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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

12 Coordinated Proceedings  
13 Special Title {Rule 1550 (b)}

14 ANTELOPE VALLEY GROUNDWATER  
15 CASES

16 Included Actions:

17 Los Angeles County Waterworks District  
18 No. 40 v. Diamond Farming Co.  
19 Los Angeles County Superior Court  
20 Case No. BC 325 201

21 Los Angeles County Waterworks District  
22 No. 40 v. Diamond Farming Co.  
23 Kern County Superior Court  
24 Case No. S-1500-CV-254-348

25 Wm. Bolthouse Farms, Inc., v. City of  
26 Lancaster; Diamond Farming Co. v. City of  
27 Lancaster; Diamond Farming Co. v. City of  
28 Palmdale Water District.  
29 Riverside County Superior Court  
30 Consolidated Action Nos. RIC 344 840,  
31 RIC 344 436, RIC 344 668

32 AND RELATED CROSS-ACTIONS

Judicial Council Coordination Proceeding  
No. 4408

Santa Clara Case No. 1-05-CV-049053

**DECLARATION OF ALI SHAHROODY IN  
SUPPORT OF WATER USE ON BLUM  
TRUST LANDS IN ANTELOPE VALLEY,  
CALIFORNIA**

1 I, Ali Shahroody, declare as follows:

2 1. I am a professional water resources engineer and agricultural engineer, licensed as  
3 an agricultural and civil engineer in the State of California and as a civil engineer in the States of  
4 Arizona and Nevada. I am the President of Stetson Engineers Inc., and have been retained as a  
5 consultant by Sheldon R. Blum on matters pertaining to the irrigation water use on the Blum Trust  
6 lands near Lancaster in Antelope Valley, California. A true and correct copy of my Curriculum  
7 Vitae is attached as Exhibit 1.

8 2. I have testified as an expert witness in Federal District Courts in Nevada, Arizona  
9 and California, United States Court of Claims, California Superior Court, and California State  
10 Water Resources Control Board as described briefly in Exhibit 1, attached.

11 3. Blum Trust lands used for irrigated agriculture in the Antelope Valley consist of  
12 two contiguous parcels (Assessor's Parcel Numbers 3384-09-01 and 06) totaling approximately  
13 120 acres (see Request for Judicial Notice, Exhibit "A"). Exhibit 2 (attached) shows the location  
14 of the parcels on the U.S. Geological Survey Maps for the Antelope Valley, California.

15 4. The designated Blum Trust lands overlie the Antelope Valley Groundwater Basin  
16 which is under adjudication. According to the California Department of Water Resources Well  
17 Index Cards, two water wells with State Well Nos. 07N/11W-24C01 and 07N/11W-24F01 were  
18 constructed on the Blum property. The approximate well depths were reported as 210 and 585 feet,  
19 respectively (see Request for Judicial Notice, Exhibit "B"). Apparently, the Well Index Card for a  
20 third well is not available. However, according to Exhibit "2" (see Exhibit List), the approximate  
21 location of a third well was shown on the Blum property. The approximate location of these three  
22 wells are shown on Exhibit 2, attached.

23 5. In 2001, the Blum Trust lands (approximately 120 acres) were leased to William  
24 Bolthouse Farms (lessee) for a period of 24 consecutive months, from January 1, 2002 to  
25 December 31, 2003, and the lease was subsequently extended through 2009 (see Exhibit List,  
26 Exhibit "1"). The lease was for the purpose of producing carrots and/or onions and applying  
27 water for the irrigation of those crops as reasonably necessary. The lease also provided for the  
28 lessee to perform well tests at the property (Blum Trust lands). However, water for irrigation of  
29 crops on the Blum property was supplied from wells on the adjacent property owned or leased by  
30 Bolthouse Farms (see Exhibit List, Exhibit "3", "4" and "5").  
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1           6.       Blum Trust lands were irrigated for production of carrots and onions in 2002  
2 through 2009 (8 years) with the exception of 2006 when the property was kept in fallow. This is  
3 based on the Bolthouse Properties Exhibit “P-1” (see Request for Judicial Notice, Exhibit “C” and  
4 “D”) setting forth acreages of cultivated crops for each field (farming unit) and crop types (crop  
5 rotation) farmed by Bolthouse in the Antelope Valley for the period 2001 through 2012.  
6 According to Exhibit “P-1”, the Blum Trust lands, referred to as “Blum 24-1”, were irrigated and in  
7 crop production on 118 acres in 2002 through 2005 and 90 acres in 2007 through 2009. Exhibit 2  
8 (attached) shows the acreage and crops cultivated on the Blum Trust lands in 2002 through 2009.

9           7.       The amounts of water use on the Blum Trust lands for the period 2002-2009 are  
10 determined based on the irrigated acreage, type of crops cultivated, and applied crop water duties in  
11 the Antelope Valley area. The applied water duties, in acre-feet per acre per year, for various crops  
12 cultivated in the Antelope Valley are identified in the Summary Expert Report, Appendix D.3:  
13 Table 4, and included in the Leggio amended declaration as Exhibit “M”. The same crop water  
14 duties are also in the Scalmanini Exhibit “58”. I am informed and believe that the Summary of  
15 Applied Crop Water Duties in the Antelope Valley Adjudication was admitted into evidence during  
16 the Phase 3 Trial as Exhibit “58”, through the testimony of Public Water Suppliers’ expert witness  
17 Mr. Joseph Scalmanini. I am also informed that the same chart under the title of Appendix D-3:  
18 Table 4 “Applied Crop Duties and Irrigation Efficiency Values” was used in Phase 4 Trial  
19 Discovery, which appears as Exhibit “M” to Mr. Anthony Leggio’s Declaration in Lieu of  
20 Deposition Testimony for Phase 4 Trial dated May 29, 2013.

21           Based on the above information, I determined the amounts of water used for irrigation on  
22 the Blum Trust lands for the period from 2002 through 2009 by multiplying the irrigated acreage  
23 by applied crop water duty in acre-feet per acre and they are shown on Exhibit 3, attached.

24           8.       As shown on Exhibit 3, the maximum amount of water used by the Blum Trust  
25 lands for production of irrigated crops was 531 acre-feet in 2004, as well as 2005, over the eight  
26 year period (2002-2009). Based on the result of calculations shown in Exhibit 3, the 120-acre  
27 Blum property is entitled to an annual supply of 531 acre-feet from the Antelope Valley  
28 Groundwater Basin. With the confirmation of the annual entitlement (531 acre-feet) through the  
29 Court, Blum Trust intends to resume its irrigated farming on the property.

30           9.       The overlying right is an attribute of land and it is attached to the land overlying a  
31 groundwater basin. Similar to riparian rights to a surface stream, an overlying right is entitled to  
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1 use the water extracted from the groundwater basin on his or her parcel of land within the basin  
2 (see Slater, California Water Law and Policy, Volume 1, 2008). In exercising riparian rights, the  
3 point of diversion from a surface stream is not necessarily on the riparian parcel. Usually, water is  
4 diverted further upstream and conveyed to the riparian land. Similarly, the point of diversion  
5 (point of extraction) from a groundwater basin may not be on the overlying parcel where the water  
6 is put to beneficial use. It is an attribute of an overlying land (beneficial use) which entitles it to  
7 receive water, not the point of diversion. This is also similar to decreed lands where water  
8 allocations from a stream are administered under a court decree in a basin. Water is usually  
9 conveyed via canals and ditches to decreed lands. Some of these lands may be located a few miles  
10 away from the stream itself. For example, under the Orr-Ditch Decree<sup>1</sup>, Truckee River water is  
11 served to decreed lands with points of diversion mostly away from the place of use. A similar  
12 situation exists on the Carson River under the Alpine Decree<sup>2</sup>. The decreed rights are tied to the  
13 land (place of use), not necessarily to points of diversion. Points of diversion could change by  
14 merging canals or transferring water right from one parcel to another served by another canal within  
15 the basin.

16 10. The point of diversion for the irrigation of crops on the Blum Trust lands was on  
17 adjacent property (Bolthouse Farms) during the period 2002-2009. Water was put to beneficial use  
18 on the Blum property with an overlying right to the Antelope Valley Groundwater Basin. Based on  
19 my determination of water use set forth in Exhibit 3, the Blum Trust lands are entitled to 531 acre-  
20 feet per year of the perennial yield of the Antelope Valley Groundwater Basin.

21  
22 I declare under penalty of perjury that the foregoing is true and correct. Signed the <sup>14<sup>th</sup></sup> day  
23 of October 2014, in San Rafael, California.

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<sup>1</sup> *United States of America v. Orr Water Ditch Company, et. al.*, in Equity, Docket No. A3, dated September 8, 1944

<sup>2</sup> *United States of America v. Alpine Land and Reservoir Company*, Civil No. D-183 BRT, dated December 18, 1980