

1 Karen L. Bilotti, Esq. (SBN: 144741)
2 450 Via Del Norte, Suite B
3 La Jolla, CA 92037
4 Office: 442.222.0081
5 Email: karen_bilotti@yahoo.com

6 Attorneys for Cross-Defendants, Hi-Grade Materials, Co.;
7 Robar Enterprises, Inc.; and CJR, a general partnership

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

10 **ANTELOPE VALLEY GROUNDWATER**
11 **CASES**

12 **Included Actions:**

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

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

21 Wm. Bolthouse Farms, Inc. v. City of
22 Lancaster; Diamond Farming Co. v. City
23 Lancaster; Diamond Farming Co. v. Palmdale
24 Water Dist.,
25 Superior Court of California, County of
26 Riverside, Case Nos. RIC 353 840, RIC 344
27 436, RIC 344 668

Judicial Council Coordination
No. 4408

For filing purposes only:
Santa Clara Case No.
1-05-CV-049053

DECLARATION OF LORI
CLIFTON IN LIEU OF PHASE VI
TRIAL TESTIMONY

Assigned to the
Honorable Jack Komar

28 **DECLARATION OF LORI CLIFTON**

1. I make this declaration under penalty of perjury in lieu of Phase VI trial
testimony. If necessary, I can provide live testimony supporting the facts set forth herein.

2. I am Vice President of Planning and Development for cross-defendant Robar
Enterprises, Inc. and Secretary/Treasurer for cross-defendant Hi-Grade Materials Co. Hi-Grade

1 Materials Co.; Robar Enterprises, Inc.; and CJR (collectively, "Robar") are small, family
2 businesses with common ownership. Hi-Grade produces and sells construction materials,
3 including ready-mix concrete and aggregates (rock and sand). CJR owns real estate used in Hi-
4 Grade's business operations. And Robar is an administrative holding company.

5 3. Robar owns the following assessor's parcels located in and around Littlerock,
6 California:

- 7 (a) 3050-008-030 (formerly 3050-008-029), approximately 120 acres in size;
- 8 (b) 3051-013-026, 027, 042 and 043, together approximately 153 acres in size;
- 9 (c) 3050-009-59 (formerly 3050-009-10), approximately 26 acres in size;
- 10 (d) 3050-009-060 (formerly 3050-009-08), approximately 7 acres in size;
- 11 (e) 3050-030-047, approximately 6.5 acres in size;
- 12 (f) 3050-009-05, approximately 3.25 acres in size;
- 13 (g) 3050-009-09, approximately 3 acres in size;
- 14 (h) 3050-009-061 (formerly 3050-009-39), approximately 4 acres in size;
- 15 (i) 3050-009-06, approximately 5.5 acres in size; and
- 16 (j) 3050-009-062 (formerly 3050-009-38), approximately 3.5 acres in size;
- 17 (k) 3137-010-002;
- 18 (l) 3137-010-026.

19 4. Groundwater is pumped on just the first two Assessor's Parcels listed above. To
20 the best of my knowledge, groundwater has never been pumped on the remaining Assessor's
21 Parcels.

22 5. Attached as Exhibit 1 to this declaration are maps of Robar's properties located
23 in Littlerock, California. When the maps are lined up 1-2-3, they depict the properties from
24 south to north. Robar's three groundwater wells are marked on the maps. Wells 1 and 2 are
25 located on APN 3050-008-030, which Robar purchased in 1984. Well 3 is located on APN
26 3051-013-42, which Robar purchased in 1989.

27 6. Robar's financial records run by fiscal year, not by calendar year. Robar's fiscal
28 year begins on April 1 of any given year and ends on March 30 of the following calendar year.

7. Attached as Exhibit 2 to this declaration is page one of the profit and loss
statement for Robar's Avenue T facility for the fiscal years ending March 30, 2012 and March
30, 2013. Note the number circled in each of these two financial records: 31,679 and 36,103.

1 These numbers represent the quantity of ready-mix sold by Robar, measured in cubic yards,
2 during the applicable fiscal year.

3 8. Attached as Exhibit 3 to this declaration is page one of the profit and loss
4 statement for Robar's Littlerock Quarry facility for the fiscal years ending March 30, 2012 and
5 March 30, 2013. Note the number circled in each of these two financial records: 1,000,142 and
6 1,073,351. These numbers represent the quantity of aggregates sold by Robar, measured in
7 tons, during the applicable fiscal year. Aggregates were either sold separately, or were used in
8 Robar's production of ready-mix concrete.

9 9. As noted, Robar's financial records (Exhibits 2 & 3) distinguish the "Avenue T
10 facility" from the "Littlerock Quarry facility." The "Avenue T facility" is not a physical
11 distinction, it is simply a reference to the ready mix concrete portion of Robar's business.
12 Likewise, the "Littlerock Quarry facility" is a reference to the aggregate portion of Robar's
13 business.

14 10. The fiscal years ending on March 30, 2012 and March 30, 2013 were low
15 production years for Robar on account of economic fluctuations.

16 11. Attached as Exhibit 4 to this declaration are the results of laboratory tests of
17 aggregate samples taken from Robar's Littlerock Quarry. The purpose of the tests, performed
18 in late 2015, was to compare the cleanliness and strength of Robar's aggregate materials vis-à-
19 vis the minimum requirements set forth in various agency standards. These tests were
20 performed for business purposes, unrelated to the Antelope Valley groundwater adjudication.

21 12. The land grant deeds pertaining to Robar's real properties are attached as
22 Exhibits 5 thru 8 to this declaration.

23 13. Exhibit 9 to this declaration are California Secretary of State records confirming
24 the existence of the Robar parties, as well as their active status.

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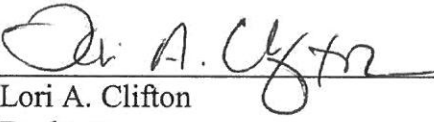
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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed this 10th day of February, 2016 at Hesperia, California.
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7 Lori A. Clifton
8 Declarant
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