p.l

LAW OFFICES OF

	Ī	
	1	DECLARATION
	2	I, AICHARD MINER, declare:
	3	1. I am for, a party to this
	4	action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This
Best Gest & Kriezer LLP 5 Park Plaza, Suite 1500 Irvine, California 92614	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. RICHARD MINER_owns property that overlies the Antelope Valley Area of
^	10	Adjudication as decided by this Court. The land is in KERN+ L.A. County and is identified
25. 25. 25. 25. 25. 25. 25. 25. 25. 25.	11	by the following APN/APNs:
海野	12	EXHIBIT H
17.75 13.75	13	
623 223	14	[If additional room is needed, please identify the APN/APNs in Exhibit A.] A true and correct
PAR VANE	15	copy of Exhibit A is attached hereto and incorporated herein.
-50,	16	3. RICHARD MINER 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	EXHIBIT IS
	20	
	21	If additional room is needed, please identify the APN/APNs and parcet 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 ///AFE owned the property during
	24	the following timer period:
	25	EXHIBIT C
	26	6. The following are all individuals/entities appearing on the title for the above identified
	27	APNIAPNS from Jan 1, 2000 to the present. KICHARD MINER / RICHARD H. MINER
	28	KICHARD MINER / KICHARD /T. / TINER SAME PERSON 1
	i	DECLARATION

Jan 21 13 12:05P RICHARD MINER

	. , •	
	1	7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
	2	title during the following time:
	3	REFER TO EXHIBIT"C": OWNESHIP COLUMN
	4	
	5	Leases
	6	8(declarant or party affiliated with declarant) leases property that
	7	own and that overlies the Antelope Valley Area of Adjudication as
	8	decided by this court and identified by the following APNS:
	9	X
\$ "	10	9. The total acreage by parcel is:
250	11.	X
2000 × ₹	12	10. The property is currently leased to:
たる がある である	13	X
\$ 200 m	14	11. The property was leased on the following dates:
COUNTY OF STATES	15	X
3750 U	16	12. The lease provides that may claim groundwater rights from the use of
in	17	water on the leased property. Attached to this declaration is a true and correct copy of the lease.
	18	
	19	(If additional room is needed, please list APN/APNs, acreage by APN, Lessee by APN and dates
	20	for each Lessee by APN for each parcel in Exhibit C.] A true and correct copy of Exhibit C is
	21	attached hereto and incorporated herein.
	22	
	23	13. \(\sim \) which overlies the
	24	Antelope Valley Area of Adjudication as decided by this court and is identified by the following
	25	APNS:
	26	X
	27	14. The total acreage by parcel is:
	28	
		- 2 - DECLARATION
		DECLARATION

Jan 21 13 12:05p RICHARD MINER

1-661-256-4381

	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
\$ 5 8	10	Paragraph 2 and Exhibit A and as to the leasehold interests listed in Paragraph 8 and Exhibit C.
LLP Une 12502	11	18. To the best of my knowledge, only Z claims groundwater rights as to the
2000 2000 2000 2000 2000 2000 2000 200	12	leased parcel(s) identified in paragraph 15 and Exhibit D.
まる できる できる できる できる できる できる できる できる できる でき	13	Water Meter Records
\$0.00 m 2.500	14	19 measures the groundwater production on the above referenced
BEST B O UNIVE EVERSIC	15	properties by water meters. Exhibit E contains the records for these water meters for the
750 ₹	16	following years:
in	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	-3-
		DECLARATION

LAW OFFICES OF BEST BEST & KRIEGER LLP	>UNIVERSITY AVENUE, SUITE 400 P.O. ROX 103.8	NERSIDE, CALIFORNIA 42502

1	22. Exhibit H sets forth the total yearly State Water Project water deliveries to the properties						
2	referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit H						
3	is attached hereto and incorporated herein.						
4	Pump Tests/ Electric Records POSTED TO COURT WEB SITE						
5	23. In order to calculate groundwater pumped and used on the properties referenced above,						
6	relied on pump tests and electric records. Exhibit 1 contains true and correct						
7	copies of the pump test records and electrical records for wells on the properties referenced						
8	above. The electric records attached to this declaration as Exhibit I do not include electric use on						
9	the properties referenced above for anything other than pumping groundwater.						
10	24. Exhibit J sets forth the amount of total yearly groundwater that						
11	estimates was pumped and used on the properties referenced above for the years 2000-2004,						
12	2011, and 2012 based on the attached pump test records and electrical records for the wells on the						
13	properties referenced above. A true and correct copy of Exhibit I is attached hereto and						
14	incorporated herein.						
15	25. Pump tests were performed on the following dates:						
16							
17	26 is not producing pump test records for the following						
18	datesbecause:						
19							
20	27. 1 am not aware of any other pump tests having been performed on the properties						
21	referenced above.						
22							
23	Primp Tests/Diesel Records POSTED TO COURT WEB SITE						
24	28. In order to calculate groundwater pumped and used on the properties referenced above,						
25	relied on pump tests and diesel fuel records. Exhibit K contains						
26	true and correct copies of the records pertaining to pump tests and diesel fuel purchases for the						
27	properties referenced above. The diesel fuel records attached to this declaration as Exhibit K do						
28	not include diesel fuel used on the properties referenced above for anything other than pumping - 4 -						
	DECLARATION						

	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					
	4	Exhibit L is attached hereto and incorporated herein.					
	5	30. Pump tests were performed on the following dates:					
	6						
	7	31 is not producing pump test records for the following					
	8	dates					
	9						
<u>;</u> 4	10	32. I am not aware of any other pump tests having been performed on the properties					
SUTT SUTT	11	referenced above. KICHARD MINER USED CROP WATER IZEQUIREMENTS					
() 1	12	Loop Dunes and Irrigated Acres A-S PREPARED BY UNIVERSITY					
2 × × × × × × × × × × × × × × × × × × ×	13	33. In order to calculate water use on the properties references above, EXTENSION					
2555 F05 F05 F05 F05 F05 F05 F05 F05 F05	14	relies on the amount of acres in irrigation on the properties referenced above multiplied by the					
BEST & O UNIVER	15	crop duty identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct					
BES STSO UNI RIVER	16	copy of which is attached to this declaration as Exhibit M.					
rı	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. Put ON COURT WEB SITE					
	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 THE WATER IS USED ON THE FAIRM the amount of water for each use.) How ZEEL FAIRM THE WATER OF COURT WEB SITE					
	25	775					
	26	36used $\frac{2754}{}$ acre feet of water on APN# in 2000.					
	27	The water was used for the following:					
	28	- 5 -					

DECLARATION

COOCALLATOR

JAN-21-2013 14:31 FROM:NEBEKER 13104408865 T0:18059654333

Jan 21 13 12:06p RICHARD MINER 1-661-256-4381

	1	[State the crop type and number of acres of that crop. If not used for imigation, 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	37used 2490 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.)
rir Te 400 Sio2	10	38 in 2002. The
21.1.P SUMP 92.50	11	water was used for the following.
2011 20 20 20 20 20 20 20 20 20 20 20 20 20	12	
23.25.3 25.25.3 25.25.3 25.25.3 25.35.3 3.35	13	39. used $\frac{2453}{}$ acre feet of water on APN# in 2003. The
PESSES.	14	water was used for the following:
GEST O UNINE EVERSI	15	
GEST 37 <i>SO</i> UNIVI RIVERS	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. used 2513 acre feet of water on APN# in 2004. The
	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	41 used 1083 acre feet of water on APN# 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.
		DECLARATION

P.7 **p.7**

In lieu of answering this question, a crop map may be attached that shows the date, crop type.
irrigated acreage and parcels.]
42 used 1724 acre feet of water on APN# in 2012, 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.]
43. Other than what is declared hereinabove. did not produce or use water
within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.
I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct. Executed this 21 day of January 2013, at 14:08
California,
Richard Holding
•
- 7 - DECLARATION

Jan 21 13 12:07p

RICHARD MINER

EXHIBIT "A" A. COUNTY 3256014016 2 315-011-57-00-3 KERN COUNTY 3 315-011-11-00-7 4 11 315-011-05-00-0 5 į) 315-011-04-00-7 6 315-011-09-00-2 7 315-011-06-00-3 В 315-011-08-00-9 9 315-011-01-00-8 10 315-011-58-00-4 H 315-011-59-00-7 12 315-011-60-00-9 13 315-011-61-00-2 14 346-032-15-00-8 15 346-032-12-00-9 16 346-032-20-00-2 17 346-032-21-00-5 18 346-032-10-02-1 19 346-032-06-00-2 20 21 22 23 24 25 26 27 28 -8-DECLARATION

TO:18059654333

- 1 - 661 - 256 - 4381

p.9

,			
·	1 .	EXHIBIT "B"	
	2	APN	Size in acres
	3	32.56 014 016	= 78.48
	4	315-011-51-00-3	2.9.2
	5	315-011-11-00-7	29,55
	6	315-011-05-00-0	14.81
	7	315-011-04-00-7	14.81
	8	315-011-09-00-2	5D.00
0	9	315-011-06-00-3	42.91
~ਜ & \$	10	315-011-08-00-9	10.00
F 11 P 15 SMTE	11	315-011-01-00-8	42.09
SAN	12	315-011-58-00-4	26.90
Ē×₹ŠĒ SSSSSSSSSSSSSSSSSSSSSSSSSSSSSSSSSSSS	13	315-011-59-00-7	20.19
\$ 50 ° 60 ° 60 ° 60 ° 60 ° 60 ° 60 ° 60 °	14	315-011-60-00-9	2.3.48
LAN BEST RES 3750 UNIVERS PLO RIVERSIDE	15	315-011-61-00-2	19.94
37.50	16	346-032-15-00-8	41.37
	17	346-032-12-00-9	41.38
	18 19	346-032-20-00-2	80.00
	20	346-032-21-00-5	78.18
	21	346-032-10-02-1 346-032-06-00-2	300.84
	22	346-032-06-00-2	300.84
	23		
	24		
	25		
	26		
	27		
	28	,	
			-
	ļ	DECLAR	ATION

27

28

Jan 21 13 12:08p RICHARD MINER

					June	RSHIP
•	1,		EXHIBI	TC	FROM Z	PRESENT
	2	LA. C	OUNTY	3256014016	4-77	PRESENT
	3	KERN	COUNTY	315-011-51-00-3	10-83	PRESENT
	4	11	J	3/5-01/-/1-00-7	10-83	PRESENT
	5	Į,	f1	315-011-05-00-0	10-83	PRESENT
	6	11	<u>)</u>	315-011-04-00-7	10-83	u u
	7))) j	315-011-09-00-2	12-99	
	8	u))	315-011-06-00-3	12-99	11
	9	J.	ע	315-011-08-00-9	12-99	11
8	10))	y	315-011-01-00-8	12-99	4
74 50 E	11	3/	נן	315-011-58-00-4	12-99	
# 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	12	ע	ע	315-011-59-00-7	12-99	Ц
25.55 25.55	13	Ji	h	315-011-60-00-9	12-49	iŧ
04503	14	D	ρ	315-011-61-00-2	12-99	11
25555 25555 25555 25555 25555 25555 25555 25555 255 255	15	ע	<u> </u>	346-032-15-00-8	12-94	И
BEST 1750 LINNA RAVERS		þ)r	346-03z-1z-00-9	12-94	IJ
10 pt	17.	þ	у	346-032-20-00-2	10-02	. 4
	18)7	ע	346-032-21-00-5	10-02	
	•	//	X	346-032-10-02-1	2-84	il
	19	"	ַע	346-032-06-00-2	2-84	4
	20		4-111			
	21	ļ				
	22	ĺ				
	23	ĺ		•		
	24			•		;
	25					:
	26]				

-8-DECLARATION