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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

BILLIE J. and  
**DECLARATION OF RANDALL K.  
DICKEY IN LIEU OF DEPOSITION  
TESTIMONY FOR PHASE 4 TRIAL**

1 DECLARATION

2 Billie J. Dickey and  
3 I, Randall K. Dickey, declare:

4 1. ~~WE, XXXXX~~ Randall K. Dickey and ~~for~~ ARE parties, ~~as party~~ to this  
5 action. In lieu of deposition testimony for the Phase 4 trial, ~~and~~ <sup>we are</sup> providing this declaration. This  
6 declaration applies only to the categories ~~we~~ <sup>we</sup> have filled in. The items left blank or crossed out do  
7 not apply to ~~us~~ <sup>us</sup>. ~~I~~ <sup>We</sup> have personal knowledge of each fact herein and would testify competently  
8 thereto under oath.

9 Property Ownership and Parcel Size

10 2. Randall K. Dickey  
11 and Billie J. Dickey owns property that overlies the Antelope Valley Area of  
12 Adjudication as decided by this Court. The land is in Los Angeles County and is identified  
13 by the following APN/APNs:

14 3060-022-074; 3060-022-075 (See attached Parcel Map)

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

17 3. Randall K. Dickey  
18 and Billie J. Dickey claims groundwater rights only as to the properties listed in  
19 Paragraph 2 and Exhibit A.

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

21 +/- Five Acres per Parcel.

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

24 5. For each APN/APNs identified above Randall K. Dickey and  
25 Billie J. Dickey owned the property during  
26 the following timer period: 1988 to date hereof.

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

Randall K. Dickey and Billie J. Dickey, Husband and Wife

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

From 1988 to the date hereof, January 26, 2013.

Leases

8. NOT APPLICABLE. (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:

NOT APPLICABLE.

10. The property is currently leased to:

NOT APPLICABLE.

11. The property was leased on the following dates:

NOT APPLICABLE.

12. The lease provides that N/A 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. NOT APPLICABLE. 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:

NOT APPLICABLE.

1 15. The Lease provides that NotApplicable 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. Not Applicable. claims groundwater rights only as to the leasehold interests listed  
8 in Paragraph 15 and Exhibit D.

9 17. Not Applicable. 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 NotApplicable. claims groundwater rights as to the  
12 leased parcel(s) identified in paragraph 15 and Exhibit D.

13 **Water Meter Records**

14 19. NOT APPLICABLE. 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 NOT APPLICABLE.

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

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. NOT APPLICABLE.

22 **State Water Project Purchases**

23 21. Not Applicable. purchases State Water Project water from a State Water Contractor  
24 for use by N/A 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. NOT APPLICABLE.

**Pump Tests/ Electric Records**

23. In order to calculate groundwater pumped and used on the properties referenced above, ~~Not Applicable~~ 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 ~~Not Applicable~~ 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:

NOT APPLICABLE.

26. Declarant is not producing pump test records for the following dates 1988 to date because:

No pumping has occurred.

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, Not Applicable 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

1 groundwater.

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

5 30. Pump tests were performed on the following dates:

6 NOT APPLICABLE

7 31. NOT APPLICABLE is not producing pump test records for the following  
8 dates \_\_\_\_\_ because:

9  
10 32. I am not aware of any other pump tests having been performed on the properties  
11 referenced above.

12 **Crop Duties and Irrigated Acres**

13 33. In order to calculate water use on the properties referenced above, NOT APPLICABLE  
14 relies on the amount of acres in irrigation on the properties referenced above multiplied by the  
15 crop duty identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct  
16 copy of which is attached to this declaration as Exhibit M.

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

20 **Other Sources of Water**

21 35. On the properties referenced above, Not Applicable received water from sources  
22 other than groundwater pumped within the Basin or State Water Project Water. Exhibit O sets  
23 forth the source of the water and the amounts received for the years 2000-2004, 2011, and 2012.

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

26 36. Not Applicable used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2000.

27 The water was used for the following:

28 Not Applicable.

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

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

4 37. Not Applicable used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2001. The  
5 water was used for the following:

6 N/A

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

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

10 38. Not Applicable used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2002. The  
11 water was used for the following:

12 N/A

13 39. Not Applicable used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2003. The  
14 water was used for the following:

15 N/A

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

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

19 40. N/A used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2004. The  
20 water was used for the following:

21 Not Applicable.

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

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

25 41. N/A used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2011. The  
26 water was used for the following:

27 Not Applicable.

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

Not Applicable.

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. Not Applicable, used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2012. The  
4 water was used for the following:


5 N/A

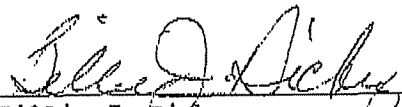
6 [State the crop type and number of acres of that crop. If not used for irrigation, describe the use.

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, Not Applicable did not produce or use water  
10 within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.

11  
12 We ☒ declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct. Executed this 27<sup>th</sup> day of January 2013, at Juniper Hills,  
14 California.

15   
16 \_\_\_\_\_  
17 Randall K. Dickey

18   
19 \_\_\_\_\_  
20 Billie J. Dickey



