paragraphs 2 and 12.

1 34. N/A, based on response to paragraphs 2 and 12.

2 **Other Sources of Water**

3 35. N/A, based on response to paragraphs 2 and 12.

4 **Use of Water** *(Complete for each APN. If water for used for multiple purposes, identify*
5 *the amount of water for each use.)*

6 36. N/A, based on response to paragraphs 2 and 12.

7 37. N/A, based on response to paragraphs 2 and 12.

8 38. N/A, based on response to paragraphs 2 and 12.

9 39. N/A, based on response to paragraphs 2 and 12.

10 40. N/A, based on response to paragraphs 2 and 12.

11 41. N/A, based on response to paragraphs 2 and 12.

12 42. N/A, based on response to paragraphs 2 and 12.

13 43. N/A, based on response to paragraphs 2 and 12.

14 Based upon the foregoing responses, and previous verification confirming that Wm.
15 Bolthouse Farms, Inc. is not claiming groundwater rights in this action, Wm. Bolthouse Farms
16 requests dismissal from the action for the reasons set forth in the Stipulation to Dismiss Wm.
17 Bolthouse Farms, Inc. From Litigation With No Prejudice to Bolthouse Properties, LLC attached
18 as Exhibit C to this declaration.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed this 31st day of January 2013, at Bakersfield, California.

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TRACY M. SAIKI