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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

**REVISED DECLARATION OF JARED
SCOTT IN LIEU OF DEPOSITION
TESTIMONY FOR PHASE 4 TRIAL**

DECLARATION

I, Jared Scott, declare:

1. I am Chief, Industrial Facilities Branch, Acquisition Environmental and Industrial Facilities Division, Agile Combat Support Directorate, Air Force Life Cycle Management Center, Wright Patterson Air Force Base (WPAFB), Ohio. I am the industrial facility engineering and real property technical authority for all Air Force owned Industrial Plants, including Air Force Plant 42 (AFP 42). The United States is a party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. I have personal knowledge of each fact herein, or have obtained these facts from staff working under my direction or the business records of AFP 42 and would testify competently thereto under oath.

Property Ownership and Parcel Size

2. The United States owns property known as AFP 42 that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in Los Angeles County within the adjudication area, and is identified by the following APNs: See Exhibit A. A true and correct copy of Exhibit A is attached hereto and incorporated herein.

3. With respect to AFP 42, the United States claims groundwater rights only as to the properties listed in Paragraph 2 and Exhibit A.

4. AFP 42 is 5,349.32 acres in size. Total acreage by APN is provided in Exhibit A.

5. For each APN identified above, the United States of America owned the property during the following time period: At least January 1, 2000 to the present.

6. The following are all individuals/entities appearing on the title for the above identified APNs from Jan 1, 2000 to the present: United States of America

7. For each individual/entity identified in paragraph 6, that individual/entity appeared on the title during the following time: At least January 1, 2000 to the present.

Water Meter Records

8. AFP 42 is divided into eight operating sites, numbered Site 1 through Site 8. Six of the sites are leased to aerospace contractors. These are Site 1 (The Boeing Company), Sites 2, 7, 8

(Lockheed Martin Corporation), Sites 3 and 4 (Northrop Grumman Corporation). The U.S. Air Force operates Sites 5 and 6, which are the common areas. Groundwater production is measured on Sites 1-4 and 7-8 by water meters operated and maintained by the contractor lease operator for each site. Fire protection wells on Sites 5 and 6 are not metered. Bates-numbered documents USAF007239 through USAF012618 in the U.S. Document Production contain true and correct copies of the records for the water meters on Sites 1-4 and 7-8 for the following years: 2000-2004, 2011-2012.

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

10. In addition to the amounts shown on Exhibit B, the United States claims an amount for groundwater produced by the fire protection wells on Sites 5 and 6. This amount will be established by an engineering estimate and is not part of this declaration.

State Water Project Purchases

11. The United States purchases State Water Project water, directly and through its contractors, from the Palmdale Water District, a State Water Contractor, for use by the United States on the properties referenced above. Bates-numbered documents USAF007239 through USAF012618 in the U.S. Document Production contain true and correct copies of the invoices for delivery of water from the Palmdale Water District to the properties referenced above for the following years: October 2001-2004, 2011-2012.

12. Exhibit C sets forth the total yearly deliveries of water from the Palmdale Water District to the properties referenced above for the years 2002-2004, 2011- 2012. Palmdale Water District Invoice data is only available back to Oct 2001. Dates of service on the Palmdale Water District invoices reflect the date of meter readings and therefore do not coincide with precise calendar months; e.g., July 2011 usage covers the period 16 Jun 2011 to 18 Jul 2011.

A true and correct copy of Exhibit C is attached hereto and incorporated herein.

1 13. In addition to the amounts shown on Exhibit C, the United States claims an amount for
2 deliveries of water from the Palmdale Water District to the properties referenced above for the
3 years 2000 and 2001. This amount will be established by an estimate and is not part of this
4 declaration.

5 **Use of Water**

6 14. The United States used 323.00 acre feet of groundwater on the above identified APNs in
7 2000, plus groundwater from the fire protection wells. Palmdale Water District provided service
8 in 2000; however, usage data is not available. The water was used for the following Military
9 purposes in connection with AFP 42: Water at AFP 42 was used for domestic, industrial,
10 construction and fire protection purposes to support the military mission of providing industrial
11 base capacity and common area infrastructure to develop, manufacture, sustain and flight-test
12 aerospace systems. Examples include supplying water to industrial production facilities, aircraft
13 production, aircraft sustainment, fire protection systems, office buildings, drinking water,
14 irrigation of landscaping and Heating Ventilation & Climate Control (HVAC) systems.

15 15. The United States used 358.97 acre feet of groundwater on the above identified APNs in
16 2001, plus groundwater from the fire protection wells. Palmdale Water District provided service
17 in 2001; however, usage data is not available for January through September 2001. The water
18 was used for the following: See response to paragraph 14 above.

19 16. The United States used 375.17 acre feet of water (groundwater and Palmdale Water
20 District water) on the above identified APNs in 2002, plus groundwater from the fire protection
21 wells. The water was used for the following: See response to paragraph 14 above.

22 17. The United States used 360.66 acre feet of water (groundwater and Palmdale Water
23 District water) on the above identified APNs in 2003, plus groundwater from the fire protection
24 wells. The water was used for the following: See response to paragraph 14 above.

25 18. The United States used 383.27 acre feet of water (groundwater and Palmdale Water
26 District water) on the above identified APNs in 2004, plus groundwater from the fire protection
27 wells. The water was used for the following: See response to paragraph 14 above.
28

19. The United States used 393.94 acre feet of water (groundwater and Palmdale Water District water) on the above identified APNs in 2011, plus groundwater from the fire protection wells. The water was used for the following: See response to paragraph 14 above.

20. The United States used 382.06 acre feet of water (groundwater and Palmdale Water District water) on the above identified APNs in 2012. The water was used for the following: See response to paragraph 14 above.

21. Other than what is declared herein above (actual usage or declared data gaps for Palmdale Water District and un-metered fire protection well usage), the United States did not produce or use water within the Antelope Valley Area of Adjudication for AFP 42 for 2000-2004, 2011-2012.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 4th day of February 2013, at Wright-Patterson AFB, Ohio.



Exhibit A: AFP 42 Parcel Numbers

LA County Assessor Parcel Number	Acres - No Easement Loss
3022-028-904	321.76
3022-029-904	414.98
3170-029-903	644.87
3170-029-902	399.49
3022-034-901	560
3022-035-900	325.1
3170-030-903	321.56
3170-030-905	81.44
3170-030-904	641.82
3022-033-900	347.35
3022-034-900	643.47
3022-029-903	74.65
3006-002-900	30.34
3006-001-900	3.097
3006-001-901	4.43
3006-001-902	2.5
3005-001-903	217.69
3005-021-900	34.92
3170-020-903	120
3170-020-904	40
3126-025-900	119.85
OVERALL TOTAL	5,349.32

Exhibit B - AFP 42 Water Well Locations and Production

APN for Wells	Groundwater produced (acre-feet)						
	Los Angeles County						
	2000	2001	2002	2003	2004	2011	2012
3170-029-902	86.76	119.69	95.57	42.20	27.50	7.30	12.09
3170-029-903	65.18	65.06	55.06	56.37	45.57	101.52	107.56
3170-030-904	133.44	132.36	149.82	123.86	175.60	231.09	202.02
3022-034-901	37.62	41.86	31.79	2.06	2.55	2.98	5.25
Total	323.00	358.97	332.24	224.49	251.22	342.89	326.92

Exhibit C - AFP 42 Municipal Water Purchases

Municipal Water Purchases (acre-feet)

	2000	2001	2002	2003	2004	2011	2012
Sites 5/6	no data	incomplete data	42.93	77.89	79.42	43.22	50.56
Site 7	0	0	0	58.28	52.62	7.81	4.56
Total	-	-	42.93	136.17	132.04	51.03	55.12

Note: PWD water invoice data only available from Oct 2001