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Mountains Conservancy, and State of California
8 *50th District Agricultural Association*

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

9 ADDITIONAL PARTIES LISTED ON PAGE 2 HEREOF

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF LOS ANGELES

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

15 **ANTELOPE VALLEY GROUNDWATER**
16 **CASES**

17 **Included Actions:**

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

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

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

27 **AND RELATED ACTIONS.**
28

Judicial Council Coordination
Proceeding No. 4408

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

EX PARTE APPLICATION FOR
APPROVAL AND ENTRY OF JOINT
STIPULATION OF FACTS FOR TRIAL
PURSUANT TO CASE MANAGEMENT
ORDER FOR PHASE IV TRIAL;
DECLARATION OF NOAH GOLDEN-
KRASNER IN SUPPORT THEREOF

[Assigned for All Purposes to the Honorable
Jack Komar]

Trial Date: May 28, 2013

Hearing re: Approval of Stipulations:
March 25, 2013

Time: 9:00 a.m.
Place: Los Angeles County Superior Court
Department 1

Action Filed: October 26, 2005

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ANTELOPE VALLEY-EAST KERN WATER
8 AGENCY

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17 Attorneys for Cross-Defendants, CITY OF LOS
ANGELES and LOS ANGELES WORLD
18 AIRPORTS

19 ELLISON, SCHNEIDER & HARRIS LLP
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22 Attorneys for Cross-Defendant
COUNTY SANITATION DISTRICT OF
23 LOS ANGELES COUNTY NOS. 14&20

1 Cross-Defendants, State of California, State of California 50th District Agricultural
2 Association (collectively, State of California), the City of Los Angeles, by and through its
3 Department of Airports, Los Angeles World Airports (LAWA), the County Sanitation Districts of
4 Los Angeles County Nos. 14 and 20 (LA County Sanitation) and Cross-Complainant Antelope
5 Valley-East Kern Water Agency (AVEK) (collectively, Public Parties) will and hereby do apply
6 ex parte for this Court to approve and enter their Joint Stipulation of Facts for Trial Pursuant to
7 Case Management Order for Phase IV Trial as evidence in the record of the Phase IV Trial of this
8 matter.

9 The Public Parties filed their Joint Stipulation of Facts for Trial Pursuant to Case
10 Management Order for Phase IV Trial (Stipulation) with this court on February 27, 2013. A true
11 and correct copy of the Stipulation is attached hereto as Exhibit A. At the Case Management
12 Conference on March 1, 2013, the Court requested that all stipulations be accompanied by an ex
13 parte application to approve the stipulation on or before March 15, 2013. This was entered in the
14 Court's Minute Order dated March 1, 2013.

15 The Public Parties bring this ex parte application pursuant to Code of Civil Procedure
16 section 128(a), California Rules of Court, rules 3.1203 and 3.1204, and pursuant to the Court's
17 March 1, 2013 Minute Order.

18 This application is based on the Stipulation attached hereto as Exhibit A, this ex parte
19 application, the Declaration of Noah Golden-Krasner, and on such oral and documentary
20 evidence as may be presented at the hearing of the application.

21 As set forth in the Declaration of Noah Golden-Krasner, timely notice of this ex parte
22 application, as set forth in California Rules of Court, rules 3.1203 and 3.1204, was given to all
23 Parties in this case. Their electronic addresses are as stated in the Superior Court E-Filing system
24 as Ordered by the Court.

25 The Court in its March 1 Minute Order, stated that on March 25, 2013, it will hear all ex
26 parte applications for approval of "stipulations of the parties on evidence relevant to the Phase IV
27 Trial." All parties were given notice of the March 25, 2013 hearing and all ex parte applications
28

1 were ordered to be filed by no later than March 15, 2013, in order to allow time for all parties to
2 review each and every ex parte application.

3 The Public Parties, therefore, request the Court grant and approve their Stipulation and
4 order it entered as evidence in the Phase IV Trial record.

5 Dated: March 14, 2013

OFFICE OF THE ATTORNEY GENERAL
STATE OF CALIFORNIA

7
8 By: 

NOAH GOLDEN-KRASNER
Attorneys for the State of California,
Santa Monica Mountains Conservancy,
and State of California 50th District
Agricultural Association

11
12 Dated: March __, 2013

ELLISON, SCHNEIDER & HARRIS L.L.P.

13
14 By: _____

CHRISTOPHER M. SANDERS
Attorneys for the County Sanitation
Districts of Los Angeles County Nos. 14
and 20

15
16
17 Dated: March __, 2013

BRUNICK, MCELHANEY & KENNEDY
PLC

18
19
20 By: _____

WILLIAM J. BRUNICK
Attorneys for the ANTELOPE VALLEY-
EAST KERN WATER AGENCY

21
22
23 Dated: March __, 2013

Kronick, Moskovitz, Tiedemann & Girard

24
25 By: _____

JANET K. GOLDSMITH
Attorneys for the CITY OF LOS ANGELES
BY AND THROUGH ITS DEPARTMENT
OF AIRPORTS, LOS ANGELES WORLD
AIRPORTS

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STATE OF CALIFORNIA

6
7 By:

8 NOAH GOLDEN-KRASNER
9 Attorneys for the State of California,
10 Santa Monica Mountains Conservancy,
11 and State of California 50th District
Agricultural Association

12 Dated: March __, 2013

ELLISON, SCHNEIDER & HARRIS L.L.P.

13
14 By:

15 CHRISTOPHER M. SANDERS
16 Attorneys for the County Sanitation
17 Districts of Los Angeles County Nos. 14
and 20

18 Dated: March 14, 2013

BRUNICK, MCELHANEY & KENNEDY
PLC

19
20 By: William J. Brunick

21 WILLIAM J. BRUNICK
22 Attorneys for the ANTELOPE VALLEY-
EAST KERN WATER AGENCY

23 Dated: March __, 2013

Kronick, Moskovitz, Tiedemann & Girard

24 By:

25 JANET K. GOLDSMITH
26 Attorneys for the CITY OF LOS ANGELES
27 BY AND THROUGH ITS DEPARTMENT
28 OF AIRPORTS, LOS ANGELES WORLD
AIRPORTS

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9 Attorneys for the State of California,
10 Santa Monica Mountains Conservancy,
11 and State of California 50th District
Agricultural Association

12 Dated: March __, 2013

ELLISON, SCHNEIDER & HARRIS L.L.P.

13
14 By:

15 CHRISTOPHER M. SANDERS
16 Attorneys for the County Sanitation
17 Districts of Los Angeles County Nos. 14
and 20

18 Dated: March __, 2013


BRUNICK, MCELHANEY & KENNEDY
PLC

19
20 By:

21 WILLIAM J. BRUNICK
22 Attorneys for the ANTELOPE VALLEY-
EAST KERN WATER AGENCY

23 Dated: March 13, 2013

Kronick, Moskovitz, Tiedemann & Girard

24 By: 
25 JANET K. GOLDSMITH
26 Attorneys for the CITY OF LOS ANGELES
27 BY AND THROUGH ITS DEPARTMENT
28 OF AIRPORTS, LOS ANGELES WORLD
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STATE OF CALIFORNIA

7
8 By: _____

NOAH GOLDEN-KRASNER
Attorneys for the State of California,
Santa Monica Mountains Conservancy,
and State of California 50th District
Agricultural Association

11
12 Dated: March 13, 2013

ELLISON, SCHNEIDER & HARRIS L.L.P.

13
14 By: Christopher M. Sanders

CHRISTOPHER M. SANDERS
Attorneys for the County Sanitation
Districts of Los Angeles County Nos. 14
and 20

15
16
17 Dated: March __, 2013

BRUNICK, MCELHANEY & KENNEDY
PLC

18
19
20 By: _____

WILLIAM J. BRUNICK
Attorneys for the ANTELOPE VALLEY-
EAST KERN WATER AGENCY

21
22
23 Dated: March __, 2013

Kronick, Moskovitz, Tiedemann & Girard

24 By: _____

JANET K. GOLDSMITH
Attorneys for the CITY OF LOS ANGELES
BY AND THROUGH ITS DEPARTMENT
OF AIRPORTS, LOS ANGELES WORLD
AIRPORTS

1 DECLARATION OF NOAH GOLDEN-KRASNER

2 I, Noah Golden-Krasner, declare as follows:

3 1. I am a Deputy Attorney General with the Office of the Attorney General for the State
4 of California and assigned to represent the Cross-Defendants, State of California, State of
5 California 50th District Agricultural Association (collectively, State of California) in the above
6 entitled action. I am licensed to practice law in the State of California and have been so since
7 2001. I have personal knowledge of the facts stated herein and if called upon, I could and would
8 testify completely thereto if called as a witness.

9 2. The State of California, the City of Los Angeles, by and through its Department of
10 Airports, Los Angeles World Airports (LAWA), the County Sanitation Districts of Los Angeles
11 County Nos. 14 and 20 (LA County Sanitation), and Antelope Valley-East Kern Water Agency
12 (AVEK) (collectively, Public Parties) are named Cross-Defendants in Case No. 325201 filed by
13 the Los Angeles County Waterworks District No. 40 referenced above in these coordinated cases.

14 3. The State of California, LAWA and LA County Sanitation are also Cross-Defendants
15 in the Cross-Complaint filed by Cross-Complainant AVEK, which case is coordinated in this
16 action.

17 4. The Public Parties have each filed Declarations in this coordinated action, as required
18 by the Court in its First Amendment to Case Management Order for Phase Four Trial dated
19 January 22, 2013.

20 5. The Public Parties filed their Joint Stipulation of Facts for Trial Pursuant to Case
21 Management Order for Phase IV Trial (Stipulation) with this Court on February 27, 2013.

22 6. A true and correct copy of the Stipulation is attached hereto as Exhibit A.

23 7. At the Case Management Conference on March 1, 2013, the Court requested that all
24 stipulations be accompanied by an ex parte application to approve the stipulation on or before
25 March 15, 2013. This was entered in the Court's Minute Order dated March 1, 2013.

26 8. The Court in its March 1 Minute Order, stated that on March 25, 2013, the Court will
27 hear all ex parte applications for approval of "stipulations of the parties on evidence relevant to
28 the Phase IV Trial."

1 9. All parties were given notice of the March 25, 2013 hearing and all ex parte
2 applications must be filed by no later than March 15, 2013, in order to allow time for all parties to
3 review each and every ex parte application.

4 10. Pursuant to that Order, on March 14, 2013, I caused to be filed with the Court this ex
5 parte application giving notice to all counsel via posting on the Court's website of the date and time
6 of this ex parte application, as well as the relief requested and the grounds on which the application is
7 being made.

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

10 Executed this 14th day of March, 2013 at Los Angeles, California.

11 

12 _____
 Noah Golden-Krasner

13
14 SA2005900420
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EXHIBIT A

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

1 KAMALA D. HARRIS
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Supervising Deputy Attorney General
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E-mail: Noah.Goldenkrasner@doj.ca.gov
7 *Attorneys for State of California, Santa Monica
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Attorneys for Cross-Defendant
COUNTY SANITATION DISTRICTS OF
LOS ANGELES COUNTY NOS. 14&20

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

**Coordination Proceeding
Special Title (Rule 3.550(c))**

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Actions:

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

**Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
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California, County of Riverside,
consolidated Actions, Case Nos. RIC 353
840, RIC 344 436, RIC 344 668**

AND RELATED ACTIONS.

Judicial Council Coordination
Proceeding No. 4408

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

**JOINT STIPULATION OF FACTS FOR
TRIAL PURSUANT TO CASE
MANAGEMENT ORDER FOR PHASE
IV TRIAL**

[Assigned for All Purposes to the Honorable
Jack Komar]

Trial Date: May 28, 2013

OSC re: Approval of Stipulations:
March 15, 2013

Time: 9:00 a.m.
Dept: 1

Action Filed: October 26, 2005

Cross-Defendants, State of California, State of California 50th District Agricultural
Association (Collectively State of California), the City of Los Angeles, by and through its
Department of Airports, Los Angeles World Airports (LAWA), and the County Sanitation

1 Districts of Los Angeles County Nos. 14 and 20 (LA County Sanitation), and Cross-Complainant,
2 Antelope Valley-East Kern Water Agency (AVEK) by their respective counsel, hereby stipulate
3 as follows:

4 Whereas, the State of California, Santa Monica Mountains Conservancy, LAWA, LA
5 County Sanitation, and AVEK are named Cross-Defendants in Case No. 325201 filed by the Los
6 Angeles County Waterworks District No. 40 referenced above in these coordinated cases; and,

7 Whereas, the State of California, Santa Monica Mountains Conservancy, LAWA and LA
8 County Sanitation are Cross-Defendants in the Cross-Complaint filed by Cross-Complainant
9 AVEK, which case is coordinated in this action; and,

10 Whereas, the State of California, LAWA, LA County Sanitation, and AVEK (Parties
11 herein) have each filed Declarations in this coordinated action, as required by the Court in its First
12 Amendment to Case Management Order for Phase Four Trial dated January 22, 2013; and,

13 Whereas, each Party signatory to this Stipulation has had adequate opportunity to examine
14 the Declarations filed by each other Party;

15 NOW THEREFORE, for the purpose of the Phase Four Trial in this action, the facts listed
16 below are undisputed and may be treated by the court as facts proven in open court:

17 STATE OF CALIFORNIA DEPARTMENT OF MILITARY

18 1. The State of California Department of the Military (Military Department) owns
19 property located at 47002 45th Street West, Lancaster, Los Angeles County that overlies the
20 groundwater basin in the Antelope Valley Adjudication Area (approximately 28.54 acres) (the
21 Property).

22 2. The Military Department currently purchases water from Los Angeles County
23 Waterworks District 40 for use at its Lancaster Armory (Armory) located at the Property.

24 3. The Military Department uses the water for domestic use and for its fire sprinkler
25 systems at the Armory.

26 4. The Military Department's use at the Armory is .7 acre-feet of water per year.

27 STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
28

1 5. The State of California Department of Corrections and Rehabilitation (CDCR) owns
2 property located at 44750 60th Street West, Lancaster, County of Los Angeles, that overlies the
3 groundwater basin in the Antelope Valley Adjudication Area (approximately 261.74 acres) (the
4 Property).

5 6. The CDCR currently purchases water from Los Angeles County Waterworks District
6 40 for its California State Prison at Lancaster in the Antelope Valley. It uses the water for
7 domestic use, housing the inmates at the facilities, fire protection, irrigation and for use by all
8 support staff, including guards at the Property.

9 7. CDCR's use at the California State Prison at Lancaster is 1007 acre-feet of water per
10 year.

11 STATE OF CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS

12 8. The State of California Department of Veterans Affairs (Veterans Department) owns
13 property located at 45221 30th Street West, Lancaster, Los Angeles County (approximately 22.44
14 acres) (the Property).

15 9. The Veterans Department currently purchases water from Los Angeles County
16 Waterworks District 40 for The William J. "Pete" Knight Veterans Home of California-Lancaster
17 located at the Property. The Veterans Department uses the water for domestic use at this facility
18 and offices related thereto.

19 10. The Veterans Department's use at the Veterans Home of California-Lancaster is
20 28.37 acre-feet of water per year.

21 STATE OF CALIFORNIA 50TH DISTRICT AGRICULTURAL ASSOCIATION

22 11. The State of California 50th District Agricultural Association (50th DAA) owns
23 property located at 2551 West Avenue H, Lancaster, Los Angeles County (approximately 135.38
24 acres) (the Property).

25 12. The 50th DAA currently purchases water from Los Angeles County Waterworks
26 District 40 for its fairgrounds located on the Property in the Antelope Valley Adjudication Area.
27 The 50th DAA uses the water for domestic use, the regular activities of the fairgrounds year
28 round, irrigation, fire protection and dust control.

1 13. The 50th DAA's use at the fairgrounds located on the Property is 61.41 acre-feet of
2 water per year.

3 STATE OF CALIFORNIA HIGHWAY PATROL

4 14. The State of California Highway Patrol (CHP) owns property located at 2041 W.
5 Avenue I, Lancaster, Los Angeles County that overlies the groundwater basin in the Antelope
6 Valley Adjudication Area (approximately 1.36 acres) (the Property).

7 15. The CHP currently purchases water from Los Angeles County Waterworks District
8 40 for use at its Antelope Valley office located at the Property. The CHP uses the water for
9 domestic use at this facility.

10 16. The CHP's use at the Property is 3.85 acre-feet of water per year.

11 STATE OF CALIFORNIA STATE LANDS COMMISSION

12 17. The State of California State Lands Commission (Commission) owns properties with
13 the following Assessor Parcel Numbers that overlie the groundwater basin in the Antelope Valley
14 Adjudication Area: APN 474-131-0400, APN 261-160-36 and APN 261-1600-44. These parcels
15 total 174 acres.

16 18. The Commission does not currently use water on its Properties.

17 STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

18 19. The State of California Department of Parks and Recreation (Parks) owns, operates
19 and/or controls the following properties that overlie the groundwater basin in the Antelope Valley
20 Adjudication Area:

21 a. **The Antelope Valley Indian Museum State Historic Park** (Indian
22 Museum Park) is located at 15701 East Avenue M, Lancaster. The Indian
23 Museum Park contains approximately 250 acres of land.

24 b. **The Antelope Valley California Poppy Natural Reserve** (AV Poppy
25 Reserve) is located at 15101 Lancaster Road, Lancaster. The AV Poppy
26 Reserve contains approximately 1700 acres of land.

27 c. **The Arthur B. Ripley Desert Woodlands Park** (Ripley State Park)
28 contains a total of approximately 566 acres of land.

1 d. The **Saddleback Butte State Park** (Saddleback State Park) is located at
2 43230 172nd Street East, Lancaster. Saddleback State Park contains
3 approximately 2955 acres of land.

4 20. Parks both pumps groundwater and purchases water from AVEK and Los Angeles
5 County Waterworks District 40 for use at its properties.

6 21. Parks pumps groundwater and treats a portion of it from one metered well at its
7 Indian Museum Park. The treated water is used at the Museum, Day Use Area, Maintenance
8 Yard, Mojave Sector office and for various onsite state employees. Untreated water is used to
9 irrigate native vegetation and improve animal habitat within the Indian Museum Park.

10 22. Parks purchases and imports State Water Project water from AVEK and treats and
11 uses that water in lieu of pumping groundwater for use at the AV Poppy Reserve. Treated water
12 is used at the Visitor Center, Day Use Area, Maintenance/Resource Yard and the Tehachapi
13 District office. Untreated water is used to irrigate native vegetation, planting, improve animal
14 habitat and fire suppression for control burns within the AV Poppy Reserve.

15 23. Untreated water purchased from AVEK for the AV Poppy Reserve is also
16 intermittently used at Ripley State Park to irrigate native vegetation, planting, and to improve
17 animal habitat within Ripley State Park.

18 24. Parks currently purchases water from Los Angeles County Waterworks District 40 for
19 use at its Saddleback State Park. The purchased treated water is used at the Visitor Center, Day
20 Use Area, Campground and Maintenance/Resource Yard. The purchased water is also used for
21 domestic purposes for the visitors of the park.

22 25. Parks' use at its properties of pumped groundwater is 1.93 acre-feet of water per year.

23 26. Parks' use at its properties of purchased water from AVEK is 6 acre-feet of water per
24 year.

25 27. Parks' use at its properties of purchased water from Los Angeles County Waterworks
26 District 40 is .041 acre-feet of water per year.

27 ///

28

CALIFORNIA DEPARTMENT OF TRANSPORTATION

28. The California Department of Transportation (Caltrans) has significant land holdings in the Antelope Valley Adjudication area, including State Highways 14, 58, and 138 on which water is used. Caltrans owns the following properties set forth in subparagraphs a through t in fee and owns rights of way set forth in paragraph u:

- a. State's parcel number 1136 and referred to as the **Boron Safety Roadside Rest (Boron SRRA)** westbound. This parcel is located in Kern County along highway 58 at approximately postmile 138.9 and consists of approximately 52.91 acres.
- b. State's parcel number 1137 and referred to as the **Boron Safety Roadside Rest** eastbound. This parcel is located in Kern County along highway 58 at approximately postmile 138.9 and consists of approximately 18.64 acres.
- c. State's parcel number 1625 located in Kern County. This parcel is within CALTRANS' operating right of way of Highway 58 near **Claymine Road (Claymine Road Overcrossing)** and consists of 3.5 acres.
- d. State's parcel number 976 located in Kern County. This parcel is within Caltrans' operating right of way of Highway 14 at the **Rosamond Boulevard interchange (Rosamond Interchange)** and consists of 5.98 acres.
- e. State's parcel number 977 located in Kern County. This parcel is within Caltrans' operating right of way of Highway 14 at the **Rosamond Interchange** and consists of .34 acres.
- f. State's parcel number 978 located in Kern County. This parcel is within Caltrans' operating right of way of Highway 14 at the **Rosamond Interchange** and consists of .65 acres.
- g. State's parcel numbers 979-1 and 979-2 located in Kern County. These parcels are within Caltrans' operating right of way of Highway 14 at the

- 1 **Rosamond Interchange** and consist of .62 acres and .66 acres for a total
2 of 1.28 acres.
- 3 h. State's parcel number 980 located in Kern County. This parcel is within
4 Caltrans' operating right of way of Highway 14 at the **Rosamond**
5 **Interchange** and consists of .269 acres.
- 6 i. State's parcel number 981 located in Kern County. This parcel is within
7 Caltrans' operating right of way of Highway 14 at the **Rosamond**
8 **Interchange** and consists of .37 acres.
- 9 j. State's parcel number 982 located in Kern County. This parcel is within
10 Caltrans' operating right of way of Highway 14 at the **Rosamond**
11 **Interchange** and consists of .15 acres.
- 12 k. State's parcel number 983 located in Kern County. This parcel is within
13 Caltrans' operating right of way of Highway 14 at the **Rosamond**
14 **Interchange** and consists of .145 acres.
- 15 l. State's parcel number 1000 located in Kern County. This parcel is within
16 Caltrans' operating right of way of Highway 14 at the **Rosamond**
17 **Interchange** and consists of 14.67 acres.
- 18 m. State's parcel number 1001 located in Kern County. This parcel is within
19 Caltrans' operating right of way of Highway 14 at the **Rosamond**
20 **Interchange** and consists of 2.12 acres.
- 21 n. State's parcel number 1002 located in Kern County. This parcel is within
22 Caltrans' operating right of way of Highway 14 at the **Rosamond**
23 **Interchange** and consists of 3.35 acres.
- 24 o. State's parcel number 1003 located in Kern County. This parcel is within
25 Caltrans' operating right of way of Highway 14 at the **Rosamond**
26 **Interchange** and consists of 4.99 acres.
- 27 p. **Lancaster Maintenance Station**, located at 44023 Sierra Highway in
28 Lancaster, CA and consists of 1.38 acres.

- 1 q. State's parcel number 76359 and referred to as 'the **Little Rock Wash**
- 2 **mitigation parcel**'. This parcel consists of approximately 2.02 acres. It
- 3 is located in Los Angeles County along highway 138, near postmile 52.5.
- 4 r. State's parcel number 76357 and referred to as 'the **Little Rock Wash**
- 5 **mitigation parcel**'. This parcel consists of 2.01 acres. It is located in
- 6 Los Angeles County along highway 138, near postmile 52.5.
- 7 s. State's parcel number 69396 and referred to as the **Palmdale Park and**
- 8 **Ride** lot, located in Palmdale, CA on West Avenue S. This parcel
- 9 consists of 4.87 acres.
- 10 t. State's parcel numbers 31537 and 31538 and referred to as the **Lancaster**
- 11 **Park and Ride** lot, located in Lancaster, CA at 1601 W. Avenue K. This
- 12 parcel consists of 1.3 acres.
- 13 u. In addition to the above listed parcels, Caltrans also has fee ownership of
- 14 hundreds of parcels within the operating right of way of State highways
- 15 in the adjudicated area. In District 9, those parcels total: 99.22 acres for
- 16 Highway 14 in Kern County, from approximately postmile 0.0 to 3.0;
- 17 357.30 acres for highway 58 in Kern County, from approximately
- 18 postmile 127.6 to 141.8. In District 7, those parcels total approximately
- 19 1200 acres.

20 29. The above parcels are as listed in the Declaration of Nancy Escallier, previously filed

21 in this case, dated January 31, 2013 (Escallier Dec.), except for the acreage listed in

22 subparagraphs l and o above, which have been revised based upon new information since the

23 Escallier Dec. was filed.

24 30. Caltrans uses water at four locations overlying the groundwater basin in the Antelope

25 Valley Adjudication Area:

- 26 a. The Boron Safety Roadside Rest Areas (SRRAs-Eastbound and
- 27 Westbound); Highway 58 PM 138.917, Boron, District 9;
- 28 b. The Claymine Road Overcrossing, Boron, District 9.

- 1 c. The Rosamond Interchange, District 9
- 2 d. The Lancaster Maintenance Station, 44023 Sierra Highway, Lancaster,
- 3 District 7.
- 4 31. Caltrans uses pumped groundwater at the Boron SRRAs and the Claymine Road
- 5 Overcrossing.
- 6 32. Caltrans purchases water from the Rosamond Community Service District for use at
- 7 its Rosamond Interchange.
- 8 33. Caltrans purchases water from Los Angeles County Waterworks District 40 for use at
- 9 its Lancaster Maintenance Station.
- 10 34. Caltrans does not pump or purchase water at any of its other facilities and properties.
- 11 35. Caltrans uses the pumped water from two wells at the Boron SRRAs for domestic use
- 12 for visitors, landscaping, safety and highway maintenance.
- 13 36. Caltrans uses the pumped water at the Claymine Road Overcrossing for roadway and
- 14 roadside maintenance activities, and fire and dust suppression.
- 15 37. Caltrans uses its purchased water at the Rosamond Interchange for landscaping
- 16 irrigation.
- 17 38. Caltrans uses its purchased water at the Lancaster Maintenance Station for
- 18 maintenance activities.
- 19 39. Caltrans does not use water at any of its other properties that overlie the groundwater
- 20 basin in the Antelope Valley Adjudication Area.
- 21 40. Caltrans' use of pumped groundwater at its Boron SRRAs and Claymine
- 22 Overcrossing is 18.84 acre-feet of water per year.
- 23 41. Caltrans' use of purchased water at its Rosamond Interchange and Lancaster
- 24 Maintenance Station is 2.5 acre-feet of water per year.

25 CALIFORNIA DEPARTMENT OF WATER RESOURCES

26 42. The California Department of Water Resources (DWR) owns the following properties

27 that overlie the groundwater basin in the Antelope Valley Adjudication Area:

- 28 a. Pearblossom Complex. The Pearblossom Complex consists of parcels 3-

1 1228-I and II, 3-1229 (2 parcels) and 3-1230, which combined are approximately 85.86 acres.
2 The parcels include the Pearblossom Pumping Plant and Southern Field Division of DWR's
3 headquarters buildings, which include administrative buildings and shop/maintenance buildings.
4 An aerial view of these facilities is shown in Exhibit B to the Declaration of Blaine Laumbach
5 previously filed in this case, dated January 31, 2013 (Laumbach Dec.). A schematic of
6 Pearblossom Complex prepared by DWR's Division of Land and Right of Way showing property
7 parcel numbers is provided on Exhibit C to the Laumbach Dec.

8 b. Oso Complex. The Oso complex consists of Oso Pumping Plant, Oso
9 civil maintenance sub center, and thirteen groundwater pumps used to protect the liner of the
10 Aqueduct. An aerial view of these facilities is attached as Exhibit G to the Laumbach Dec. A
11 schematic of Oso Complex prepared by DWR's Division of Land and Right of Way is provided
12 on Exhibit H to the Laumbach Dec. The Oso Complex comprises one parcel, identified as TEH-1
13 Unit N, which is approximately 354.42 acres.

14 c. Alamo Power Plant. Alamo Power Plant is a 16 megawatt power
15 production facility within Southern Field Division of DWR. An aerial view of Alamo Power
16 Plant and its well is attached hereto as Exhibit G. A schematic of the Alamo Power Plant
17 prepared by DWR's Division of Land and Right of Way showing property parcel numbers is
18 attached as Exhibit J to the Laumbach Dec. As shown by Exhibit J, Alamo Power Plant is located
19 within one parcel, identified as TEH-1 Unit K, which is approximately 290.98 acres.

20 d. TEA trailers. An aerial view of the TEA trailer site is shown on the right
21 side of Exhibit G to the Laumbach Dec. A schematic of the TEA trailer site is attached as Exhibit
22 J to the Laumbach Dec. As shown by Exhibit J, the TEA Trailer site is located within parcels
23 TEH-1, Unit K; TEH-1, Unit L-2; TEH-1, Unit M-2; and TEH-1, Unit N-2, which together are
24 approximately 316.9 acres.

25 43. DWR manages, operates, and maintains the State Water Project (SWP). The SWP is
26 a water storage and delivery system of reservoirs, aqueducts, power plants and pumping plants.
27 Its main purpose is to store water and distribute it to 29 urban and agricultural water suppliers in
28 Northern California, the San Francisco Bay Area, the San Joaquin Valley, the Central Coast, and

1 Southern California. Of the contracted water supply, 70 percent goes to urban users and 30
2 percent goes to agricultural users. SWP makes deliveries to two-thirds of California's
3 population.

4 44. Today, the SWP includes 34 storage facilities, reservoirs and lakes; 20 pumping
5 plants; four pumping-generating plants; five hydroelectric power plants; and about 701 miles of
6 open canals and pipelines. The SWP provides supplemental water to approximately 25 million
7 Californians and about 750,000 acres of irrigated farmland.

8 45. DWR utilizes water to cool bearings and motors at the Pearblossom pumps and Oso
9 Complex pumps.

10 46. DWR utilizes water to create pressure seals to prevent water from leaking around the
11 pumping plant's shafts at Pearblossom complex, Oso complex, and Alamo Power plant.

12 47. DWR also utilizes water for domestic use at all its properties.

13 48. Finally, DWR pumps groundwater at its Oso complex for liner protection for the
14 SWP California Aqueduct, the SWP's 444-mile concrete artery that brings SWP water to southern
15 California. The California Aqueduct is concrete lined. When groundwater levels rise above the
16 level of the canal bed, uplift pressure is placed upon the canal, which can lead to lining failure.
17 To address the danger to the California Aqueduct liner, DWR has installed 13 pumps along the
18 Aqueduct in the vicinity of Oso Pumping Plant to maintain the California Aqueduct by
19 dewatering the aquifer beneath the canal during high groundwater levels. DWR is unaware of
20 any other method to address the danger the high groundwater levels present to the California
21 Aqueduct.

22 49. DWR's use of pumped groundwater on its properties is 54.05 acre-feet of water per
23 year.

24 50. DWR use of imported SWP water on its properties is 4,140.9 acre-feet of water per
25 year. Note: seepage from the Aqueduct infiltrating into Antelope Valley aquifers has not been
26 calculated and is not included in DWR's estimates.

27 51. DWR's use at its properties of purchased water from Los Angeles County
28 Waterworks District 40 is 36.77 acre-feet of water per year.

1 AVEK

2 52. AVEK owns the properties in the Antelope Valley Adjudication Area identified in
3 Exhibits A and B of the Declaration of Dan Flory filed in this case, dated January 31, 2013 (Flory
4 Dec.), which total 2,917.29 acres.

5 53. The APNs for each of the AVEK owned properties are as set forth in Exhibit B to the
6 Flory Dec., and the dates when AVEK acquired title to those properties are as set forth in Exhibit
7 C to the Flory Dec.

8 54. AVEK also leases properties that it owns in the Antelope Valley Adjudication Area.
9 The properties it leases are as listed in Exhibit D to the Flory Dec.

10 55. The total acreage leased by AVEK in the Antelope Valley Adjudication Area is as
11 listed in Exhibit D to the Flory Dec.

12 56. The entities AVEK leases its land to are as listed in Exhibit D to the Flory Dec.

13 57. The dates that AVEK leased its land to those entities are as listed in Exhibit D to the
14 Flory Dec.

15 58. AVEK is the only entity that is seeking a water right for the water used on the land it
16 leases to those entities.

17 59. AVEK utilizes water on its owned properties for crop irrigation.

18 60. Excluding water banking, the water usage on AVEK owned properties averaged
19 14,671 acre-feet of water per year during calendar years 2000, 2001, 2002, 2003, 2004 and 2011
20 (with the highest water usage being 17,704 in 2011); the water usage in 2012, was 6,888 acre-feet
21 per year, when AVEK ceased farming operations on much of its properties, and focused instead
22 on using significant portions of the properties for water banking.

23 LAWA

24 61. LAWA owns approximately 17,750 acres of land that overlie the groundwater basin
25 in the Antelope Valley Adjudication Area. The specific properties consist of over twelve-
26 hundred contiguous parcels and are identified and recorded in the Assessor's tax rolls by
27 Assessor's Identification Numbers. The Assessor's Identification Numbers of each of the parcels
28

1 owned by LAWA are as identified in Exhibit A to the Declaration of Vivian D. Howell filed in
2 this case, dated January 31, 2013 (Howell Dec.).

3 62. Of these Assessor's Identification Numbers, lands identified by 15 of them have been
4 acquired since 1999. The Assessor's Identification Numbers for the properties thus acquired by
5 LAWA are as listed in Exhibit A-1 to the Howell Dec.

6 63. The location of the LAWA owned properties is as depicted in the parcel map and
7 Record of Survey, Exhibit B to the Howell Dec.

8 64. LAWA also leases properties that it owns that overlie the groundwater basin in the
9 Antelope Valley Adjudication Area to certain entities. None of the entities to which LAWA has
10 leased land since 2000 claims any groundwater rights for itself resulting from its use of water on
11 the LAWA land.

12 65. The properties it leases are as listed in Exhibit C to the Howell Dec.

13 66. LAWA's use of water on its property is set forth in the Declaration of Robert C.
14 Wagner filed in this case, dated January 31, 2013 (Wagner Decl.) In Mr. Wagner's expert
15 opinion, the highest water use on LAWA property for the years 2000-2004, 2011 and 2012
16 occurred in 2011. That year, 14,009.4 acre-feet of groundwater and recycled water was applied to
17 beneficial use. 28.36 acre-feet was used for domestic or municipal and industrial uses; the rest
18 was used for irrigated agriculture.

19 LA COUNTY SANITATION

20 67. LA County Sanitation owns properties that overlie the groundwater basin in the
21 Antelope Valley Adjudication Area. The properties owned by LA County Sanitation are as listed
22 by APN in Exhibit A to the Declaration of Raymond Tremblay filed in this case, dated January
23 31, 2013 (Tremblay Dec.).

24 68. LA County Sanitation owns more than 8,000 acres within the Antelope Valley
25 Adjudication Area and the individual parcel size, corresponding to the APN, are as listed in
26 Exhibit A to the Tremblay Dec.

27 69. LA County Sanitation utilizes water on its owned properties for crop irrigation and
28 for in-plant use at its sanitation plants.

1 70. LA County Sanitation's maximum use for the years 2000-2004, 2011 and 2012 is
2 7,943 acre-feet of water per year.

3 71. LA County Sanitation's average use for the years 2000-2004 is 6,643 acre-feet of
4 water per year.

5
6 IT IS SO STIPULATED.

7 Dated: February __, 2013

OFFICE OF THE ATTORNEY GENERAL
STATE OF CALIFORNIA

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9

By: SEE ATTACHED SIGNATURE

10

NOAH GOLDEN-KRASNER
Attorneys for the State of California,
Santa Monica Mountains Conservancy,
and State of California 50th District
Agricultural Association

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14 Dated: February __, 2013

ELLISON, SCHNEIDER & HARRIS L.L.P.

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By: SEE ATTACHED SIGNATURE

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CHRISTOPHER M. SANDERS
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and 20

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20 Dated: February 27, 2013

BRUNICK, MCELHANEY & KENNEDY
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WILLIAM J. BRUNICK
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EAST KERN WATER AGENCY

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Dated: February __, 2013

KRONICK, MOSKOVITZ, TIEDEMANN
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SEE ATTACHED SIGNATURE

By: _____
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BY AND THROUGH ITS DEPARTMENT
OF AIRPORTS, LOS ANGELES WORLD
AIRPORTS

1 Dated: February 27 2013

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4 By: Noah Golden-Krasner
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AIRPORTS

1 PROOF OF SERVICE

2 **STATE OF CALIFORNIA** }
3 **COUNTY OF SAN BERNARDINO** }

4 I am employed in the County of the San Bernardino, State of California. I am over
5 the age of 18 and not a party to the within action; my business address is 1839 Commercenter
West, San Bernardino, California 92408-3303.

6 On February 27, 2013, I served the foregoing document(s) described as: **JOINT**
7 **STIPULATION OF FACTS FOR TRIAL PURSUANT TO CASE MANAGEMENT**
8 **ORDER FOR PHASE IV TRIAL** on the interested parties in this action served in the
following manner:

9 ■ **BY ELECTRONIC SERVICE AS FOLLOWS** by posting the document(s)
10 listed above to the Santa Clara website in the action of the *Antelope Valley Groundwater*
Litigation, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No.
1-05-CV-049053.

11 X (STATE) I declare under penalty of perjury under the laws of the State of California
12 that the above is true and correct.

13 Executed on February 27, 2013, at San Bernardino, California.

14 
15 _____
16 P. Jo Anne Quihuis
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CERTIFICATE OF SERVICE

Case Name: Antelope Valley Groundwater
Cases

No. JCCP4408

I hereby certify that on March 14, 2013, I served the following document(s)

**EX PARTE APPLICATION FOR APPROVAL AND ENTRY OF JOINT STIPULATION
OF FACTS FOR TRIAL PURSUANT TO CASE MANAGEMENT ORDER FOR PHASE
IV TRIAL; DECLARATION OF NOAH GOLDEN-KRASNER IN SUPPORT THEREOF**

on the interested parties in this action, by posting the document(s) listed above to the Santa Clara County Superior Court e-filing website (<http://www.scefiling.org>) under the Antelope Valley Groundwater matter pursuant to the Court's Order dated October 27, 2005.

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 March 14, 2013, at Los Angeles, California.

Gwen Blanchard
Declarant

Gwen Blanchard
Signature