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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 ADAM ARIKI FOR
PHASE 4 TRIAL RE 2011 AND 2012
GROUNDWATER PUMPING**

DECLARATION

I, Adam Ariki, declare:

1. I am an Assistant Deputy Director with the County of Los Angeles Department of Public Works and head the division which oversees and operates Los Angeles County Waterworks District No. 40 ("District No. 40") pursuant to an agreement between the County and District No. 40. I have personal knowledge of each fact herein and would testify competently thereto under oath.

Records

2. District No. 40 is a public agency that operates five water systems responsible for providing water to over 55,000 homes and businesses. District No. 40 pumps groundwater from the Antelope Valley Groundwater Adjudication Area and imports State Water Project water. To ensure a safe and reliable public water supply to its customers and to comply with various regulatory requirements, District No. 40 generates records on its water production and its groundwater delivery, including the following:

- 2012 Annual Groundwater Extraction Recordation Summary, 2011 Annual Groundwater Extraction Recordation Summary, and Annual Notices of Groundwater and Diversion for 2011, true and correct copies of which are attached hereto as Exhibit "A";
- 2011 Public Water System Statistics submitted to California Department of Water Resources, true and correct copies of which are attached hereto as Exhibit "B";
- 2012 Public Water System Statistics submitted to California Department of Water Resources, true and correct copies of which are attached hereto as Exhibit "C";
- 2011 Annual Reports to the Drinking Water Program For Year Ending December 31, 2011, true and correct copies of which are attached hereto as Exhibit "D";
- 2012 Annual Reports to the Drinking Water Program For Year Ending December 31, 2012, true and correct copies of which are attached hereto as Exhibit "E"; and

- a spreadsheet, titled "Los Angeles County Waterworks District No. 40, Antelope Valley: Calendar Years 2011 and 2012," a true and correct copy of which is attached hereto as Exhibit "F."

Groundwater Extraction Notices

3. Section 5001 of the Water Code requires "[e]ach person who, after 1955, extracts ground water in excess of 25 acre-feet in any year [to] file with the [State Water Resource Control Board [(\"State Board\")]] on or before March 1st of the succeeding year a 'Notice of Extraction and Diversion of Water.'" The annual Notice of Extraction and Diversion of Water must contain, among other things: (1) "[t]he quantity of water taken from each surface and ground water source from which such person received any water in the preceding calendar year"; and (2) "[l]ocation of each such surface and ground water source through or by means of which water has been taken in such preceding year."

4. To comply with its obligations under the Water Code, District No. 40 keeps records in the regular course of its governmental operations that track groundwater pumped from each well. Each District No. 40 well has a flow meter that measures water produced. The meter readings are recorded on a monthly basis and form the basis of District No. 40's groundwater production, which is then reported to the State Board. District No. 40 uses these meter readings to compile reports made to various State and local agencies.

Annual Reports to the Drinking Water Program

5. As a public water supplier, District No. 40 is subject to various reporting requirements of the California Safe Drinking Water Act, Health and Safety Code Section 116270 et seq. Section 116530 of the Health and Safety Code provides:

A public water system shall submit a technical report to the department as part of the permit application or when otherwise required by the department. This report may include, but not be limited to, detailed plans and specifications, water quality information, and physical descriptions of the existing or proposed system, and financial assurance information.

Consequently, District No. 40 submits, for each of its five water systems, an annual report to California's Drinking Water Program that details District No. 40's water sources and amount of

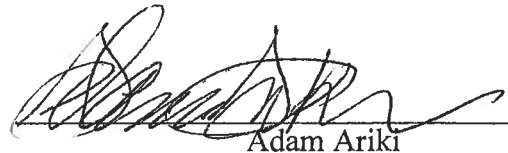
1 water produced from each source, including groundwater production. Such reporting is made
2 possible by District No. 40's flow meter records.

3 **Public Water System Statistics**

4 6. District No. 40 participates in the California Department of Water Resources
5 ("DWR") annual survey of public water agencies in California by completing a Public Water
6 System Statistics Form. The data gathered from the DWR survey is used to update the California
7 Water Plan (Bulletin 160) and Urban Water Use in California (Bulletin 166). The DWR survey
8 asks public water agencies to specify, among other things: (1) its water production by source and
9 by month; and (2) its water deliveries by customer class and by month. As part of its course of
10 operations, District No. 40 completes the survey for each of its five water systems on a yearly
11 basis, which includes s report on groundwater production.

12 7. District No. 40 uses water meters to measure groundwater production. District No.
13 40 pumped 16,583.24 acre feet of water in 2011; and 20,618.99 acre feet of water in 2012.

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15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed this 28th day of May 2013, at Los Angeles, California.

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Adam Ariki

1 **PROOF OF SERVICE**

2 I, Sandra K. Sandoval, declare:

3 I am a resident of the State of California and over the age of eighteen years, and
4 not a party to the within action; my business address is Best Best & Krieger LLP, 300 South
5 Grand Avenue, 25th Floor, Los Angeles, CA 90071. On May 29, 2013, I served the within
6 document(s):

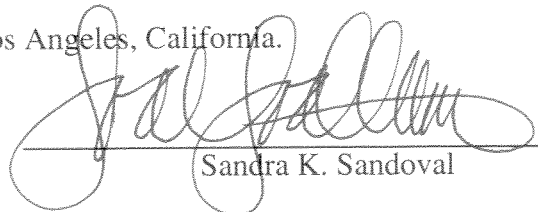
7 **DECLARATION OF ADAM ARIKI FOR PHASE 4 TRIAL RE 2011
8 AND 2012 GROUNDWATER PUMPING**

- 9 ☒ by posting the document(s) listed above to the Santa Clara County Superior Court
10 website in regard to the Antelope Valley Groundwater matter.
- 11 ☐ by placing the document(s) listed above in a sealed envelope with postage thereon
12 fully prepaid, in the United States mail at Irvine, California addressed as set forth
13 below.
- 14 ☐ by causing personal delivery by ASAP Corporate Services of the document(s)
15 listed above to the person(s) at the address(es) set forth below.
- 16 ☐ by personally delivering the document(s) listed above to the person(s) at the
17 address(es) set forth below.
- 18 ☐ I caused such envelope to be delivered via overnight delivery addressed as
19 indicated on the attached service list. Such envelope was deposited for delivery by
20 Federal Express following the firm's ordinary business practices.

21 I am readily familiar with the firm's practice of collection and processing
22 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
23 Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
24 am aware that on motion of the party served, service is presumed invalid if postal cancellation
25 date or postage meter date is more than one day after date of deposit for mailing in affidavit.

26 I declare under penalty of perjury under the laws of the State of California that the
27 above is true and correct.

28 Executed on May 29, 2013, at Los Angeles, California.


Sandra K. Sandoval