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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 CONNIE CARDILE  
IN LIEU OF DEPOSITION TESTIMONY  
FOR PHASE 4 TRIAL**

**DECLARATION**

I, Connie Cardile, declare:

1. I am Connie Cardile, 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. Connie L. Cardile 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:

3059 018 126

[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. Connie L. Cardile 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:

5+ 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 Connie L. Cardile owned the property during the following timer period:

July 1997 through to date January 2013.

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

Connie L. Cardile

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

July 1997 to present January 2013.

**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:

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

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

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

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

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

#### **Water Meter Records**

19. \_\_\_\_\_ measures the groundwater production on the above referenced properties by water meters. Exhibit E contains the records for these water meters for the following years: See e-mail of 12/24/11 from Gene Nebeker. A true and correct copy of Exhibit E is attached hereto and incorporated herein.

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

#### **State Water Project Purchases**

21. \_\_\_\_\_ purchases State Water Project water from a State Water Contractor for use by \_\_\_\_\_ on the properties referenced above. Exhibit G contains true and correct copies of the invoices for delivery of State Water Project Water to the properties 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, Connie Cardile relied on pump tests and electric records. Exhibit I contains true and correct

1 copies of the pump test records and electrical records for wells on the properties referenced  
2 above. The electric records attached to this declaration as Exhibit I do not include electric use on  
3 the properties referenced above for anything other than pumping groundwater.

4 24. Exhibit J sets forth the amount of total yearly groundwater that Connie L. Cardile  
5 estimates was pumped and used on the properties referenced above for the years 2000-2004,  
6 2011, and 2012 based on the attached pump test records and electrical records for the wells on the  
7 properties referenced above. A true and correct copy of Exhibit J is attached hereto and  
8 incorporated herein.

9 25. Pump tests were performed on the following dates:

10 Edison Records already forwarded by Gene Nebeker

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

14 27. I am not aware of any other pump tests having been performed on the properties  
15 referenced above.  
16

17 **Pump Tests/Diesel Records**

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

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

27 30. Pump tests were performed on the following dates:  
28 \_\_\_\_\_.

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. Connie L. Cardile used 0.479 acre feet of water on APN#3059018126 in 2000. The water  
was used for the following:

Single family residence, 5 horses, 4 dogs, 2 acres of trees and bushes.

[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. Connie L. Cardile used 0.479 acre feet of water on APN#3059018126 in 2001. The water  
was used for the following:

Single family residence, 5 horses, 4 dogs, 2 acres of trees and bushes

[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. \_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2002. The  
water was used for the following: same as #37.

39. \_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2003. The  
water was used for the following: same as #37.

[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. \_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2004. The  
water was used for the following: same as #37.

[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. Connie L. Cardile used 0.712 acre feet of water on APN#3059018126 in 2011. The water  
was used for the following:  
single family residence, 11 horses, 4 dogs, 2 acres of trees and bushes.

[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.]

42. \_\_\_\_\_ used \_\_\_\_\_ acre feet of water on APN# \_\_\_\_\_ in 2012. The  
water was used for the following: same as #41.

[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, Connie L. Cardile did not produce or use water  
within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.

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1  
2 I declare under penalty of perjury under the laws of the State of California that the  
3 foregoing is true and correct. Executed this 24 day of January 2013, at Los Angeles, California.  
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Connie L. Cardile