

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
5 PARK PLAZA, SUITE 1500  
IRVINE, CALIFORNIA 92614

1 BEST BEST & KRIEGER LLP  
ERIC L. GARNER, Bar No. 130665  
2 JEFFREY V. DUNN, Bar No. 131926  
STEFANIE D. HEDLUND, Bar No. 239787  
3 5 PARK PLAZA, SUITE 1500  
IRVINE, CALIFORNIA 92614  
4 TELEPHONE: (949) 263-2600  
FACSIMILE: (949) 260-0972  
5 Attorneys for Cross-Complainant  
LOS ANGELES COUNTY WATERWORKS  
6 DISTRICT NO. 40

7 OFFICE OF COUNTY COUNSEL  
COUNTY OF LOS ANGELES  
8 ANDREA ORDIN, Bar No. 38235  
COUNTY COUNSEL  
9 WARREN WELLEN, Bar No. 139152  
PRINCIPAL DEPUTY COUNTY COUNSEL  
10 500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012  
11 TELEPHONE: (213) 974-8407  
TELECOPIER: (213) 687-7337  
12 Attorneys for Cross-Complainant LOS ANGELES  
COUNTY WATERWORKS DISTRICT NO. 40  
13

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

16  
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  
27

Judicial Council Coordination No. 4408

CLASS ACTION

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

**DECLARATION OF ADAM ARIKI IN  
LIEU OF DEPOSITION TESTIMONY FOR  
PHASE 4 TRIAL**

28

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5 PARK PLAZA, SUITE 1500  
IRVINE, CALIFORNIA 92614

1 **DECLARATION**

2 I, Adam Arika, declare:

3 1. I am an Assistant Deputy Director with the County of Los Angeles Department of  
4 Public Works and division chief of the division which oversees and operates Los Angeles County  
5 Waterworks District No. 40 ("District No. 40") pursuant to an agreement between the County and  
6 District No. 40. I have personal knowledge of each fact herein and would testify competently  
7 thereto under oath.

8 **Property Ownership, Purchased State Water Project Water, and Banked Water**

9 2. District No. 40 owns property that overlies the Antelope Valley Area of  
10 Adjudication. Exhibit A to District No. 40's Responses to Discovery Order for Phase 4 Trial,  
11 which contains detailed information regarding District No. 40's property including APNs, is  
12 hereby incorporated by reference.

13 3. District No. 40, in addition to pumping groundwater, has purchased and continues  
14 to purchase imported water from the State Water Project through Antelope Valley-East Kern  
15 Water Agency ("AVEK"). District No. 40 purchased 34,655.28 acre feet of water from AVEK in  
16 2000; 30,964.04 acre feet of water in 2001; 33,437.54 acre feet of water in 2002; 37,440.15 acre  
17 feet of water in 2003; 36,227.60 acre feet of water in 2004; 29,763.07 acre feet of water in 2011;  
18 and 31,860.09 acre feet of water in 2012.

19 4. Exhibit H to District No. 40's Responses to Discovery Order for Phase 4 Trial,  
20 which contains invoices from AVEK for water purchased for 2000 through 2004, 2011, and  
21 January to November of 2012, is hereby incorporated by reference.

22 5. District No. 40 has purchased additional water from AVEK that was stored in  
23 AVEK's Water Supply Stabilization Project No. 2. This purchased and banked water is not  
24 included in the amount purchased in Paragraph 3.

25 **Water Meter Records**

26 6. District No. 40 uses water meters to measure groundwater production on the  
27 properties referenced in Paragraph 2. District No. 40 pumped 17,418.62 acre feet of water in  
28 2000; 21,735.72 acre feet of water in 2001; 21,194.52 acre feet of water in 2002;


LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE, SUITE 400  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

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16,836.81 acre feet of water in 2003; 21,337.60 acre feet of water in 2004; 16,572.59 acre feet of water in 2011; and 18,942.59 acre feet of water in 2012.

7. Exhibit B to District No. 40's Responses to Discovery Order for Phase 4 Trial, which contains the total yearly production amounts by metered water well on the above referenced properties for 2000 through 2004, 2011, and January to November of 2012, is hereby incorporated by reference.

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



Adam Ariki

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LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
500 CAPITOL MALL, SUITE 1700  
SACRAMENTO, CALIFORNIA 95814

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**PROOF OF SERVICE**

I, Patricia Alshabazz, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 500 Capitol Mall, Suite 1700, Sacramento, California 95814. On January 31, 2013, I served the within document(s):

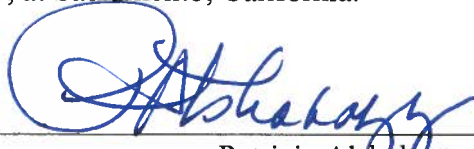
**DECLARATION OF ADAM ARIKI IN LIEU OF DEPOSITION TESTIMONY FOR PHASE 4 TRIAL**

- by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on January 31, 2013, at Sacramento, California.



Patricia Alshabazz