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LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103

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COUNTY WATERWORKS DISTRICT NO. 40

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

**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 325201;

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

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

Judicial Council Coordination No. 4408

CLASS ACTION

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**DECLARATION OF Aleks Baharlo IN
LIEU OF DEPOSITION TESTIMONY FOR
PHASE 4 TRIAL**

DECLARATION

I, Aleks Baharlo, declare:

1. I am Executive Vice President for Del Sur Ranch LLC, a party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This declaration applies only to the categories I have filled in. The items left blank or crossed out do not apply to me. I have personal knowledge of each fact herein and would testify competently thereto under oath.

Property Ownership and Parcel Size

2. Del Sur Ranch LLC owns property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in Los Angeles County and is identified by the following APN/APNs:

3219-016-027, 3219-016-030, 3219-016-031, 3219-017-020, 3265-005-001, 3265-007-023,
3265-007-024, 3265-007-025, 3265-007-026, 3265-007-027

A true and correct copy of Exhibit A is attached hereto and incorporated herein.

3. Del Sur Ranch LLC claims groundwater rights only as to the properties listed in Paragraph 2 and Exhibit A.

4. For each APN/APNs identified above, the total acreage by parcel is as follows:

See Exhibit B

A true and correct copy of Exhibit A is attached hereto and incorporated herein.

5. For each APN/APNs identified above Del Sur Ranch LLC or its affiliates Larwin Company owned the property during the following time period:

All apn's owned during periods 1989-2004 & 2007- Present.

6. The following are all individuals/entities appearing on the title for the above identified APN/APNS from Jan 1, 2000 to the present:

Del Sur Ranch LLC, Larwin Company, Standard Pacific Corp.

7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the title during the following time:

1 Larwin Company 1989 – 2003; Del Sur Ranch LLC 2003-2004; Standard Pacific Corp 2004-
2 2007; Del Sur Ranch LLC 2007 – Present.

3
4 **Leases**

5 8. _____ (declarant or party affiliated with declarant) leases property that
6 _____ own and that overlies the Antelope Valley Area of Adjudication as
7 decided by this court and identified by the following APNS:

8 _____
9 9. The total acreage by parcel is:

10 _____
11 10. The property is currently leased to:

12 _____
13 11. The property was leased on the following dates:

14 _____
15 12. The lease provides that _____ may claim groundwater rights from the use of
16 water on the leased property. Attached to this declaration is a true and correct copy of the lease.

17
18 [If additional room is needed, please list APN/APNs, acreage by APN, Lessee by APN and dates
19 for each Lessee by APN for each parcel in Exhibit C.] A true and correct copy of Exhibit C is
20 attached hereto and incorporated herein.

21
22 13. _____ leases property from _____ which overlies the
23 Antelope Valley Area of Adjudication as decided by this court and is identified by the following
24 APNS:

25 _____
26 14. The total acreage by parcel is:

27 _____
28 15. The Lease provides that _____ may claim groundwater rights from use of

1 water on leased property. Attached to this declaration is a true and correct copy of the lease.

2
3 [If additional room is needed, please attach APN/APNs, Name of the Lessor and acreage by APN
4 for each parcel list in Exhibit D to this declaration.] A true and correct copy of Exhibit D is
5 attached hereto and incorporated herein.

6 16. _____ claims groundwater rights only as to the leasehold interests listed
7 in Paragraph 15 and Exhibit D.

8 17. _____ claims groundwater rights only as to the properties listed in
9 Paragraph 2 and Exhibit A and as to the leasehold interests listed in Paragraph 8 and Exhibit C.

10 18. To the best of my knowledge, only _____ claims groundwater rights as to the
11 leased parcel(s) identified in paragraph 15 and Exhibit D.

12 **Water Meter Records**

13 19. _____ measures the groundwater production on the above referenced
14 properties by water meters. Exhibit E contains the records for these water meters for the
15 following years:

16 _____.

17 A true and correct copy of Exhibit E is attached hereto and incorporated herein.

18 20. Exhibit F sets forth the total yearly production amounts by metered water well on the
19 above referenced properties for the years 2000-2004, 2011, and 2012. A true and correct copy of
20 Exhibit F is attached hereto and incorporated herein.

21 **State Water Project Purchases**

22 21. _____ purchases State Water Project water from a State Water Contractor
23 for use by _____ on the properties referenced above. Exhibit G contains true
24 and correct copies of the invoices for delivery of State Water Project Water to the properties
25 referenced above.

26
27
28 22. Exhibit H sets forth the total yearly State Water Project water deliveries to the properties

1 referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit H
2 is attached hereto and incorporated herein.

3 **Pump Tests/ Electric Records**

4 23. In order to calculate groundwater pumped and used on the properties referenced above,
5 _____ relied on pump tests and electric records. Exhibit I contains true and correct
6 copies of the pump test records and electrical records for wells on the properties referenced
7 above. The electric records attached to this declaration as Exhibit I do not include electric use on
8 the properties referenced above for anything other than pumping groundwater.

9 24. Exhibit J sets forth the amount of total yearly groundwater that _____
10 estimates was pumped and used on the properties referenced above for the years 2000-2004,
11 2011, and 2012 based on the attached pump test records and electrical records for the wells on the
12 properties referenced above. A true and correct copy of Exhibit J is attached hereto and
13 incorporated herein.

14 25. Pump tests were performed on the following dates:
15 _____.

16 26. _____ is not producing pump test records for the following
17 dates _____ because:
18 _____.

19 27. I am not aware of any other pump tests having been performed on the properties
20 referenced above.

21
22 **Pump Tests/Diesel Records**

23 28. In order to calculate groundwater pumped and used on the properties referenced above,
24 _____ relied on pump tests and diesel fuel records. Exhibit K contains
25 true and correct copies of the records pertaining to pump tests and diesel fuel purchases for the
26 properties referenced above. The diesel fuel records attached to this declaration as Exhibit K do
27 not include diesel fuel used on the properties referenced above for anything other than pumping
28 groundwater.

29. Exhibit L sets forth the amounts of total yearly groundwater pumped and used on the properties referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit L is attached hereto and incorporated herein.

30. Pump tests were performed on the following dates:

31. _____ is not producing pump test records for the following dates _____ because:

32. I am not aware of any other pump tests having been performed on the properties referenced above.

Crop Duties and Irrigated Acres

33. In order to calculate water use on the properties referenced above, Del Sur Ranch LLC relies on the amount of acres in irrigation on the properties referenced above multiplied by the crop duty identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct copy of which is attached to this declaration as Exhibit M.

34. The total amount of irrigated acres and type of crops on the properties referenced above by APN for the years 2000-2004, 2011 and 2012 are described in Exhibit N. A true and correct copy of Exhibit N is attached hereto and incorporated herein.

Other Sources of Water

35. On the properties referenced above, _____ received water from sources other than groundwater pumped within the Basin or State Water Project Water. Exhibit O sets forth the source of the water and the amounts received for the years 2000-2004, 2011, and 2012.

Use of Water *(Complete for each APN. If water for used for multiple purposes, identify the amount of water for each use.)*

36. Del Sur Ranch used 2,080 acre feet of water on APN#all listed in paragraph #2 in 2000.

The water was used for the following:

carrots, onions, potatoes.

[State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

1 In lieu of answering this question, a crop map may be attached that shows the date, crop type,
2 irrigated acreage and parcels.]

3 37. Del Sur Ranch used 1,720 acre feet of water* on APN# all listed in paragraph 2 in 2001.

4 The water was used for the following:

5 carrots, onions, potatoes (*This is an estimation based on 2002,2003 farming leases).

6 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

7 In lieu of answering this question, a crop map may be attached that shows the date, crop type,
8 irrigated acreage and parcels.]

9 38. Del Sur Ranch used 1,720 acre feet of water on APN# all listed in paragraph 2 in 2002.

10 The water was used for the following:

11 carrots, onions, potatoes.

12 39. Del Sur Ranch used 1,720 acre feet of water on APN# all listed in paragraph 2 in 2003.

13 The water was used for the following:

14 carrots, onions, potatoes.

15 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

16 In lieu of answering this question, a crop map may be attached that shows the date, crop type,
17 irrigated acreage and parcels.]

18 40. Del Sur Ranch used 625 acre feet of water on APN# all listed in paragraph 2 in 2004. The
19 water was used for the following:

20 carrots, onions, potatoes.

21 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

22 In lieu of answering this question, a crop map may be attached that shows the date, crop type,
23 irrigated acreage and parcels.]

24 41. Del Sur Ranch used 0 acre feet of water on APN# all listed in paragraph 2 in 2011. The
25 water was used for the following:

26 _____.

27 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

28 In lieu of answering this question, a crop map may be attached that shows the date, crop type,

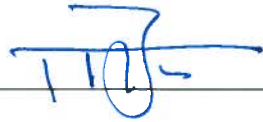
1 irrigated acreage and parcels.]

2 42. Del Sur Ranch used 0 acre feet of water on APN# all listed in paragraph 2 in 2012. The
3 water was used for the following:

4 _____
5 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.
6 In lieu of answering this question, a crop map may be attached that shows the date, crop type,
7 irrigated acreage and parcels.]

8 43. Other than what is declared hereinabove, Del Sur Ranch did not produce or use water
9 within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.

10
11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct. Executed this 25th day of January 2013, at Encino, CA,
13 California.

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EXHIBIT "A"

3219-016-027
3219-016-030
3219-016-031
3219-017-020
3265-005-001
3265-007-023
3265-007-024
3265-007-025
3265-007-026
3265-007-027

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EXHIBIT "C"

APN: <i>All and/or portion of</i>	Leased to:	Acreage:	Dates of Lease:
3219-017-020 3219-016-030 3265-007-023 3265-007-024	Wm. Bolthouse Farms Inc.	400 acres to Bolthouse. 80 of the 400 to Giba Farms	1/1/00 – 12/31/00
	Lease not available		2001
3265-007-023 3265-007-024 3265-007-026 3265-007-027 3219-016-030	Philip Giba Farms, Inc.	330	1/1/02 – 12/31/02
3219-016-027 3219-016-030 3219-016-031 3265-007-023 3265-007-024 3265-007-026 3265-007-027	Philip Giba Farms, Inc.	330	1/1/3 – 12/31/03
3219-016-027 3219-016-030 3219-016-031	Philip Giba Farms, Inc.	120	1/1/4 – 12/31/4

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EXHIBIT "E"

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EXHIBIT "G"

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EXHIBIT "H"

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EXHIBIT "I"

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EXHIBIT "J"

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EXHIBIT "K"

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EXHIBIT "L"

EXHIBIT "M"

Appendix D-3: Table 4
Applied Crop Water Duties and Irrigation Efficiency Values
(DU = 80%)
Antelope Valley Area of Adjudication

Crop	ET _c ¹ (in)	P _e ² (in)	ET _{AW} ³ (in)	DU ⁴ (%)	AW _c ⁵ (in)	AW _{er} ⁶ (in)	AW _{pr} ⁷ (in)	AW _r ⁸ (in)	E _{ir} ⁹ (%)
Alfalfa	62.10	1.77	60.33	80	75.42	0	2.0	77.42	81
Carrots	27.47	0.00	27.47	80	34.33	6	6.5	46.83	85
Grain	22.94	1.42	21.52	80	26.90	0	4.0	30.90	83
Melons/Squash	23.91	0.00	23.91	80	29.88	0	4.0	33.88	82
Onions	37.57	0.00	37.57	80	46.96	3	4.0	53.96	83
Orchard (Deciduous)	47.38	0.00	47.38	80	59.22	0	0.0	59.22	80
Pasture	66.19	1.77	64.42	80	80.53	0	0.0	80.53	80
Potatoes	24.02	0.00	24.02	80	30.03	0	4.0	34.03	82
Silage	27.31	0.00	27.31	80	34.14	0	4.0	38.14	82
Sugar Beets	40.55	0.00	40.55	80	50.68	0	4.0	54.68	81
Vineyard (Grapes)	35.33	0.00	35.33	80	44.16	0	0.0	44.16	80

¹ ET_c = K_c * ET_o, where ET_o = average ET_o for specified periods, based on data from Victorville CIMIS Station, 1994-2003; K_c values from Univ. California Cooperative Extension

² P_e = effective precipitation offsetting ET_c, up to 1/2 of the average precipitation, in Dec - Feb., inclusive

³ ET_{AW} = evapotranspiration of applied water = ET_c - P_e

⁴ DU = irrigation distribution uniformity

⁵ AW_c = applied water for crop requirement = ET_{AW} / DU

⁶ AW_{er} = applied water for erosion control

⁷ AW_{pr} = applied water for field preparation and pre-irrigation

⁸ AW_r = applied crop water duty = AW_c + AW_{er} + AW_{pr}

⁹ E_{ir} = overall irrigation efficiency for beneficial uses = (ET_{AW} + AW_{er} + AW_{pr}) / AW_r

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EXHIBIT "N"

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EXHIBIT "O"