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EXEMPT FROM FILING FEES  
[Gov. Code, § 6103]

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11  
12 **Coordination Proceeding**  
13 **Special Title (Rule 3.550(c))**

14 **ANTELOPE VALLEY GROUNDWATER**  
15 **CASES**

16 **Included Actions:**

17 **Los Angeles County Waterworks District**  
**No. 40 v. Diamond Farming Co.**  
18 **Superior Court of California County of Los**  
**Angeles, Case No. BC 325 201**

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

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

25 -----  
26 **AND RELATED ACTIONS.**

Judicial Council Coordination  
Proceeding No. 4408

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

**STATE OF CALIFORNIA, SANTA**  
**MONICA MOUNTAINS**  
**CONSERVANCY, AND STATE OF**  
**CALIFORNIA 50TH DISTRICT**  
**AGRICULTURAL ASSOCIATION'S**  
**RESPONSES TO COURT ORDERED**  
**DISCOVERY FOR PHASE IV TRIAL**

[Assigned for All Purposes to the Honorable  
Jack Komar]

Date: February 11, 2013

Time: 9:00 a.m.

Dept: 1

Action Filed: October 26, 2005

1       **PROPOUNDING PARTY:** COURT ORDERED DISCOVERY DATED DECEMBER  
2 12, 2012 FOR PHASE 4 TRIAL

3       **RESPONDING PARTY:** STATE OF CALIFORNIA, ON BEHALF OF SANTA  
4 MONICA MOUNTAINS CONSERVANCY, STATE OF CALIFORNIA 50<sup>TH</sup> DISTRICT  
5 AGRICULTURAL ASSOCIATION, AND ALL OTHER STATE AGENCIES OWNING LAND  
6 WITHIN THE ANTELOPE VALLEY ADJUDICATION AREA (hereafter referred to as "State  
7 of California")

8       **SET: ONE (1)**

9       Defendant State of California agencies respond to the Court Ordered Discovery dated  
10 December 12, 2012 for Phase IV of the trial in this matter. Concurrently with this filing, the State  
11 of California is filing its prior responses to discovery.

12       **PRELIMINARY STATEMENT**

13       It should be noted that the responding party has not fully completed its investigation of the  
14 facts relating to this case, has not completed its discovery in the action, and has not completed its  
15 preparation for trial. All of the answers contained herein are based only upon such information  
16 and documents which are presently available and specifically known to the responding party and  
17 disclose only the information which is presently available to the responding party. It is  
18 anticipated that further discovery, independent investigation, legal research and analysis will  
19 supply additional facts, add meaning to known facts, as well as establish entirely new factual  
20 conclusions and legal contentions, all of which may lead to substantial additions, changes in, and  
21 variations from the information herein set forth. The following responses are given without  
22 prejudice to the responding party's right to produce evidence of any subsequently discovered fact  
23 or facts which the responding party may later discover or recall. The responding party  
24 accordingly reserves the right to change any and all answers herein as additional facts are  
25 ascertained, analyses made, legal research is completed and contentions are made. The answers  
26 herein are made in a good faith effort to supply the Court with as much information and materials  
27 as is presently known, but should in no way be to the prejudice of the responding party in relation  
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1 to further discovery, research or analysis. To the extent that the State defendants import water  
2 from outside the Basin, they may claim a right to such imported water and the return flows from  
3 it.

#### 4 **GENERAL OBJECTIONS**

5 1. State of California objects to the Court ordered discovery to the extent it calls for the  
6 disclosure of information protected by the attorney-client privilege, the attorney work product  
7 doctrine, or any other applicable privilege or provision for confidentiality, including personal  
8 information concerning state employees (Government Code §§ 6254, 6254.3).

9 2. State of California objects generally to these requests in that California is not a  
10 unitary State and each agency must be named separately, but this response will provide  
11 information and materials, to the extent known, for the ten state agencies it knows to own, occupy  
12 or control land in the Antelope Valley Adjudication Area. The State of California will provide  
13 and make available materials in support of its claims as soon as the material is available.

#### 14 **RESPONSES TO COURT ORDERED DISCOVERY**

15 Subject to and without waiving the above objections, the State of California responds as  
16 follows for each of the agencies separately:

#### 17 **REQUEST I, PARAGRAPH 1 (A) through (K) and PARAGRAPH 3; REQUEST 5:** 18 **FOR ALL PARTIES CLAIMING AN OVERLYING GROUNDWATER RIGHT,** 19 **INCLUDING PUBLIC WATER PRODUCERS.**

20 Subject to and without waiving the foregoing objections, the State of California responds as  
21 follows:

22 1. California State Lands Commission: The State Lands Commission owns, occupies or  
23 controls an undeveloped parcel of 160 acres and does not currently pump on its land in the  
24 Antelope Valley (APN #261-131-0400). The State Lands Commission also does not currently  
25 purchase water in lieu of pumping groundwater. The State Lands Commission is claiming future  
26 unexercised rights to beneficial use of water in the Adjudication Area. The State Lands  
27 Commission seeks 5 acre feet per year for future use. The following materials listed in support of  
28

1 the State Lands Commission claim include but are not limited to: deeds or documentation of its  
2 acquisition from the US, description of parcels, survey of property, valuation of property. The  
3 person most qualified to testify in support of this claim is the following: Brian Bugsch, Chief of  
4 the Lands Management Division.

5 2. California Santa Monica Mountains Conservancy: The California Santa Monica  
6 Mountains Conservancy (Santa Monica Mountains Conservancy) is a member of a joint powers  
7 agency (the Mountains Recreation and Conservation Authority-MCRA) which owns, occupies or  
8 otherwise controls six undeveloped parcels totaling approximately 360 acres. The LA County  
9 APNs are: 3059-005-006; 3059-004-002; 3591-018-900; 3091-018-901; 3236-006-001; 3236-  
10 007-001. The Santa Monica Mountains Conservancy does not currently pump on its land in the  
11 Adjudication Area. The Santa Monica Mountains Conservancy does not currently purchase  
12 water in lieu of pumping groundwater. The Santa Monica Mountains Conservancy is claiming  
13 future unexercised rights to the beneficial use of water in the Adjudication Area for habitat  
14 restoration, recreation facilities and/or other public benefit uses on this property for itself and its  
15 successor, the MCRA. The following materials in support of the claim of the Santa Monica  
16 Mountains Conservancy include, but are not limited to the following list: deeds or documentation  
17 of its acquisition; descriptions of parcels; descriptions of land use or surveys. The person most  
18 qualified to testify in support of this claim is: Rorie Skei, Chief Deputy Director for the Santa  
19 Monica Mountains Conservancy.

20 3. California Department of the Military: The California Department of the Military  
21 (Military Department) does not currently pump on its property in the Antelope Valley. The  
22 Military Department currently purchases water from Los Angeles County Waterworks District 40  
23 for use at its Lancaster Armory located at 47002 45<sup>th</sup> Street West, Lancaster in the Antelope  
24 Valley (APN # 3105-001-906; approximately 28.54 acres). The Military Department uses the  
25 water for domestic use and for its fire sprinkler system. In the year 2012, through September, the  
26 Military Department purchased approximately 2200 Cubic Feet of water from Los Angeles  
27 County Waterworks District 40. In the year 2011, the Military Department purchased  
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1 approximately 2,200 Cubic Feet of water for the calendar year. In the year 2010, the Military  
2 Department purchased approximately 3,800 Cubic Feet of water for the calendar year. In the year  
3 2009, the Military Department purchased approximately 21,200 Cubic Feet of water for the  
4 calendar year. For the year 2008, the Military Department purchased approximately 20,600  
5 Cubic Feet of water for the calendar year. The Military Department includes its water purchased  
6 in lieu of pumping and maintains it has a right to pump that water from the Adjudication Area as  
7 an overliar, but has chosen to purchase the water in order to preserve the aquifer of an overdrafted  
8 basin. In total, the Military Department purchases approximately .5 acre feet per year from LA  
9 County Waterworks 40. The Military Department further does not waive its statutory right to  
10 pump for emergencies pursuant to California Government Code sections 8567 and 8571, and  
11 California Military and Veterans Code sections 143 and 146. The Military Department is also  
12 claiming future unexercised rights to the beneficial use of water in the Adjudication Area,  
13 including expansion of the armory for public benefit uses. The Military Department is seeking a  
14 water right in the amount of 30,000 Cubic Feet of Water, including 21,200 Cubic Feet for in lieu  
15 pumping and another 8,800 Cubic Feet for future expansion. The following materials listed in  
16 support of the claim of the Military Department include but are not limited to: deeds or  
17 documentation of property acquisition, description of parcels; billing invoices, water purveyor  
18 records. The person most qualified to testify on its behalf is the following: Lorren T. Deakin,  
19 Maj, En. Construction and Facilities Management Officer.

20 4. California Department of Corrections and Rehabilitation: The California Department  
21 of Corrections and Rehabilitation (CDCR) owns, operates or controls property in the Antelope  
22 Valley Adjudication Area (APN #3114-0110-904; #3203-014-900; approximately 261.74 acres).  
23 CDCR does not currently pump on its property in the Antelope Valley. The CDCR has three  
24 inactive wells that have not been recently operated –Well numbers 337772, 33777 and 337775.  
25 A fourth well (Well Number 337774) was capped on April 8, 1991. The CDCR currently  
26 purchases water from Los Angeles County Waterworks District 40 for its California State Prison  
27 at Lancaster, in the Antelope Valley located at 44750 60<sup>th</sup> Street West, Lancaster . It uses the  
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1 water for housing the inmates at the facilities, fire protection, irrigation, including its sprinklers  
2 and for use by all support staff, including guards. In the year 2012, through October, the (CDCR)  
3 purchased approximately 517 Acre Feet from Los Angeles County Waterworks District 40. In  
4 the year 2011, the CDCR purchased approximately 638.65 Acre Feet for the calendar year. For  
5 the years 2000-2010 the Department purchased approximately the following amounts in each  
6 year:

7 2000 – 890 Acre Feet

8 2001 – 927 Acre Feet

9 2002 – 905 Acre Feet

10 2003 – 889.97 Acre Feet

11 2004 – 927.69 Acre Feet

12 2005 – 1007.98 Acre Feet

13 2006 – 943 Acre Feet

14 2007 – 935.30 Acre Feet

15 2008 – 811.01 Acre Feet,

16 2009 – 638.25 Acre Feet

17 2010 – 657.03 Acre Feet

18 In addition to the above uses, future groundwater pumping may be used for well  
19 maintenance, emergencies, and supplemental pumping. The CDCR has included its water  
20 purchased in lieu of pumping and maintains it has a right to pump that water from the  
21 groundwater basin as an overliar, but has chosen to purchase the water in order to preserve the  
22 aquifer of an overdrafted basin. The CDCR is also claiming future unexercised rights to water in  
23 the groundwater basin. The CDCR is seeking a water right in the amount of approximately 1,007  
24 Acre Feet per year of water, including 1,007 Acre Feet for in lieu pumping required for all the  
25 uses set forth in this paragraph. The following materials listed in support of this claim include,  
26 but are not limited to : deeds or documentation of property acquisition, descriptions of uses, billing  
27 invoices, water purveyor records, well records. The person most qualified to testify on its behalf  
28

1 is the following: Daniel Robbins, Water and Sewer Plant Supervisory, California Department of  
2 Corrections and Rehabilitation.

3       5.   California Department of Veterans Affairs: The California Department of Veterans  
4 Affairs (Department of Veterans Affairs) does not currently pump on the property it owns,  
5 operates or controls in the Adjudication Area. The Department of Veterans Affairs currently  
6 purchases water from Los Angeles County Waterworks District 40 for its Veterans Home of  
7 California, Lancaster, in the Antelope Valley Adjudication Area located at 45221 30<sup>th</sup> Street  
8 West, Lancaster (22.44 acres; APN # 3107-012-907). The Department of Veterans Affairs uses  
9 the water for domestic use for its Veterans home (The William J. "Pete" Knight Veterans Home  
10 of California-Lancaster) and offices related to the home. For the years 2010-2012 the Veterans  
11 home purchased water as follows: 2010 – 28.37 Acre Feet, 2011 – 20.75 Acre Feet, 2012 through  
12 October, - 25.12 Acre Feet. The Lancaster Veterans Home is a new facility and these figures do  
13 not reflect full capacity use of the now existing facility. The Home estimates that at full capacity  
14 of existing construction (not including a planned expansion discussed below) the amount of use  
15 will be a minimum of approximately 40 acre feet per year. The Department of Veterans Affairs  
16 has included its water purchased in lieu of pumping and maintains it has a right to pump that  
17 water from the Adjudication Area as an overlie, but has chosen to purchase the water in order to  
18 preserve the aquifer of an overdrafted basin. The Department of Veterans Affairs is also claiming  
19 future unexercised rights to water in the Adjudication Area for public benefit uses. The  
20 Department of Veterans Affairs is seeking a water right in the amount of approximately a total of  
21 100 Acre Feet for historic and future uses. The Department of Veterans Affairs is seeking 40  
22 Acre Feet for its in lieu pumping and is seeking at least an additional 60 Acre Feet for its already  
23 proposed expansion to the Lancaster Veterans Home. The following materials listed in support of  
24 its claim include, but are not limited to: deeds or documentation of property acquisition, billing  
25 records from Los Angeles County Waterworks, description of uses, expansion plans, prior  
26 discovery responses. The person most qualified to testify on its behalf is the following: David R.  
27 Gerard, Assistant Deputy Secretary, Capital Assets, California Department of Veterans Affairs.  
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1           6.    California 50th District Agricultural Association: The California 50th District  
2 Agricultural Association (50th DAA) does not currently pump water on the property it owns,  
3 occupies or controls in the Adjudication Area, located at 2551 West Avenue H, Lancaster (APN  
4 #3114-011-906; 3114-011-907). The total acreage is approximately 135.38 acres. The 50th  
5 DAA currently purchases water from Los Angeles County Waterworks District 40 for its  
6 Fairgrounds in the Adjudication Area. The 50<sup>th</sup> DAA uses the water for the visitors to the  
7 Fairgrounds, the regular activities of the Fairgrounds year round, irrigation of the Fairgrounds,  
8 fire protection and dust control. For the years 2008-2012 the 50<sup>th</sup> DAA purchased water as  
9 follows: 2008 – 61.41 Acre Feet, 2009 – 43.17 Acre Feet, 2010 – 44.77 Acre Feet, 2011 – 43.59  
10 Acre Feet, 2012 through October, - 45.76 Acre Feet. The 50<sup>th</sup> DAA has included its water  
11 purchased in lieu of pumping and maintains it has a right to pump that water from the  
12 Adjudication Area as an overliar, but has chosen to purchase the water in order to preserve the  
13 aquifer of an overdrafted basin. The 50<sup>th</sup> DAA is also claiming future unexercised rights to water  
14 in the groundwater basin for public benefit uses. The 50<sup>th</sup> DAA is seeking a water right in the  
15 amount of 61.41 Acre Feet for its in lieu pumping at its Antelope Valley Fairgrounds and an  
16 amount for its future expansion. The following materials listed in support of its claim include but  
17 are not limited to: deeds or documentation of property acquisition, description of uses, billing  
18 invoices, water purveyor records. The person most qualified to testify on its behalf is the  
19 following: Daniel P. Jacobs, Chief Executive Officer, Fiftieth (50<sup>th</sup>) District Agricultural  
20 Association.

21           7.    California Department of Parks and Recreation:

22           The California Department of Parks and Recreation (Parks and Recreation) owns, operates  
23 or controls property in the Adjudication Area as more fully described below. Parks and  
24 Recreation pumps groundwater from its well in the Adjudication Area and treats a portion of it.  
25 Parks and Recreation also purchases and imports State Water Project water from the Antelope  
26 Valley East Kern Water Agency (AVEK) and treats and uses that water in lieu of pumping  
27  
28



1 groundwater. Parks and Recreation additionally purchases water from Los Angeles County  
2 Waterworks District 40 in lieu of pumping groundwater.

3 Parks and Recreation pumps groundwater and treats a portion of it from one metered well at  
4 its Antelope Valley Indian Museum State Historic Park (Indian Museum Park) located at 15701  
5 East Avenue M, Lancaster. The Indian Museum Park contains approximately 250 acres. The  
6 APN numbers are as follows: 3362-004-900, 3362-004-902, 3362-004-901, 3363-003-300 and as  
7 set forth in Exhibit 1 attached to the 2008 Prior Discovery Response. The treated water is used at  
8 the Museum, Day Use Area, Maintenance Yard, Mojave Sector office and for state employees.  
9 Untreated water is used to irrigate native vegetation and improve animal habitat within the Park.  
10 The total amount of groundwater pumped at the Indian Museum Park from 2003-2012 through  
11 October, both metered and estimates are as follows. 2003-.009 acre feet; 2004- 1.76 acre feet;  
12 2005-1.65 acre feet; 2006-1.22 acre feet; 2007-1.65 acre fee; 2008 1.93 acre feet; 2009 estimated-  
13 1.53 acre feet; 2010-1.50 acre fee; 2011-1.58 acre feet; 2012 through November-1.30 acre feet.

14 Parks and Recreation purchases water from the Antelope Valley East Kern Water Agency  
15 (AVEK) for its Antelope Valley Poppy Natural Reserve (AV Poppy Reserve) located at 15101  
16 Lancaster Road, Lancaster. The AV Poppy Reserve contains approximately 1700 acres. The  
17 APN numbers are as follows:

18 3236-020-904, 3236-014-908, 3236-014-900, 3236-014-901, 3236-014-907  
19 3236-014-902, 3236-014-906, 3236-014-905, 3236-005-900, 3266-001-900  
20 3266-001-901, 3266-001-902, 3266-001-903, 3236-015-900, 3236-015-901  
21 3236-015-902, 3236-015-908, 3236-015-904, 3236-015-903, 3236-015-905  
22 3236-015-906, 3236-015-907, 3236-018-902, 3236-018-903, 3236-018-905  
23 3236-018-907, 3236-018-909, 3236-018-904, 3236-018-906, 3236-018-908.

24  
25 A list of APN numbers is also set forth in Exhibit 1 of 2008 Prior Discovery Responses.  
26 Treated water is used at the Visitor Center, Day Use Area, Maintenance/Resource Yard and the  
27 Tehachapi District office. Untreated water is used to irrigate native vegetation, planting, improve  
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1 animal habitat and fire suppression for control burns within the Reserve. The AV Poppy Reserve  
2 has two inactive wells. For Fiscal Years 2008 through 2012 (July 1 through June 30<sup>th</sup>) the amount  
3 of water purchased from AVEK for the AV Poppy Reserve was as follows: 2007-6.00 acre feet;  
4 2008-6.00 acre feet; 2009 6.00 acre feet; 2010 6.00 acre feet, 2011-5.5 acre feet and through  
5 November 2012-5.5 acre feet. Parks and Recreation purchases approximately .5 Acre Feet per  
6 month from the Antelope Valley East Kern Water Agency (AVEK) per month per contract.

7 Finally, Parks and Recreation currently purchases water from Los Angeles County  
8 Waterworks District 40 for its Saddleback Butte State Park (approximately 2955 acres) located at  
9 43230 172<sup>nd</sup> Street East, Lancaster. Parks and Recreation purchased approximately .44 Acre Feet  
10 of water in 2012 up to October. A list of APN numbers is as follows:

11 3162-003-900, 3162-004-900, 3162-005-903, 3162-006-901

12 3162-002-901, 3162-002-900, 3162-001-904

13 and as set forth in Exhibit 1, 2008 Prior Discovery Responses. The purchased treated water  
14 is used at the Visitor Center, Day Use Area, Campground and Maintenance/Resource Yard. The  
15 purchased water is for domestic use for visitors of the park. The amount of water purchased in  
16 fiscal years (July 1 through June 30<sup>th</sup>) is as follows: 2006-.041 acre feet; 2007-.041 acre feet;  
17 2008-.021 acre feet, 2009-.012 acre feet; 2010-.012 acre feet, 2011-.004 acre feet and through  
18 November 2012-.002 acre feet.

19 An additional property owned by Parks and Recreation is the Arthur B. Ripley Desert  
20 Woodlands Park with a total of approximately 566 acres. The APN numbers are: 3238-016-903;  
21 383-016-904. Untreated water purchased from AVEK is used to irrigate native vegetation,  
22 planting, and to improve animal habitat within the Park.

23 Parks and Recreation is seeking a total water right in the amount of 9 Acre Feet for its  
24 current pumping and for future planned expansion of public facilities for visitor use at the four  
25 properties identified in this Section. Parks and Recreation has included its water purchased in  
26 lieu of pumping and maintains it has a right to pump that water from the Adjudication Area as an  
27 overlier, but has chosen to purchase the water in order to preserve the aquifer of an overdrafted  
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1 basin. Parks and Recreation is also claiming future unexercised rights to water in the groundwater  
2 basin for public benefit uses.

3 The following materials in support of the claim of Parks and Recreation include, but are not  
4 limited to the following list: deeds or documentation of property acquisition, description of uses,  
5 billing invoices, water purveyor records, Antelope Valley Indian Museum Water System-Daily  
6 Chlorine, Production, Bacti Reports. The person most qualified to testify in support of its claim is  
7 as follows: Russell Dingman, Staff Environmental Planner, CA State Parks-Tehachapi District,  
8 Lancaster, CA 93536.

9 8. California Department of Water Resources: The California Department of Water  
10 Resources (DWR) owns, occupies or controls property in the Adjudication Area as set forth  
11 below in this section. DWR pumps groundwater from two wells in the Antelope Valley  
12 Adjudication Area at its power plant facilities including the Alamo Powerplant, and the Oso  
13 Pumping Plant. Water is needed to run these facilities especially for cooling purposes. DWR  
14 also pumps groundwater for non-consumptive use for aqueduct liner protection from 13  
15 additional wells.

16 DWR pumped water from its wells at the Oso power plant for the years 2010-2012 as  
17 follows: The total amount of water pumped in 2012 through October was approximately 9 Acre  
18 Feet. The total amount of water pumped for the calendar year 2011 was approximately 11 Acre  
19 Feet. The total amount of water pumped for the calendar year 2010 was approximately 11 Acre  
20 Feet. DWR pumps water from a well east of the canal for domestic water supply to the Oso Civil  
21 Maintenance Sub-center and the average historic pumping is 2 Acre Feet per year. The Oso  
22 Pumping Plant and Oso Civil Maintenance Sub-center are metered. The Oso Pumping Plant is  
23 located as follows on approximately 311.6 acres, APN # 3253-001-902.

24 DWR also pumped water from its well at the Alamo power plant for domestic and plant use  
25 for the years 2010-2012 as follows: The total amount of water pumped in 2012 through October  
26 was approximately 46 Acre Feet. The total amount of water pumped for the calendar year 2011  
27 was approximately 55 Acre Feet. The total amount of water pumped for the calendar year 2010  
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1 was approximately 55 Acre Feet. The Alamo Power Plant is located on approximately 144.06  
2 acres; APN# 3253-001-900. Estimates of the Alamo Power Plant are based upon pump/line  
3 capacity and historic operations.

4 Lastly, DWR automatically pumps water daily when water levels rise and especially in wet  
5 years from thirteen (13) wells for aqueduct liner protection for its West Branch California  
6 Aqueduct (APN#3275-001-900; 139.44 acres). This pumping has been characterized as all non-  
7 consumptive use water that is used for the equivalent of construction dewatering, or other non-  
8 consumptive necessary public use. This type of groundwater pumping does not require a  
9 quantified "right" and allocation. The aqueduct is at risk of failure without this necessary  
10 dewatering and protective maintenance. Estimates of the minimum pumping daily and during the  
11 wet years of 1997, 2000, 2006, and 2011 and daily operations will be provided as soon as  
12 possible. DWR seeks to continue this necessary dewatering and protective maintenance with  
13 additional language in the Judgment to allow a credit for the Basin to have the benefit of this  
14 pumped water.

15 DWR is also claiming future unexercised rights to water in the groundwater basin as  
16 needed for State Water Project operations. Excepting the aqueduct dewatering, DWR is seeking a  
17 water right in the amount of approximately 66 Acre Feet per year for its current pumping and an  
18 additional 84 acre feet per year for necessary and expanded public benefit uses. DWR owns or  
19 has interest in lands underlying the California Aqueduct in the amount of approximately 139.44  
20 acres and described as follows: 3275-001-900. The following materials are listed in support of  
21 its claims: deeds or documentation of its acquisition, descriptions of uses in DWR bulletins,  
22 declaration of Raymond Ramirez (attached with verification of Francisco Llamas), prior  
23 discovery responses. The persons most qualified to testify in support of its claim are: Francisco  
24 Llamas, Associate HydroElectric Power Utility Engineer, Southern Field Division; and Raymond  
25 Ramirez, Hydroelectric Power Electrician II, Division of Operation and Maintenance, Southern  
26 Field Division.

1           9.    California Department of Transportation:

2           The California Department of Transportation (Caltrans) owns, occupies or controls  
3 significant land holdings in the Antelope Valley Adjudication Area including State Highways 14,  
4 58 and 138 on which water is used for highway maintenance. APN numbers or other identifying  
5 descriptions will be provided. In addition, the following properties in the Adjudication Area are:  
6 Boron Rest Stops (Eastbound and Westbound), Highway 58 PM 138.917 (#232-022-1136, 232-  
7 022-1137), Boron; Gephart Road Maintenance Satellite, Highway 58 PM 137.7, Boron;  
8 Lancaster Maintenance Station, 44023 Sierra Highway, Lancaster (#3132-140-091); Little Rock  
9 Wash, Mitigation Parcels, Highway 138 at PM 52.5 (#3050-009-014; #3050-009-021); Lancaster  
10 Park & Ride, 1601 W. Ave. K & SR 14; Palmdale Park & Ride. Currently, Caltrans has three  
11 wells within the Adjudication Area as set forth below.

12           The uses of the water at these properties include domestic use for visitors, landscaping,  
13 safety and highway maintenance. The Boron Rest Stops (Eastbound and Westbound) maintain  
14 two active wells and the pumping estimate over the past ten years of approximately 33 acre feet  
15 per year set forth below is based upon the number of visitors, toilets, sinks and drinking fountains  
16 as well as the amount of landscaping necessary for visitors. Caltrans intends to expand its  
17 facilities as needed for increased demand at its rest stops and future operations at maintenance  
18 stations and based upon this expansion seeks an additional 24 acre feet per year for a total of  
19 approximately 57 acre feet per year for the Boron Rest Stops. In addition, the Gephart Road  
20 Maintenance Satellite has one active well that historically uses approximately 1 acre foot per year  
21 for highway maintenance. Caltrans additionally purchases approximately 1 acre foot per year  
22 from local water districts for both domestic use and highway maintenance. Caltrans currently  
23 owns a Maintenance Station not in the Adjudication Area which currently purchases water from  
24 the Mojave Public Utility District. Caltrans plans to move the Maintenance Station to another  
25 location within the Adjudication Area at which time Caltrans would need to drill a well to service  
26 that new facility. Based upon current purchases from the local water district of approximately ½  
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1 to 1 acre foot per year at the current location, Caltrans seeks a future right for the new  
2 Maintenance Station of at least 1 acre foot.

3 In District 7, Caltrans will confirm the presence of this property in the Adjudication Area.  
4 Specifically, the Little Rock Wash mitigation parcels, within Route 138 do not currently require  
5 water, but historically, the parcels were part of a Route 138 widening project that was  
6 successfully revegetated. At the present time, there is no pumping at either the Lancaster  
7 Maintenance Satellite or the Lancaster Park and Ride, but additional information regarding historic  
8 use will be provided.

9 Caltrans has included its water purchased in lieu of pumping and maintains it has a right to  
10 pump that water from the Adjudication Area as an overlier, but has chosen to purchase the water  
11 in order to preserve the aquifer of an overdrafted basin. Caltrans is claiming future unexercised  
12 rights to beneficial use of water to provide the services necessary for increased usage of these  
13 current and new facilities by the public and increased highway maintenance activities and for  
14 safety purposes. The following materials listed in support of its claims include, but are not  
15 limited to: deeds or documentation of property acquisition, descriptions of parcels; well logs,  
16 estimates of pumping, utility bills. The persons most qualified to testify in support of its claim  
17 are as follows: R. Steve Miller, District 9, Landscape Architect; The person most qualified to  
18 testify in support of its claim for District 7 will be provided.

19 10. California Highway Patrol:

20 The California Highway Patrol (Highway Patrol) has the following parcel of real property  
21 owned, occupied or otherwise controlled in the Antelope Valley Adjudication-the Antelope  
22 Valley Area Office located at 2041 W. Avenue I, Lancaster (APN # 3114-013-906;  
23 approximately 1.36 acres). No active wells are located on the property. The Highway Patrol  
24 office is connected to and uses city water and since CHP occupancy in 1975, no well has been  
25 used. The amount of purchased water in lieu of pumping will be provided as soon as possible.

26 The uses of the water at this property include domestic use. Highway Patrol has included its  
27 water purchased in lieu of pumping and maintains it has a right to pump that water from the  
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1 Adjudication Area as an overlier, but has chosen to purchase the water in order to preserve the  
2 aquifer of an overdrafted basin. Highway Patrol is also claiming future unexercised rights to  
3 water in the groundwater basin. The following materials listed in support of its claims include,  
4 but are not limited to: deeds or documentation of acquisition of property, descriptions of property  
5 and uses, billing invoices. The person most qualified to testify in support of its claims is: Andrea  
6 Witmer, Captain, California Highway Patrol, Bishop.

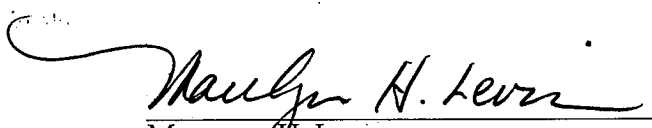
7 **REQUEST V: FOR ALL RESPONDING PARTIES**

8 Verifications are attached to these Responses.

9  
10 Dated: December 21, 2012

Respectfully Submitted,

11 KAMALA D. HARRIS  
12 Attorney General of California  
13 RICHARD M. MAGASIN  
14 Supervising Deputy Attorney General  
15 MARILYN H. LEVIN  
16 NOAH GOLDEN-KRASNER  
17 Deputy Attorneys General

18   
19 MARILYN H. LEVIN  
20 Deputy Attorney General  
21 *Attorneys for State of California, Santa*  
22 *Monica Mountains Conservancy, and State*  
23 *of California 50th District Agricultural*  
24 *Association*

1 **VERIFICATION**

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3 I, BRIAN BUGSCH, declare as follows:

4 I am Chief of the Land Mangement Division of the State Lands Commission, an agency of

5 the State of California, one of the parties hereto; I am authorized to make this verification for and

6 on behalf of said entity. I have read the foregoing responses and know the contents thereof.

7 The information necessary to prepare the responses of State Lands Commission was

8 obtained from numerous sources within State Lands Commission and the response was prepared

9 with the advice and assistance of legal counsel. Accordingly, I rely on these individuals for the

10 accuracy of the information stated in the responses. On that basis, I am informed and believe that

11 the matters stated therein are true, correct and complete.

12 I declare under penalty of perjury under the laws of the State of California that the

13 foregoing is true and correct.

14 Executed on DECEMBER 20, 2012, in SACRAMENTO, California.

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17 By: 

18 BRIAN BUGSCH  
19 Chief of Land Management Division  
20 State Lands Commission

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**VERIFICATION**

I, RORIE SKEI, declare as follows:

I am the Chief Deputy Director for the Santa Monica Mountains Conservancy, an agency of the State of California, one of the parties hereto; I am authorized to make this verification for and on behalf of said entity. I have read the foregoing responses and know the contents thereof.

The information necessary to prepare the responses of the Santa Monica Mountains Conservancy was obtained from numerous sources within the Santa Monica Mountains Conservancy and the response was prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals for the accuracy of the information stated in the responses. On that basis, I am informed and believe that the matters stated therein are true, correct and complete.

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

Executed on December 20, 2012, in Malibu, California.

By: Rorie Skei  
RORIE SKEI  
Chief Deputy Director  
Santa Monica Mountains Conservancy

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1 VERIFICATION

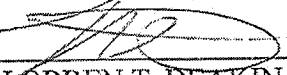
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3 I, LORREN T. DEAKIN, declare as follows:

4 I am the Construction and Facilities Management Officer for the California Military  
5 Department, an agency of the State of California, one of the parties hereto; I am authorized to  
6 make this verification for and on behalf of said entity. I have read the foregoing Responses and  
7 know the contents thereof.

8 The information necessary to prepare the responses of California Military Department was  
9 obtained from numerous sources within California Military Department and the response was  
10 prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals  
11 for the accuracy of the information stated in the responses. On that basis, I am informed and  
12 believe that the matters stated therein are true, correct and complete.

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

15 Executed on 20 December, 2012, in SACRAMENTO California.

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18 By:   
19 LORREN T. DEAKIN  
20 MAJ, EN  
21 Construction and Facilities  
22 Management Officer

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**VERIFICATION**


I, DANIEL ROBBINS, declare as follows:

I am the Water and Sewer Plant Supervisor for the California Department of Corrections and Rehabilitation, an agency of the State of California, one of the parties hereto; I am authorized to make this verification for and on behalf of said entity. I have read the foregoing responses and know the contents thereof.

The information necessary to prepare the responses of California Department of Corrections and Rehabilitation was obtained from numerous sources within the California Department of Corrections and Rehabilitation and the response was prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals for the accuracy of the information stated in the responses. On that basis, I am informed and believe that the matters stated therein are true, correct and complete.

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

Executed on 12-20, 2012, in LANCASTER, California.

By:   
DANIEL ROBBINS  
Water and Sewer Plant Supervisor  
California Department of Corrections and  
Rehabilitation

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VERIFICATION

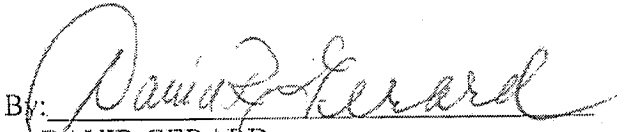
I, DAVID GERARD, declare as follows:

I am the Assistant Deputy Secretary for the California Capital Assets and Facilities Management of Veterans Affairs, an agency of the State of California, one of the parties hereto; I am authorized to make this verification for and on behalf of said entity. I have read the foregoing responses to and know the contents thereof.

The information necessary to prepare the responses of The California Department of Veterans Affairs was obtained from numerous sources within The California Department of Veterans Affairs and the response was prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals for the accuracy of the information stated in the responses. On that basis, I am informed and believe that the matters stated therein are true, correct and complete.

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

Executed on December 19, 2012, in Sacramento, California.


By:   
DAVID GERARD  
Assistant Deputy Secretary, Capital Assets and  
Facilities Management  
California Department of Veterans Affairs

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4 I am Chief Executive Officer of the Fiftieth (50th) District Agricultural Association, an  
5 agency of the State of California, one of the parties hereto; I am authorized to make this  
6 verification for and on behalf of said entity. I have read the foregoing Responses to Request of  
7 Production of Documents and know the contents thereof.

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

By:   
DAN JACOBS  
Chief Executive Officer  
Fifthieth (50th) District Agricultural Assoc.

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VERIFICATION OF DAN JACOBS (JCCP 4408)

1 **VERIFICATION**

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3 I, RUSS DINGMAN, declare as follows:

4 I am the Outdoor Recreation Planner for the California Department of Parks and  
5 Recreation, an agency of the State of California, one of the parties hereto; I am authorized to  
6 make this verification for and on behalf of said entity. I have read the foregoing responses and  
7 know the contents thereof.

8 The information necessary to prepare the responses of California Department of Parks and  
9 Recreation was obtained from numerous sources within California Department of Parks and  
10 Recreation and the response was prepared with the advice and assistance of legal counsel.  
11 Accordingly, I rely on these individuals for the accuracy of the information stated in the  
12 responses. On that basis, I am informed and believe that the matters stated therein are true,  
13 correct and complete.

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

16 Executed on December 19, 2012, in Lancaster, California.

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19 By: Russ Dingman  
20 RUSS DINGMAN  
21 Outdoor Recreation Planner  
22 California Dept. of Parks and Recreation

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3 **VERIFICATION**

4 I, FRANCISCO LLAMAS, declare as follows:

5 I am an Associate HydroElectric Power Utility Engineer of the Southern Field Division of  
6 the Department of Water Resources, an agency of the State of California, one of the parties  
7 hereto; I am authorized to make this verification for and on behalf of said entity. I have read the  
8 foregoing Responses and know the contents thereof.

9 The information necessary to prepare the Responses of Department of Water Resources was  
10 obtained from numerous sources within Department of Water Resources and the response was  
11 prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals  
12 for the accuracy of the information stated in the responses. On that basis, I am informed and  
13 believe that the matters stated therein are true, correct and complete.

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

16 Executed on December 20, 2012, in Petaluma, California.

17  
18 By: 

19 FRANCISCO LLAMAS  
20 Associate HydroElectric Power Utility Engineer  
21 Department of Water Resources

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3 **DECLARATION OF RAYMOND RAMIREZ**

4 I, Raymond Ramirez, declare as follows:

5 1. I am employed by the Department of Water Resources (DWR) as a Hydroelectric  
6 Power Electrician II in the Division of Operation and Maintenance, Southern Field Division. I  
7 have worked for DWR since 1973, and have worked at the West Branch Aqueduct Facilities  
8 continuously since 1983.

9 2. I am responsible for the supervision of maintenance of the facilities at the Oso  
10 Pumping Plant and Alamo Power Plant, which are part of the West Branch California Aqueduct.  
11 My duties include overseeing all maintenance activities at the Oso Pumping Plant, including  
12 scheduling of routine maintenance activities, maintenance of equipment, and emergency repairs.

13 3. I have personal knowledge of the facts stated herein, and, if called to do so, would  
14 testify competently hereto.

15 4. The facilities include the Oso Pumping Plant Forebay and canal, which is lined with  
16 reinforced concrete. When groundwater levels rise above the level of the canal bed, uplift  
17 pressure is placed upon the canal, which can lead to lining failure. In order to relieve this  
18 pressure, a total of thirteen groundwater pumps have been installed along the length of the canal.  
19 The pumps are rated at 480 volts, and yield approximately 100 gallons per minute each. The  
20 pumps are programmed to automatically operate when groundwater levels reach a certain level.  
21 When the pumps operate, they extract the adjacent groundwater and divert it directly into the  
22 canal.

23 5. The pumps are located near the front of the pumping plant near to my office, and I am  
24 able to observe them operating throughout the course of my work day when I am carrying out my  
25 duties at the plant as well as walking to and from my office on other business.

26 6. During my time at the West Branch Facilities, I have observed that two pumps (No. 2  
27 and No. 3, respectively) operate on a daily basis. The remaining pumps operate during wet years  
28 when the groundwater levels rise, including 1997, 2000, 2006 and 2011. It has been my  
observation that in those types of years the pumps operate an average of five hours a day for



1 approximately 90 days. While it is possible for all thirteen pumps to operate at the same time, I  
2 would conservatively estimate that on average six pumps run at one time during these periods.

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

5 Executed on 12-20, 2012, in Lancaster, California.  
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7  
8 By: Raymond Ramirez  
9 RAYMOND RAMIREZ  
10 Hydroelectric Power Electrician II  
11 Department of Water Resources (DWR)  
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**VERIFICATION**

I, THOMAS P. HALLENBECK, declare as follows:

I am the Director of Caltrans District 9, an agency of the State of California, one of the parties hereto; I am authorized to make this verification for and on behalf of said entity. I have read the foregoing responses and know the contents thereof. This verification is limited to Section 9, California Department of Transportation, of the State of California Responses to Court Ordered Discovery and to the documents supplied pertaining to the well at the Boron Rest areas and Caltrans owned property on Gephart Road (near Highway 58 and Boron), which are on the deeds and the well driller's log.

The information necessary to prepare the responses of Caltrans was obtained from numerous sources within Caltrans. Accordingly, I rely on these individuals for the accuracy of the information stated in the responses. On that basis, I am informed and believe that the matters stated therein are true, correct and complete.

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

Executed on December 21, 2012, in Bishop, California.

By: 

THOMAS P. HALLENBECK  
District 9 Director

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**VERIFICATION**

I, Captain ANDRIA D. WITMER, declare as follows:

I am the Captain of the California Highway Patrol Bishop Area office for the California Department of Highway Patrol, an agency of the State of California, one of the parties hereto; I am authorized to make this verification for and on behalf of said entity. I have read the foregoing Responses to Request for Production of Documents and know the contents thereof.

The information necessary to prepare the responses of California Department of Highway Patrol to Plaintiff's request for Production of Documents was obtained from numerous sources within California Department of Highway Patrol and the response was prepared with the advice and assistance of legal counsel. Accordingly, I rely on these individuals for the accuracy of the information stated in the responses. On that basis, I am informed and believe that the matters stated therein are true, correct and complete.

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

Executed on December 20, 2012, in Bishop, California.

By: Andria Witmer

ANDRIA D. WITMER

Captain

California Highway Patrol, Bishop Area

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## CERTIFICATE OF SERVICE

Case Name: **Antelope Valley Groundwater** No. **JCCP 4408**  
**Cases**

I hereby certify that on December 21, 2012, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STATE OF CALIFORNIA, SANTA MONICA MOUNTAINS CONSERVANCY, AND  
STATE OF CALIFORNIA 50TH DISTRICT AGRICULTURAL ASSOCIATION'S  
RESPONSES TO COURT ORDERED DISCOVERY FOR PHASE IV TRIAL**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on December 21, 2012, at Los Angeles, California.

Gwen Blanchard  
Declarant

  
Signature