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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

**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. Lancaster, Diamond
Farming Co. v. Palmdale Water Dist., Superior
Court of California, County of Riverside, Case
No. RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

Santa Clara Case No. 1-05-CV-049053
Assigned to Hon. Jack Komar

**DECLARATION OF DENNIS
ATKINSON IN LIEU OF
TESTIMONY FOR PHASE 4 TRIAL**

Phase 4 Trial Date: May 28, 2013
Time: 1:00 p.m.
Dept.: 322, Central Civil West

I, DENNIS ATKINSON, declare:

1. I am the Senior Vice President of Agriculture for Tejon Ranchcorp (Tejon) and
have been employed by Tejon for more than 37 years. I received a Bachelor of Arts Degree in
Agriculture from Cal Poly San Luis Obispo in 1974 and have been involved in agriculture

1 production, farming practices and water resource management for more than 37 years.

2 2. I am one of the managers in charge of managing Tejon's water resources. If called
3 upon to testify at to the facts set forth herein, I could and would competently testify to them
4 because either they are personally known to me to be true or I have ascertained them from
5 records maintained by Tejon's employees in the performance of their job responsibilities in the
6 ordinary course of Tejon's business.
7

8 3. During the course of my employment with Tejon, I have become familiar with the
9 methods and procedures of compiling and maintaining data and documents concerning Tejon's
10 water resources. I am one of the custodians of the records of Tejon as those records pertain to
11 Tejon's water resources.
12

13 4. The records of Tejon as they pertain to Tejon's water resources are kept in the
14 ordinary course of Tejon's business. From my personal knowledge and experience, I believe the
15 records attached to this declaration to be accurate and trustworthy.

16 5. Tejon has historically grown alfalfa, grain hay and forage on several parcels of
17 land within the Antelope Valley Area of Adjudication. In 2011 and 2012, Tejon irrigated
18 approximately 640 acres of land using five center pivot irrigation systems to grow alfalfa, grain
19 hay and forage. The fields and pivots are numbered 1, 2, 4, 5 and 6. A plat showing the five
20 center pivot irrigation systems and relative acreage is attached hereto as **Exhibit A**. The fields
21 have historically been irrigated with a combination of both groundwater pumped by Tejon and
22 surface water delivered by AVEK through Turnout 294. In 2010 Tejon delivered groundwater
23 to the five center pivot irrigation systems produced from two wells, namely Well 98 and Well
24 No. 106. Well No. 106 became non-operational in 2010 and remained non-operational through
25 2011, resulting in a loss of about 1,150 acre-feet of groundwater production in 2011. In
26 November 2011 Tejon replaced Well No. 106 with Well 106R.
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1 6. The water produced by Tejon's wells is metered. Additionally, each of these five
2 center pivot irrigation systems has a meter which measures the quantity of water applied to each
3 field. Field workers take handwritten daily meter readings which are communicated to Tejon's
4 headquarters and are entered into spreadsheets detailing Tejon's water production and use
5 within the Antelope Valley including, the quantity of water produced by each well, the quantity
6 of water delivered by AVEK, and the quantity of water applied to each pivot. Tejon then
7 generates monthly water reports and a summary detailing the annual aggregate amount of
8 ground and surface water produced by each well and applied to each field. True and correct
9 copies of Tejon's 2011 and 2012 water reports are attached hereto as **Exhibits B and C**,
10 respectively.
11

12 7. According to Tejon's meter records, Tejon produced and applied to its fields
13 1,311 acre-feet of groundwater in 2011 and 2,398 acre-feet in 2012. Prior to 2010, Well 106
14 produced the most water on an annual basis of our two wells. Between 2006 and 2009, Well
15 106 produced an average of 1,133 acre-feet of water each year. If Well 106 had been
16 operational in 2011, it is my opinion that Well 106 would have produced at least 1,150 acre-feet
17 of water which would have been applied to Tejon's crops, including alfalfa, to yield additional
18 cuttings.
19

20 8. Tejon leases land to National Cement Company. National Cement Company
21 operates a well on Tejon land within the AVAA and produces groundwater for operation of its
22 cement plant. The well used by National Cement Company is not metered, however, National
23 Cement Company periodically obtains pump efficiency tests and uses the reports therefrom to
24 estimate the amount of groundwater produced by National Cement Company and applied to
25 Tejon land. Attached hereto as **Exhibit D** and incorporated herein by reference is a summary
26 National Cement Company provided to Tejon of National Cement Company's water extraction
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estimates based on electrical consumption. According to the information provided by National Cement Company, National Cement Company used an estimated 292 acre-feet of groundwater in 2011 and 372 acre-feet of groundwater in 2012.

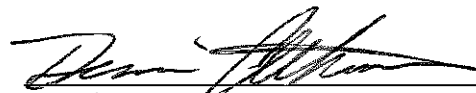
9. A summary of Tejon's groundwater use for 2011 and 2012 is as follows:

Source	2011 (AF)	2012 (AF)
Tejon Groundwater	1,311	2,398
Lost Well No. 106 Production	1,150	-0-
National Cement Groundwater	292	372
Total	2,753	2,770

These sums do not account for in-lieu water, return flows from imported water, or any other source of water other than groundwater.

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

Executed this 29 day of May, 2013, at Bakersfield, California.


Dennis Atkinson