# **EXHIBIT "C"**

**DECLARATION** 

### **DECLARATION**

#### I, ANTHONY L. LEGGIO, declare:

1. I am <u>President</u> of <u>Bolthouse Properties</u>, <u>LLC</u>, 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 and/or information and belief of each fact herein and would testify competently thereto under oath.



## **Property Ownership and Parcel Size**

2. <u>Bolthouse Properties, LLC</u> owns property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in <u>Los Angeles</u> County and is identified by the following APN/APNs:

#### REFER TO EXHIBIT "A"

[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. <u>Bolthouse Properties, LLC</u> 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:

#### 19 REFER TO EXHIBIT "A"

- [If additional room is needed, please identify the APN/APNs and parcel size in Exhibit A.] A true and correct copy of Exhibit A is attached hereto and incorporated herein.
- 5. For each APN/APNs identified above <u>Bolthouse Properties</u>, <u>LLC</u> owned the property during the following time period:

#### 25 REFER TO EXHIBIT "B"

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

DECLARATION

leases property from N/A which overlies the Antelope Valley Area of

1

13.

1	used on the properties referenced above for anything other than pumping 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 of							
4	Exhibit L is attached hereto and incorporated herein.							
5	30. Pump tests were performed on the following dates:							
6	<u>N/A</u> .							
7	31. N/A is not producing pump test records for the following dates N/A because:							
8	<u>N/A</u> .							
9	32. I am not aware of any other pump tests having been performed on the properties							
10	referenced above.							
11	Crop Duties and Irrigated Acres							
12	33. In order to calculate water use on the properties referenced above, N/A relies on the							
13	amount of acres in irrigation on the properties referenced above multiplied by the crop duty							
14	identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct copy of							
15	which is attached to this declaration as Exhibit M.							
16	34. The total amount of irrigated acres and type of crops on the properties referenced above							
17	by APN for the years 2000-2004, 2011 and 2012 are described in Exhibit N. A true and correct							
18	copy of Exhibit N is attached hereto and incorporated herein.							
19	Other Sources of Water							
20	35. On the properties referenced above, N/A received water from sources other than							
21	groundwater pumped within the Basin or State Water Project Water. Exhibit O sets forth the							
22	source of the water and the amounts received for the years 2000-2004, 2011, and 2012.							
23	<u>Use of Water</u> (Complete for each APN. If water for used for multiple purposes, identify							
24	the amount of water for each use.) REFER TO EXHIBIT "P' FOR THE YEARS 2001-2011.							
25	36usedacre feet of water on APN# in 2000.							
26	The 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.  - 5 -							

irrigated acreage and parcels.] used \_\_\_\_\_ 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.] Other than what is declared hereinabove, \_\_\_\_\_did not produce or use water 43. 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 30 day of January 2013, at Bakersfield, California. **EXHIBIT "A"** - 7 -

DECLARATION

1	PROOF OF SERVICE (C.C.P. §1013a, 2015.5)									
2	Antelope Valley Groundwater Cases  Judicial Counsel Coordination Proceeding No. 4408  Santa Clara County Superior Court Case No. 1-05-CV-049053									
3	Santa Clara County Superior Court Case No. 1-05-CV-049053									
4	I am employed in the County of Kern, State of California. I am over the age of 18 and not a									
5	party to the within action; my business address is 1430 Truxtun Avenue, Bakersfield, CA 93301.									
6	On January 31, 2013, I served the foregoing document(s) entitled:									
7	DECLARATION OF ANTHONY LEGGIO IN LIEU OF DEPOSITION TESTIMONY FOR PHASE 4 TRIAL									
8	1 1 in the term against themself analysed in sealed envelones									
9	by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.									
10	by placing _ the original, _ a true copy thereof, enclosed in a sealed									
11	enveloped addressed as follows:									
12	X BY SANTA CLARA SUPERIOR COURT E-FILING IN COMPLEX									
13	LITIGATION PURSUANT TO CLARIFICATION ORDER DATED OCTOBER 27, 2005.									
14	Executed on January 31, 2013, at Bakersfield, California.									
15	to Collifornia									
16	(State) I declare under penalty of perjury under the laws of the State of Camorina that the above is true and correct.									
17	(Federal) I declare that I am employed in the office of a member of the Bar of									
18	this Court at whose direction the service was made.									
19	Mary Maxey									
20	NANETTE MAXEY									
21	2455-2									
22										
23										
24										
25										
26										

# BOLTHOUSE PROPERTIES, LLC EXHIBIT A

APNs and Acreage

APN	RANCH	ACRES
3378-023-005	Bushnell	29.43
3382-022-057	Bushnell	79.10
3382-023-027	Bushnell	116.84
3382-023-033	Bushnell	39.09
3382-023-034	Bushnell	38.20
5552 525 551	Bushnell Total	302.66
3150-015-003	Minn	77.29
3150-015-004	Minn	79.09
3150-015-006	Minn	155.08
3154-017-009	Minn	40.00
3384-003-008	Minn	76.57
3384-003-010	Minn	19.55
3384-003-011	Minn	18.66
<b>*</b> 3384-004-004	Minn	81.68
3384-008-001	Minn	30.68
<b>*</b> .3384-008-020	Minn	39.09
3384-015-013	Minn	70.91
3384-016-013	Minn	40.00
3384-016-014	Minn	39.09
3384-017-001	Minn	79.09
3384-017-002	Minn	77.29
3384-017-003	Minn	76.40
3384-018-001	Minn	272.16
3384-018-002	Minn	39.00
3384-018-003	Minn	1.00
3384-018-004	Minn	153.38
3384-020-001	Minn	40.57
	Minn Total	1,506.58
3376-022-004	Pardee	20.00
3376-022-005	Pardee	20.00
3376-022-006	Pardee	18.48
3376-022-016	Pardee	36.74
3376-022-017	Pardee	19.27
3376-022-018	Pardee	17.17
3376-026-002	Pardee	7.64
3376-026-003	Pardee	9.33
3376-026-004	Pardee	9.34
3376-026-005	Pardee	9.35

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t-tipie i	Avol 14-3S	Avol 14-3N	NAME	2		
Minn	Minn	Minn	Market	5		
85	36	165	2011	301.		
78	234	784		2010		
865	·	669	1	2009		
812	95	85		2008		
509 209	381	684		2007		
472	18	484		2006		
411	223	1,116		2005		
469	39/	3		2004		
545	381	200		2003		
1,005	432	1,010		2002		
	420	875		2001 ••		
525	740	120		Existence		Average Production
5/4	24.7	343		2001 & 2011	Average Without	

#### Appendix D-3: Table 4 Applied Crop Water Duties and Irrigation Efficiency Values (DU = 80%)

#### Antelope Valley Area of Adjudication

	ET,	P. 2	-T 3	n.d	A141 5	ALAZ E				_ •
Стор	(ln)	(ln)	ET <sub>AW</sub> 3 (in)	(%)	AW <sub>c</sub> <sup>5</sup> (in)	AW <sub>er</sub> * (in)	AW <sub>p</sub> , <sup>7</sup>	AW₁ (tn)	(ft)	E <sub>27</sub> 3 (%)
Alfalfa	62.10	1.77	60.33	08					6.5	
Carrols	27.47	0.00	27.47	60	34.33	6	6.5	48.83	3.9	85
Grain	22.94	1.42	21.52	80	26.90	0	4.0	30.90	2.6	83
Melons/Squash	23.91	0.00	23.91	28	29.88	a	4.0	33.88	2.8	82
Onions	37.57	0.00	37.57	80	46.96	3	4.0	53.96	4.5	83
Orchard (Deciduous)	47.38	0.00	47.38	8C	59.22	o	g.0	59.22	4.9	80
Pesture	66.19	1.77	64.42	80	80.53	0	0.0	80.53	6.7	80
Potatoes	24.02	0.00	24.02	80	30.03	0	4.0	34.03	2.8	82
Slage Slage	27,31	0.00	27.31	80	34.14	a	4.0	38.14	3.2	82
Sugar Beets	40.55	0.00	40.55	80	50.68	0	4.0	54.68	4.6	81
Vineyard (Grapes)	35.33	0.00	35.33	60	44.18	0	0.0	44.16	3.7	80

ET, = K, \* ET, where ET, = average ET, for specified periods, based on data from Victorville CiMiS Station, 1994-2003); K, vakues from Univ, Catitornia Cooperative Extension 2 p, = effective precipitation offsetting ET, up to 1/2 of the average precipitation, in Dec. - Feb., Inclusive

ET AN = evapotranspiration of applied water = ET, - P,

DU = irrigation distribution uniformity

AW, - applied water for crop requirement - ETAW + DU

AWw = applied water for erosion control AW, = applied water for field preparation and pre-intigation

ANN, - applied crop water duty - AW<sub>e</sub> + AW<sub>e</sub> + AW<sub>e</sub>,

Be<sub>ef</sub> - overall intigation efficiency for beneficial uses = (ET<sub>AM</sub> + AW, + AW, ) + AW<sub>e</sub>

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**DECLARATION**