

EXHIBIT 5

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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; and

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 STEVEN
MCCRACKEN IN LIEU OF
TESTIMONY AT PHASE 6 TRIAL**

Phase 6 Trial Date: September 28, 2015
Time: 10:00 a.m.
Dept.: 222

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DECLARATION

I, STEVE MCCRACKEN, declare:

1. I am employed by Granite Construction Company (Granite) as the Manager of Construction Materials for Granite's San Diego, Desert Cities, and Central California Regions. I earned a Bachelor of Science degree in Civil Engineering from Sacramento State University in 1994. A statement of my professional qualifications was attached to my declaration and admitted in the Phase 4 trial as Granite-2. If called as a witness, I could and would competently testify to the facts set forth herein from my personal knowledge.

2. My duties include overseeing operations at Granite's Littlerock Quarry in the Littlerock Area of Antelope Valley.

3. There are three groundwater wells located at the Littlerock Quarry. Groundwater is used on site to control dust and to wash and process rock, sand and gravel. Pump #1 is rated at 40 HP, 325 gallon per minute and discharges into a storage tank used to recharge water trucks, and then into water storage ponds. Pump #2 is rated at 20 HP, 105 gallons per minute and discharges directly into the ponds. Pump #1 operates continuously 24 hours per day when the plant is operating. Pump #2 operates approximately 12 hours per day when the plant is operating. The plant operates an average of 275 days per year. Pump #3 is rated at 30 HP, 230 gallons per minute and used infrequently.

4. During the 2000 through 2007 timeframe the wells did not have flow meters or isolated electrical panels. Accordingly, I have estimated Granite's groundwater use at the Littlerock Creek Quarry as a function of water consumed during production, water used for dust control, pond evaporation, pond infiltration and system leakage. Granite's production output for years 2000 through 2012 is confidential and can be provided upon request to counsel who have

1 executed the protective order. My conclusion of

2 water production at the Littlerock Quarry for years 2000 through 2007 is as follows:

<u>Year</u>	<u>Water (AF)</u>
2000	440
2001	446
2002	453
2003	456
2004	469
2005	520
2006	527
2007	537

9 My conclusions are based on several assumptions. First, I assumed that produced sand
10 contains 20% water by weight and that produced aggregates contain 5% water by weight.

11 Groundwater used in the processing of rock is pumped from the three wells into two ponds with a
12 combined surface area of approximately 4.5 acres. I assumed evaporative losses from the pond of
13 83.7 (sic) inches per year or 31.28 acre feet per year based on average pan evaporation data for the
14 Bakersfield AP obtained from the California Climate Data Archive. I assumed pond
15 infiltration/seepage of two inches per day or 270 acre feet per year based upon hydraulic
16 conductivity values for "clayey sand" of three inches per day obtained from Table 5-56 the
17 Geotechnical Aspects of Pavement Reference Manual, a copy of which was attached to my
18 declaration and admitted in the Phase 4 trial as **Granite-2**. I then adjusted the hydraulic
19 conductivity downward conservatively to two inches per day. I assumed plant leakage and loss of
20 5% of clean water input. Assumptions for water truck usage are as follows: water trucks hold
21 4,500 gallons of water, operate on average 275 days per year, 9 hours a day and are typically
22 required to be refilled three times per hour. Thus, I assumed 27 truck loads per day or 103 acre
23 feet per year at the Littlerock Quarry for dust control.

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5. As an alternate means of estimating groundwater production, I calculated the theoretical daily capacity of Pump # 1 and Pump #2. Pump # 3 is generally reserved for double-shifting during periods of high production. I conservatively assumed that Pump #3 was not operated. Pump # 1 is operated on average 275 days per year, 24 hours per day. Pump #2 is operated on average 275 days per year, 12 hours per day. I calculated the theoretical output of Pumps # 1 and #2, based on Granite's average days of operation and conservatively assumed no production from Pump #3 and arrived at an estimated 464 acre-Feet of production. A table summarizing my computation is shown below.

GRANITE LITTLEROCK QUARRY PUMPING CAPACITY						
Desc.	Location	HP	GPM	Est. Days Per Year	Est. Hrs. Per Day	Estimated AC*Ft/Yr
Pump 1	Plant	40	325	236	24	342
Pump 2	Office	20	105	275	24	129
Pump 3	SE	30	320	0	0	0
Total Annual Pumping						471

6. Granite also owns in fee 145 acres of land in the Big Rock Area of Antelope Valley on which Big Rock Creek Quarry is located. The Big Rock Creek Quarry is permitted, with a designed water demand of 226 acre-feet annually, but is not currently operational. Granite produces groundwater from one well at the Big Rock Quarry to maintain its landscaping consisting of a 30-foot wide strip of oleanders, junipers and other vegetation around the perimeter of the property. Based on irrigation duties for landscaping I estimate that Granite applied 16 acre feet per year from 2000 through 2007 for landscape maintenance.

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7. Granite's total groundwater production in the AVAA for 2000 through 2007 is estimated as follows:

<u>Year</u>	<u>Water (AF)</u>
2000	456
2001	462
2002	469
2003	472
2004	485
2005	536
2006	543
2007	553

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

Executed this 28th day of September, 2015, at Bullton, California.


Steve McCracken