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LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40

EXEMPT FROM FILING FEES  
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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 GENET BAHLMAN  
LIEU OF DEPOSITION TESTIMONY FOR  
PHASE 4 TRIAL**

**DECLARATION**

I, GENE T. BAHLMAN, declare:

1. I am \_\_\_\_\_ for \_\_\_\_\_, 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. GENE T. BAHLMAN 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:

3310 003 008 09 AND 3310 003 008 12

[If additional room is needed, please identify the APN/APNs in Exhibit A.] A true and correct copy of Exhibit A is attached hereto and incorporated herein.

3. GENE T. BAHLMAN 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:

3310 003 008 09 — DON'T KNOW  
3310 003 008 12 — DON'T KNOW } AGGREGATE IS 10 ACRES

[If additional room is needed, please identify the APN/APNs and parcel size in Exhibit B.] A true and correct copy of Exhibit B is attached hereto and incorporated herein.

5. For each APN/APNs identified above GENE T. BAHLMAN owned the property during the following timer period:

JULY 7, 1998 TO 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:

GENE T. BAHLMAN

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

JULY 7, 1998 TO PRESENT

**Leases**

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

9. The total acreage by parcel is:

10. The property is currently leased to:

11. The property was leased on the following dates:

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

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

13. \_\_\_\_\_ leases property from \_\_\_\_\_ which overlies the Antelope Valley Area of Adjudication as decided by this court and is identified by the following APNS:

14. The total acreage by parcel is:

1 15. The Lease provides that \_\_\_\_\_ may claim groundwater rights from use of  
2 water on leased property. Attached to this declaration is a true and correct copy of the lease.

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

7 16. \_\_\_\_\_ claims groundwater rights only as to the leasehold interests listed  
8 in Paragraph 15 and Exhibit D.

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

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

13 **Water Meter Records**

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

17 2009, 2010, 2011

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

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

22 **State Water Project Purchases**

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

22. Exhibit H sets forth the total yearly State Water Project water deliveries to the properties referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit H is attached hereto and incorporated herein.

**Pump Tests/ Electric Records**

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

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

25. Pump tests were performed on the following dates:

26. \_\_\_\_\_ is not producing pump test records for the following dates \_\_\_\_\_ because:

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

**Pump Tests/Diesel Records**

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

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, \_\_\_\_\_ 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. ~~GEORGE T. BAHAMAD~~ used 2 acre feet of water on APN# 3310-003-008-09 in 2000.

The water was used for the following:

DOMESTIC USES

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

37. GENE T. BAHMAN used 4 acre feet of water on APN# 3310-003-008-09 in 2001. The  
water was used for the following:

IRRIGATION OF APPROX 1/2 ACRE OF FRUIT & NUT TREE & DOMESTIC USAGE

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

38. SAME AS 2001  
\_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2002. The  
water was used for the following:

SAME AS 2001  
\_\_\_\_\_

39. \_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2003. The  
water was used for the following:

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

40. SAME AS 2001  
\_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2004. The  
water was used for the following:

\_\_\_\_\_

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

41. GENE T. BAHMAN used 5.25 acre feet of water on APN# 3310-003-008-09 in 2011. The  
water was used for the following:

IRRIGATION OF FRUIT & NUT TREES AND GRAPES AND DOMESTIC USES.

[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 42. GENE T. BAHLMAN used 5.25 acre feet of water on APN# 3310-003-008-09 in 2012. The  
4 water was used for the following:

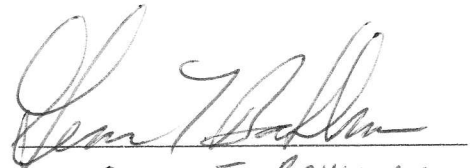
5 IRRIGATION OF FRUIT & NOT TREES AND DOMESTIC USES.

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 43. Other than what is declared hereinabove, GENE BAHLMAN did not produce or use water  
10 within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.

11  
12 I declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct. Executed this 24 day of January 2013, at LOS ANGELES COUNTY  
14 California.

15  
16   
17 GENE T. BAHLMAN



Pumping Information for Gene Bahlman

10/3/2011

Amount pumped – Approximately 5.25 acre feet

Pumping location – 49009 120<sup>th</sup> St. E, Lancaster, CA. This property is 10 acres approximately 990 feet south of Edwards Airforce base boundary on the west side of 120<sup>th</sup> St. East.

Source – two 6 inch wells on this property.

Time frame this information was collected - Approximately 3/6/09 to 2/28/10

Basis for Computation:

I have two wells, one for domestic use and one for irrigation of fruit and nut trees and grapevines. I installed a meter on my domestic use well beginning of March, 2009. All the irrigation is on drip except for shade trees and vegetable garden which are on the domestic well covered by the meter.

The irrigation amount is based on the drip rate of the emitters, number of emitters, and water times and water days. The times are fixed in an automatic timer. The days are my best estimate because water days vary depending on the weather.

My usage per year on well 1 based on the installed meter is 635,000 gallons.

Usage for drip system on well 2 listed below.

Total for the property is 1710342 gal/year or 5.25 Acre ft/year.

I believe all told I have about ½ acre of mixed fruit and nut trees under irrigation and another ¼ acre of mixed non crop trees for windbreak. Probably less than .1 acre of grapes.

Gene Bahlman

# EXHIBIT E

Irrigation Zone Flow		Tree	# emitters	# Trees	Water Flow	Emitter size
# Trees Gal/Hr gpm	Zone 1	Oleanders	1	120	240	2 gpm
	123	Elms	4	3	72	6 gpm
	342	Tamarisk	1	15	30	2 gpm
	5.7					
# Trees Gal/Hr gpm	Zone 2	Cherry	4	8	192	6 gpm
	38	Apple/Quince	4	5	120	6 gpm
	990	Pear	4	5	120	6 gpm
	16.5	Peach/nectarine	4	7	168	6 gpm
		Plum	5	3	90	6 gpm
		Pistachio	5	8	240	6 gpm
		Almond	5	2	60	6 gpm
# Trees Gal/Hr gpm	Zone 3	Pecans	6	5	180	6 gpm
	35	Russian Olive	5	1	30	6 gpm
	380	Mesquite	4	1	24	6 gpm
	6.333333333	Apple	4	1	24	6 gpm
		Walnut	6	2	72	6 gpm
		Tamarisk	1	25	50	2 gpm
# Trees Gal/Hr gpm	Zone 4	Apple/Persimmon	4	10	240	6 gpm
	46	Pear	4	1	24	6 gpm
	566	Loquat	6	1	36	6 gpm
	9.433333333	Elm	4	9	216	6 gpm
		Tamarisk	1	25	50	2 gpm
# Trees Gal/Hr gpm	Zone 5	Grapes	3	18	324	6 gpm
	24	pecan	6	1	36	6 gpm
	476	walnut	6	1	36	6 gpm
	7.933333333	mesquite	4	1	24	6 gpm
		elm	4	1	24	6 gpm
		Tamarisk	4	1	8	2 gpm
		Pine	4	1	24	6 gpm
		Muhliberry	6	1	36	6 gpm

Irrigation times and gallons	Flow Rate	base time (minutes)	Gal used Jan/feb	Gal used Mar/Apr	Gal use May/June	Gal use July/Aug/Sept	Gal used Oct	Gal used Nov	Gal used Dec
Zone 1	5.7	50	4845	8835	9177	30495	6184.5	1710	1767
Zone 2	16.5	120	33660	61380	63756	211860	42966	11880	12276
Zone 3	6.3	120	12852	23436	24343.2	80892	16405.2	4536	4687.2
Zone 4	9.43	120	19237.2	35079.6	36437.52	121081.2	24555.72	6789.6	7015.92
Zone 5	7.9	90	12087	22041	22894.2	76077	15428.7	4266	4408.2
water days			17	31	46	107	31	30	31
% factor			1	1	0.7	1	0.7	0.2	0.2
Month									
usage			82681.2	150771.6	156607.9	520405.2	105540.1	29181.6	30154.32
total usage	1075342								

## EXHIBIT E

## Water Usage (meter installed May 3)

Month	Meter read	amount used
Jan 1	0	0
Feb 1	0	0
Mar 1	0	0
Apr 1	0	0
May 1	0	82340
Jun 1	82340	76211
Jul 1	158551	106687
Aug 1	265238	102312
Sep 1	367550	88265
Oct 1	455815	41788
Nov 1	497603	32544
Dec 1	530147	34955
Dec 31	565102	0
Total for 2009		565102

## Water Usage

Month	Meter read	amount used
Jan 1	565102	11258
Feb 1	576360	12020
Mar 1	588380	21181
Apr 1	609561	25696
May 1	635257	78266
Jun 1	713523	81811
Jul 1	795334	108547
Aug 1	903881	105929
Sep 1	1009810	84625
Oct 1	1094435	44003
Nov 1	1138438	29687
Dec 1	1168125	30222
Dec 31	1198347	0
Total for 2010		633245

## Water Usage

Month	Meter read	amount used
Jan 1	1198347	9965
Feb 1	1208312	13189
Mar 1	1221501	20856
Apr 1	1242357	24338
May 1	1266695	80680
Jun 1	1347375	83042
Jul 1	1430417	110428
Aug 1	1540845	103277
Sep 1	1644122	90215
Oct 1	1734337	37100
Nov 1	1771437	35351
Dec 1	1806788	30522
Dec 31	1837310	0
Total for 2011		638963