	·	
1	BEST BEST & KRIEGER LLP	EXEMPT FROM FILING FEES
2	ERIC L. GARNER, Bar No. 130665 JEFFREY V. DUNN, Bar No. 131926	UNDER GOVERNMENT CODE SECTION 6103
3	STEFANIE D. HEDLUND, Bar No. 239787 18101 VON KARMAN AVENUE, SUITE 1000	
4	IRVINE, CALIFORNIA 92612 TELEPHONE: (949) 263-2600	
5	FACSIMILE: (949) 260-0972 Attorneys for Cross-Complainant	
6	LOS ANGELES COUNTY WATERWORK DISTRICT NO. 40	S
7	OFFICE OF COUNTY COUNSEL	
8	COUNTY OF LOS ANGELES JOHN F. KRATTLI, Bar No. 82149	
9	COUNTY COUNSEL WARREN WELLEN, Bar No. 139152	
10	PRINCIPAL DEPUTY COUNTY COUNSEL 500 WEST TEMPLE STREET	
11	LOS ANGELES, CALIFORNIA 90012 TELEPHONE: (213) 974-8407	
12	TELECOPIER: (213) 687-7337 Attorneys for Cross-Complainant LOS ANG	PT ES
13	COUNTY WATERWORKS DISTRICT NO	. 40
	SUPERIOR COURT OF	THE STATE OF CALIFORNIA
14		OF LOS ANGELES
15	COONTY	of Los Angeles
16		•
17	ANTELOPE VALLEY GROUNDWATER CASES	Judicial Council Coordination No. 4408
18	Included Actions:	CLASS ACTION
19	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior	Santa Clara Case No. 1-05-CV-049053

KYLE AND KYLE

Court of California, County of Los Angeles, Case No. BC 325201;

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior

22 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 25

California, County of Riverside, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668

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053 Assigned to The Honorable Jack Komar

STIPULATION IN LIEU OF DEPOSITION **TESTIMONY FOR PHASE 4 TRIAL**

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STIPULATION 1

KYLE AND KYLE

Los Angeles Waterworks District No. 40, City of Palmdale, City of Lancaster, Littlerock Creek					
Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water					
District, Rosamond Community Services District, and California Water Service Company					
(collectively, the "Public Water Suppliers"), and hereby					
enter into the following stipulation with Ram Ranch Inc. Robert Jone					
Whereas, for purposes of the Phase 4 trial the above parties wish to enter into the					
following stipulation in lieu of taking depositions; Whereas, R+m Ranch has signed the attached Declaration of					
under penalty of perjury;					
NOW, THEREFORE, in consideration and on the basis of the foregoing recitals, the Public Water Suppliers and Roman Ranch In., enter into the following stipulation:					
1. Based on the attached Declaration of <u>deposition</u> , the Public Water					
Suppliers will forego taking the deposition of <u>R+M Rand</u> during discovery for the					
Phase 4 trial set for February 11, 2013;					

- 2. The attached Declaration may be used in the same manner at trial as a deposition transcript executed under penalty of perjury by Robert Jones.
- 3. The Public Water Suppliers reserve the right to depose Robert Janea during discovery for subsequent trial phases or in the event the Court continues the Phase 4 trial to a date other than February 11, 2013; and
- 4. The Public Water Suppliers reserve their right to challenge the testimony of Robert Jones at trial.

1	<u>DECLARATION</u>	
2	I, ROBERT JONES, declare:	
3	1. I am PRESIDENT for R REM RANCH INC., a party to this	
4	action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This	ļ
5	declaration applies only to the categories I have filled in. The items left blank or crossed out do	[
6	not apply to me. I have personal knowledge of each fact herein and would testify competently	
7	thereto under oath.	
8	Property Ownership and Parcel Size	
9	2. R&M Ranck Inc. owns property that overlies the Antelope Valley Area of	
10	Adjudication as decided by this Court. The land is in Los ANGELEC County and is identified	Í
11	by the following APN/APNs:	
12	3368 001.010	
13		
14	[If additional room is needed, please identify the APN/APNs in Exhibit A.] A true and correct	İ
15	copy of Exhibit A is attached hereto and incorporated herein.	
16	3. <u>RAMRANCH INC</u> claims groundwater rights only as to the properties listed in	
17	Paragraph 2 and Exhibit A.	
18	4. For each APN/APNs identified above, the total acreage by parcel is as follows:	
19	3368 601 010 480 acres	
20	3366 029 003 160 "	
21	[If additional room is needed, please identify the APN/APNs and parcel size in Exhibit B.] A true	
22	and correct copy of Exhibit B is attached hereto and incorporated herein.	
23	5. For each APN/APNs identified above owned the property during	
24	the following timer period: 1966 - Z	0.
25	3368 001 010 1966 to present 3366 029 003.	ļ
26	6. The following are all individuals/entities appearing on the title for the above identified	
27	APN/APNS from Jan 1, 2000 to the present:	
28	ROBERT JONES, ESTHER JONES, STEPHEN JONES, CATHY. JONES, KAREN JONES, JULIE BARNES, JANELLE Mª EACHERN DECLARATION	
!	JONES, KAREN JONES, JULIE BARNES, JANELLE IN CHACHERN DECLARATION	

7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
title during the following time:
1971 - 2013
<u>Leases</u>
8. Kyle + Kyle Ranches (declarant or party affiliated with declarant) leases property that
R+M Ranch Inc own and that overlies the Antelope Valley Area of Adjudication as
decided by this court and identified by the following APNS:
3368-001-010 3366 029 003
9. The total acreage by parcel is:
3368-001 010 480 Acres 3366 029 003 160A
10. The property is currently leased to:
11. The property was leased on the following dates: 2002-2013 480 and
1997-2002 DOTH PARCELS 640aues.
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.
The state of the s
[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. Ryle & Kyle Ranches leases property from R+M Ranch which overlies the
Antelope Valley Area of Adjudication as decided by this court and is identified by the following
APNS:
3368-001-010 3366 029 003
14 The total correcce by paycal is:
3368-001-010 480 ones 3366 029 003 160 at
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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	16claims 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, onlyclaims groundwater rights as to the
12	leased parcel(s) identified in paragraph 15 and Exhibit D.
13	Water Meter Records
14	19 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	·
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.
27	·
28	
ı	-3-

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 Pump test & electrical mange provide by Kyle + Hyle 23. In order to calculate groundwater pumped and used on the properties referenced above,							
R+MRand 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							
datesbecause:							
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							

ころぎ のたのだる タ	BEST BEST & KRIEGER LLP	UNIVERSITY AVENUE, SUITE 400	P.O. BOX 1028	VERSIDE, CALIFORNIA 92502
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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							
7	31is not producing pump test records for the following						
8	datesbecause:						
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,						
14	relies on the amount of acres in irrigation on the properties referenced above multiplied by the Ltale Watu Bond Coll crop duty identified in the Sammary Expert Report, Appendix D-3: Table 4, a true and correct						
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, 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.) 33.68-001-010 33.66.029.003 36						
26	36. <u>R+M (Land)</u> used <u>2615</u> acre feet of water on APN# in 2000.						
27	The water was used for the following:						
28	<u> </u>						
- 1	- J -						

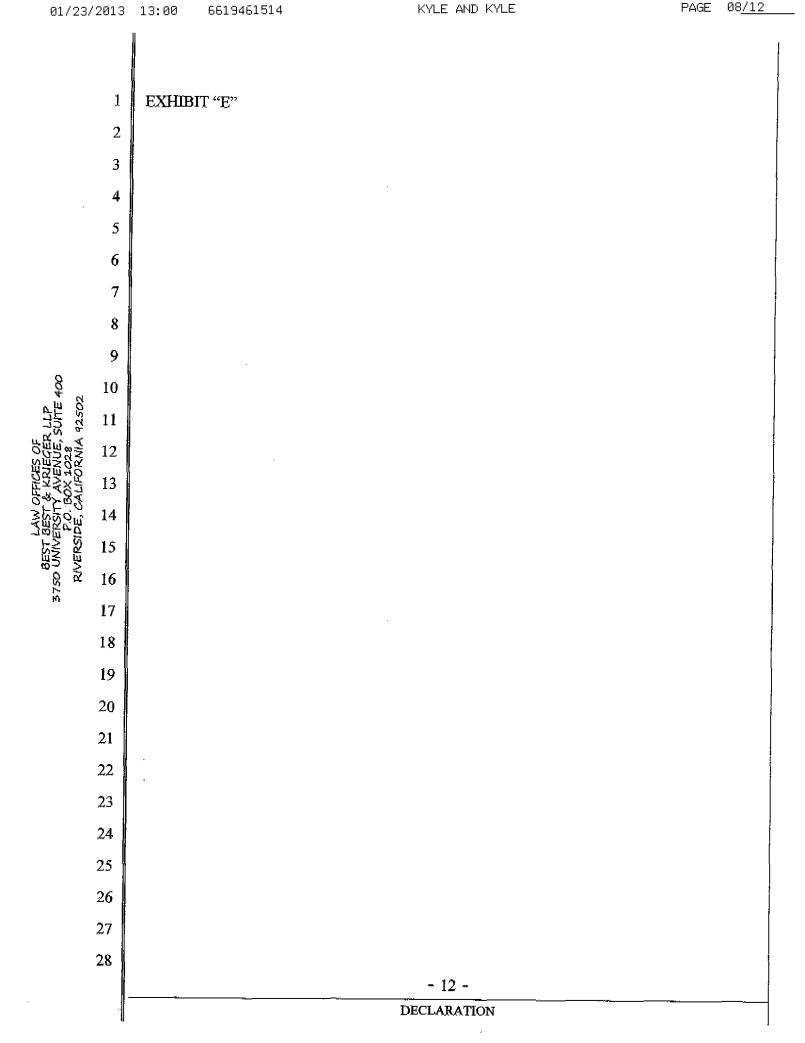
1	[State the crop type and number of acres of that crop. If not used for irrigation, describe the use.
2	In lieu of answering this question, a crop map may be attached that shows the date, crop type,
3	irrigated acreage and parcels.]
4	irrigated acreage and parcels.] 3 3 6 6 029 06 3 37. $R+M$ Quade used $ 38 $ acre feet of water on APN# in 2001. The
5	water was used for the following:
6	·
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.] 381,46 3348 -001-000 3488 -001-000 3488
10	38. <u>L. + M. Rayuli</u> used acre feet of water on APN# in 2002. The
11	water was used for the following:
12	05
13	39. <u>R+MRand</u> used 1425. acre feet of water on APN#3368-001 in 2003. The
14	water was used for the following:
15	·
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	irrigated acreage and parcels.] 40.
20	water was used for the following:
21	
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	irrigated acreage and parcels.] 41. <u>R+M</u> used <u>14 86,53</u> acre feet of water on APN# 3368 in 2011. The
26	water was used for the following:
27	
28	[State the crop type and number of acres of that crop. If not used for irrigation, describe the use.
	u C

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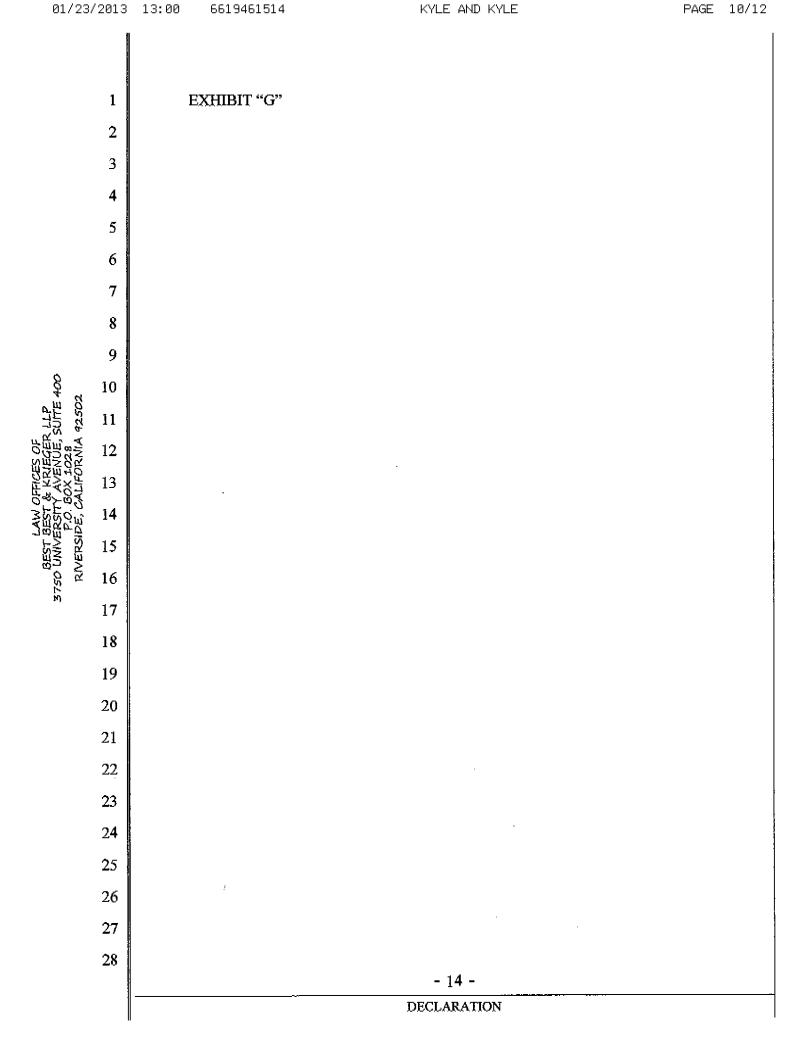
01/23/2013 13:00 KYLE AND KYLE PAGE 05/12 EXHIBIT "B" Size in acres <u> APN</u> BEST BEST & KRIEGER LLP 3750 UNIVERSITY AVENUE, SUITE 4 P.O. BOX 1028 RIVERSIDE, CALIFORNIA 92502 DECLARATION

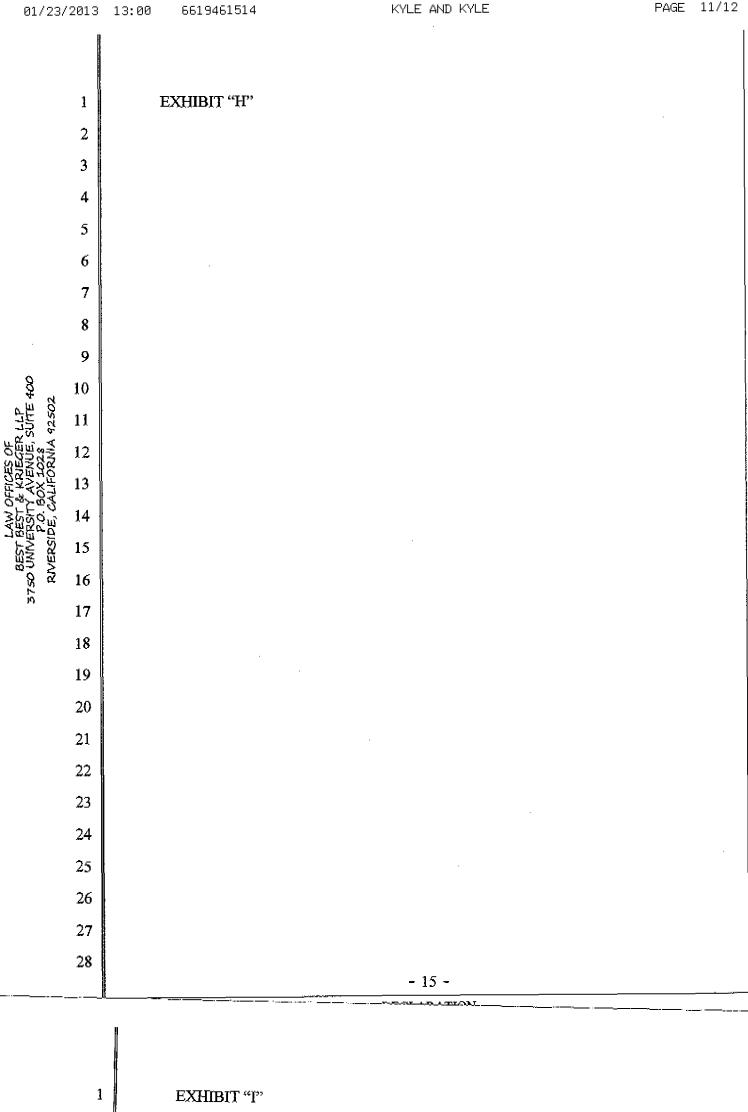
KYLE AND KYLE PAG<u>E 07/12</u> 01/23/2013 13:00 EXHIBIT "D" APN: Leased from: Acreage: Dates of Lease: BEST BEST & KRIEGER LLP 3750 UNIVERSITY AVENUE, SUITE 4 P.O. BOX 1028 RIVERSIDE, CALIFORNIA 92502 - 11 -

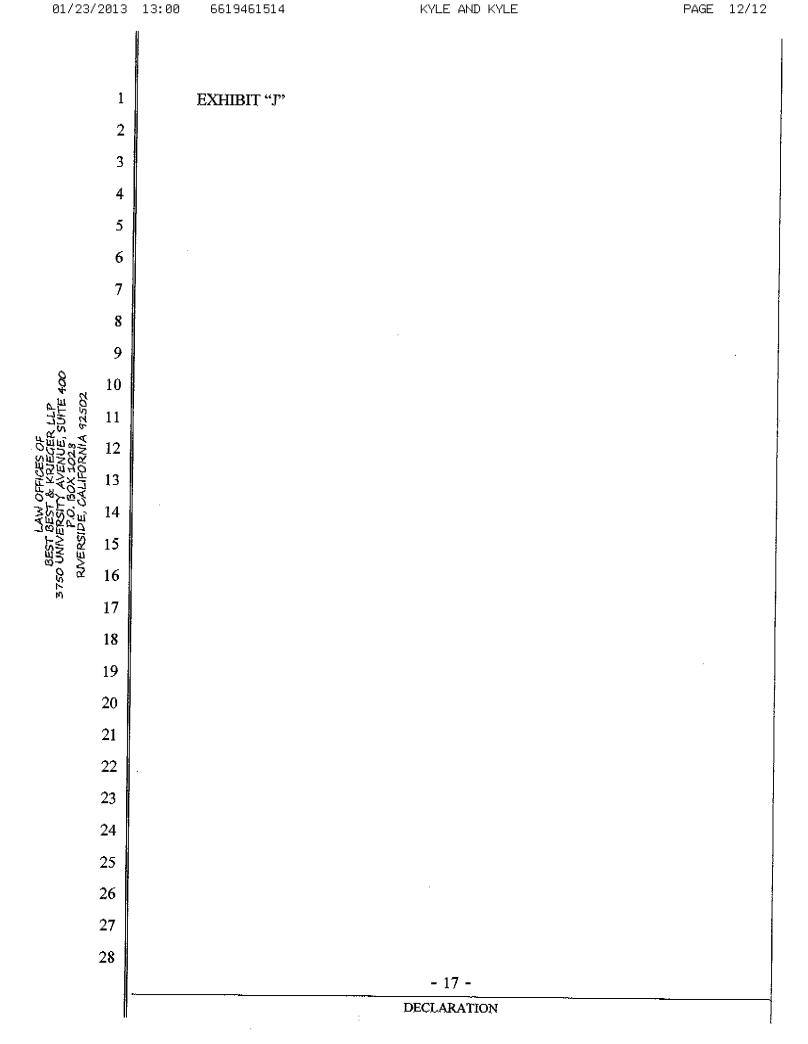


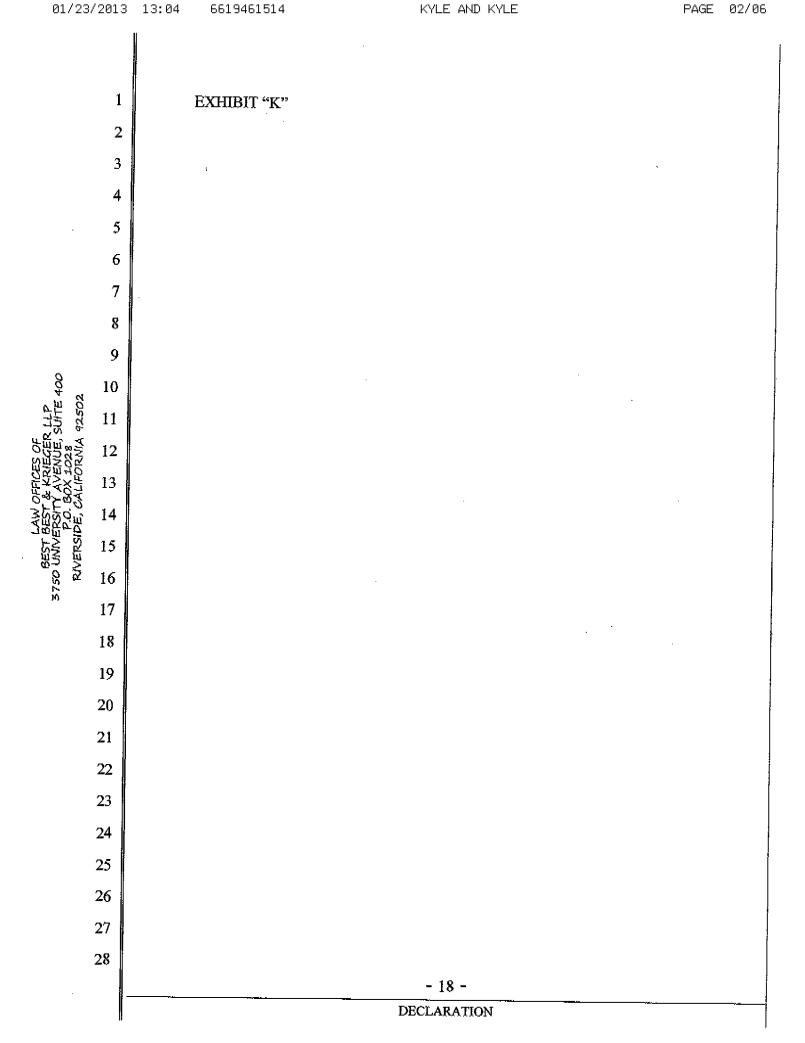
KYLE AND KYLE PAGE 09/12 EXHIBIT "F" Year Well
Provide by Kyle + Kyle Yearly Production LAW OFFICES OF BEST & KRIEGER LLP 3750 UNIVERSITY AVENUE, SUITE * P.O. BOX 1028 RIVERSIDE, CALIFORNIA 92502 - 13 -DECLARATION

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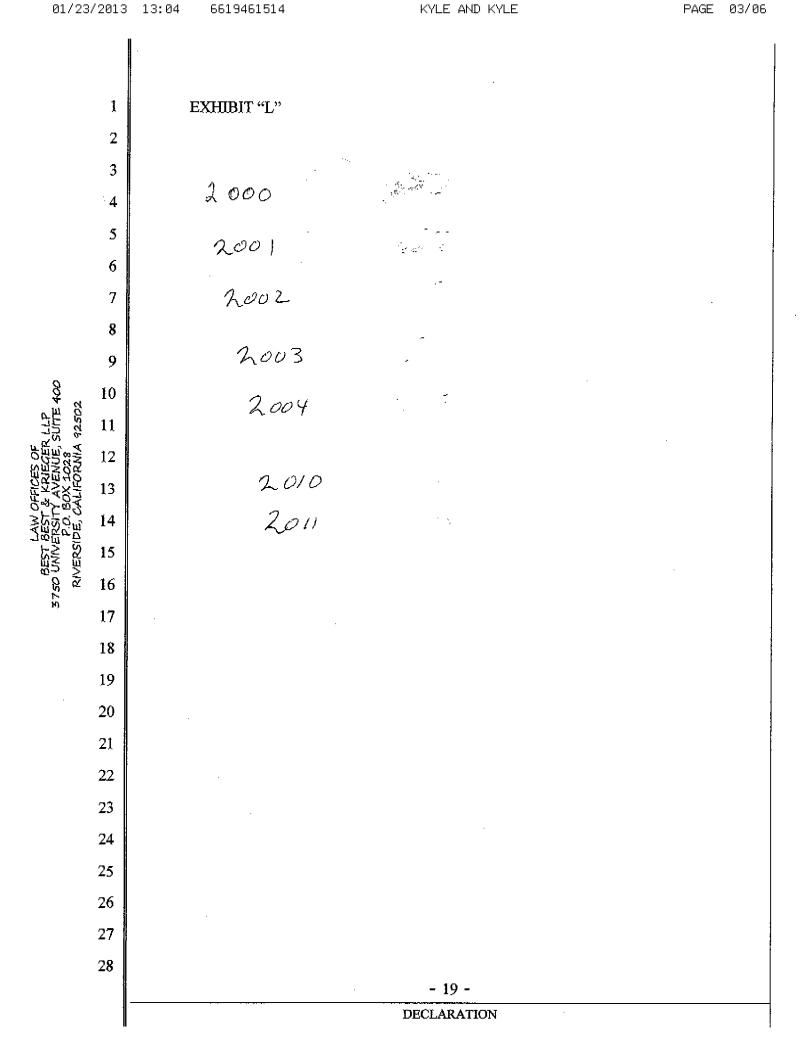


EXHIBIT "M"

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

	ΕΤ _ε 1	P, 2	ET _{AW} 3	DU⁴	AW₂ ⁶	AW _E	AW _p , ⁷	AW _T ⁸		E ^{it} 8
Crosp	(In)	(jn)	(īn)	(%)	(in)	(in)	(in)	(In)	(ft)	(%)
Alfalfa	62.10	1.77	60.33	ac	75.42	a	2.0	77.42	5.5	81
Carrots	27.47	0.00	27.47	80	34.33	6	8.5	46,83	3.9	85
Grain	22,94	1.42	21.92	80	26.80	a	4.0	30.90	2.5	83
Melons/Squash	23.91	0.00	23,91	<u></u> 60	29,88	0	4.0	33.88	2.8	82
Onions	37.57	00,0	37.57	80	46.96	3.	4.0	53.96	4.5	83
Orchard (Deciduous)	47.38	0.00	47.38	80	59.22	a	0.0	59.22	4.9	80
Pasture	66.19	1.77	84.42	90	<u></u>	- 0	0.0	80,53	6.7	80
Potetaes	24.02	0.00	24.02	90	30.03	σ	4.0	34.03	2.8	82
Silage	27.31	6.00	27,31	во	34.14	0	4.0	38.14	3.2	82
Sugar Baets	40,55	0.00	40.55	80	50.68	Đ	4.0	54.68	4.6	81
Vineyard (Grapes)	35.33	0.00	35.33	90	44.16	a	0.0	44.18	3.7	_80

ET. = K. * ET. where ET. a average ET, for specified periods, basset on data from Victorville Cliss Station, 1984-2803); K. values from Univ. California Cooperative Extension

State ...

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

² ET_{AM} = evapolizanspiration of applied water = ET_c - P_c

OU = Imigation distribution uniformity

AW. = applied water for crop requirement = ET_{AW} + DIJ

AVV_{er} = applied water for erosion control

AIV, = applied water for field proparation and pre-imigation

 $AVV_{\tau} = \text{applied crop water duty} = AVV_{c} + AVV_{er} + AW_{pr}$

 $^{^{2}}$ E_{ir} = overall impation efficiency for beneficial uses = (ET_{AW} + AW_{er} + AW_{er}) + AW_e

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