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11 **Attorneys for Cross-Defendant**  
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**  
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**  
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**  
21 **No. 40 v. Diamond Farming Co., Superior**  
22 **Court of California, County of Los Angeles,**  
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**  
25 **No. 40 v. Diamond Farming Co., Superior**  
26 **Court of California, County of Kern, Case**  
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**  
**Lancaster, Diamond Farming Co. v.**  
**Lancaster, Diamond Farming Co. v.**  
**Palmdale Water Dist., Superior Court of**  
**California, County of Riverside, Case No.**  
**RIC 353 840, RIC 344 436, RIC 344 668**

**JUDICIAL COUNCIL COORDINATION**  
**PROCEEDING NO. 4408**

**Case No. BC 391869**  
**Assigned to Hon. Jack Komar**

**(Santa Clara Case No. 01-05-CV-049053)**

**DECLARATION OF VERA H. NELSON**  
**FOR COPA DE ORO LAND COMPANY**

1 DECLARATION OF VERA NELSON

2 I, Vera H. Nelson, declare:

3 1. I am a hydrogeologist and water resources engineer, and a licensed professional  
4 engineer, with more than 26 years of experience. My professional qualifications are described  
5 in more detail in my resume that is attached as Exhibit I. I am employed as a Vice President  
6 and Principal Civil Engineer at Erler & Kalinowski, Inc., 1870 Ogden Drive, Burlingame,  
7 California 94010.

8 2. I have personal knowledge of the facts stated in this Declaration and, if called as  
9 a witness, would testify to those facts.

10 3. I have investigated water use during the 2000-2004 period on the property of  
11 Copa de Oro Land Company, which is Section 35, Township 9 North, Range 14 West, San  
12 Bernardino Base & Meridian (minus a Los Angeles Department of Water and Power right-of-  
13 way running through the property) and has Kern County Assessor's Parcel Nos. 359-032-17 and  
14 359-032-01 (the "Property"). This investigation has included my review of, among other  
15 materials:

- 16 (A) Annual and monthly water deliveries records obtained from the Antelope  
17 Valley-East Kern Water Agency ("AVEK");
- 18 (B) Cropping data obtained from the Kern County Department of Agriculture and  
19 Measurement Standards ("KCDAMS");
- 20 (C) Aerial photographs of the Property during the 2000-2004 period available from  
21 Kern County; and
- 22 (D) Crop water duty information provided in Appendix D of the 2010 Antelope  
23 Valley Expert Report (Beeby et al. 2010).

24 4. Based on my investigation, my professional opinion is that AVEK's stated  
25 deliveries to the Property during the 2000-2004 period represent the best estimate of water use  
26 on the Property. According to the annual and monthly delivery records obtained from AVEK,  
27 those deliveries were as follows, rounded to the nearest acre-foot:

<u>Year</u>	<u>Acre-Feet</u>
2000	708
2001	829
2002	842
2003	867
2004	626

5. Exhibits J and K to this Declaration are my reports that describe my investigation and analysis and state my professional conclusions. Exhibits J and K provide water use estimates based upon available KCDAMS cropping information and estimated crop water duties, including those stated in Beeby et al. 2010. These estimates support the above annual water use estimates for the Property, which are based upon monthly and annual delivery records from AVEK.

6. I also investigated agricultural water use on the Property that occurred before 1977, when AVEK records indicate that AVEK deliveries to the Property began. As described in more detail in my report attached as Exhibit J, based on pre-1977 aerial photographs of the Property, I conclude that groundwater was used on the Property before 1977 because those photographs indicate that crops were grown on the Property before 1977.

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

Executed at Burlingame, California, on January 30, 2013



Vera H. Nelson

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**PROOF OF SERVICE**

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On January 4, 2012, I served, in the manner described below, the following document:

**DECLARATION OF VERA H. NELSON FOR COPA DE ORO LAND COMPANY**

I posted this document to the Court's World Wide Website located at [www.scefiling.org](http://www.scefiling.org).

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

Executed at Sacramento, California on January 31, 2013.

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Terry M. Olson