

1 Bob H. Joyce, (SBN 84607)  
2 Dave R. Lampe (SBN 77100)  
3 Andrew Sheffield (SBN 220735)  
4 LAW OFFICES OF  
5 LEBEAU • THELEN, LLP  
6 5001 East Commercenter Drive, Suite 300  
7 Post Office Box 12092  
8 Bakersfield, California 93389-2092  
9 (661) 325-8962; Fax (661) 325-1127

6 Attorneys for DIAMOND FARMING COMPANY,  
7 a California corporation

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 IN AND FOR THE COUNTY OF LOS ANGELES

12 Coordination Proceeding Special Title  
13 (Rule 1550 (b))

14 ANTELOPE VALLEY GROUNDWATER  
15 CASES

16 Included actions:

17 Los Angeles County Waterworks District No.  
18 40 vs. Diamond Farming Company  
19 Los Angeles Superior Court  
20 Case No. BC 325201

21 Los Angeles County Waterworks District No.  
22 40 vs. Diamond Farming Company  
23 Kern County Superior Court  
24 Case No. S-1500-CV 254348 NFT

25 Diamond Farming Company vs. City of  
26 Lancaster  
27 Riverside County Superior Court  
28 Lead Case No. RIC 344436 [Consolidated  
w/Case Nos. 344668 & 353840]

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

**DECLARATION OF STEVEN B.  
BACHMAN, PH.D., IN SUPPORT OF  
OPPOSITION TO PUBLIC WATER  
SUPPLIERS' MOTION TO CERTIFY A  
DEFENDANT CLASS**

Hearing:

Date: March 12, 2007  
Time: 1:30 p.m.  
Dept.: 1

25 ///

26 ///

27 ///

1 I, STEVEN B. BACHMAN, Ph.D., declare as follows:

2 1. I have over 30 years of experience in water resources engineering, management, and  
3 planning, including, but not limited to, surface and groundwater hydrology and hydraulics, water  
4 resources planning and management, and water rights. I have been qualified and have provided expert  
5 testimony in water rights groundwater litigation in the courts for the State of California. I received my  
6 Ph.D. in Geological Sciences from the University of California, at Davis, in 1979. Attached hereto as  
7 Exhibit "A," is a true and correct copy of my Curriculum Vitae which outlines therein my professional  
8 and educational history and background.

9 2. I have been retained by Diamond Farming Company to provide technical support and  
10 consulting services in connection with the surface and groundwater hydrology existent within the area  
11 of the Antelope Valley Groundwater Adjudication. As part of my consulting and technical support, I  
12 attend and participate in the Technical Expert Committee meetings held with most of the experts  
13 retained to provide consulting services and technical assistance to their clients in connection with the  
14 Antelope Valley Groundwater Adjudication.

15 3. In connection with my participation in the technical expert committee meetings, I have  
16 and am currently working with Mark J. Wildermuth, and I have reviewed the Declaration of Mark J.  
17 Wildermuth filed in support of Municipal Water Provider's Motion to Certify a Defendant Class.  
18 Additionally, I understand the geographic parameters established by this court by its November 3, 2006  
19 Order, as thereafter amended, which defines the jurisdictional area for the Antelope Valley Groundwater  
20 Basin Adjudication.


21 4. Although at this time, incomplete, Mr. Wildermuth's estimate as to the total number of  
22 parcels is, subject to further investigation, presently reasonable. Of significance is the fact that within  
23 Los Angeles County alone, there appear to be approximately 7,000 improved parcels which are not  
24 within the service areas of municipal water providers and therefore we assume that they rely upon well  
25 water and thus groundwater for their source of water. As noted by Mr. Wildermuth, there are within the  
26 Los Angeles County portion of the adjudication area alone, approximately 47,000 parcels that are  
27 undeveloped. If the Kern County parcels are estimated and added, the number increases to 65,000  
28 parcels, and therefore the overlying water right as to those parcels remains at this time unexercised.



5. It would be an error and an extreme over simplification to suggest that historically or currently, groundwater conditions within the adjudication area manifest themselves uniformly throughout the entire area embraced within the adjudication boundary. Although the work of the Technical Expert Committee is still in its early and formative stages, as are my own investigative efforts, and are as yet incomplete, it is apparent, nonetheless, that available evidence demonstrates that historically, there have been periods wherein some localized areas within the boundaries of the adjudication area have experienced measurable declining well levels over an observable period of time and during that same time period, other areas within the larger adjudication area have experienced increasing groundwater levels and thus increasing well levels. Needless to say, as to those unimproved parcels, wherein no groundwater pumping has occurred, the owners of those parcels had neither declining nor increasing well levels to monitor or observe. As to the improved parcels within the adjudication area, it has been confirmed historically that there has been a noted pumping depression centered around the cities of Lancaster and Palmdale, wherein declining well levels on improved parcels have been chronicled and tracked over time. During the same time frame wherein declining well levels were noted within the area of the cities of Lancaster and Palmdale, some wells within other areas within the adjudication boundary experienced increasing well levels, notably within the western portion of the area and within the area north of the Neenach fault line. The foregoing circumstance is offered only by way of example and is not intended to be all inclusive nor all exclusive. Due to the complexity of the geology and hydrology of the entire area, evidence of adverse conditions did not and do not manifest themselves in the same way or uniformly, either temporally or through groundwater level measurements, throughout the area embraced within the adjudication boundaries.

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

Executed this 23 day of February 2007, at Santa Barbara, California.

  
Steven B. Bachman, Ph.D