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6 Attorneys for Cross-Defendant Miracle
Improvement Corporation, a California
7 corporation, dba Golden Sands Mobile Home
Park, aka Golden Sands Trailer Park, named
8 herein as ROE 1121

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF LOS ANGELES**
12

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

) Judicial Council Coordination
Proceeding No. 4408

14 **ANTELOPE VALLEY GROUNDWATER**
15 **CASES**

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar
) Department 17

16 Including Actions:

17 **Los Angeles County Waterworks District**
No. 40 v. Diamond Farming Co.
18 Superior Court of California, County of Los
Angeles, Case No. BC 325 201

) **[PROPOSED] STIPULATION**
) **REGARDING THE DEPOSITION AND**
) **TRIAL TESTIMONY OF CROSS-**
) **DEFENDANT MIRACLE**
) **IMPROVEMENT CORPORATION, A**
) **CALIFORNIA CORPORATION, DBA**
) **GOLDEN SANDS MOBILE HOME**
) **PARK, AKA GOLDEN SANDS**
) **TRAILER PARK, NAMED HEREIN AS**
) **ROE 1121**

19 **Los Angeles County Waterworks District**
No. 40 v. Diamond Farming Co.
20 Superior Court of California, County of Kern,
21 Case No. S-1500-CV-254-348

22 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster
23 **Diamond Farming Co. v. City of Lancaster**
Diamond Farming Co. v. Palmdale Water
24 **Dist.**

25 Superior Court of California, County of
Riverside, consolidated actions, Case Nos. RIC
26 353 840, RIC 344 436, RIC 344 668

27 **AND RELATED ACTIONS.**
28

-1-

[PROPOSED] STIPULATION REGARDING THE DEPOSITION AND TRIAL TESTIMONY OF CROSS-DEFENDANT
MIRACLE IMPROVEMENT CORPORATION, A CALIFORNIA CORPORATION, DBA GOLDEN SANDS MOBILE HOME
PARK, AKA GOLDEN SANDS TRAILER PARK, NAMED HEREIN AS ROE 1121

1 This *Stipulation Regarding the Deposition and Trial Testimony of Cross-Defendant*
2 *Miracle Improvement Corporation, a California corporation, dba Golden Sands Mobile Home*
3 *Park, aka Golden Sands Trailer Park, named herein as ROE 1121*, (“Golden Sands”) is
4 submitted in connection with the deposition previously scheduled for Tuesday, January 22, 2013,
5 at 1:00 p.m. and the Phase 4 Trial which is currently scheduled for Monday, May 29, 2013, in
6 the above matter.

7 Golden Sands has provided, under penalty of perjury, the facts, information and
8 documents submitted to the Court and posted on the Court’s website on December 21, 2012 and
9 on January 15, 2013, including, but not limited to, the following:

10 1. Miracle Improvement Corp. (dba Golden Sands), which was formed on February
11 7, 1958, consists of fifteen individuals who own undivided shares in the company. Golden Sands
12 operates a mobile home park located at 2059 East Avenue I in Lancaster, California on an
13 approximately 9.5-acre parcel of real property identified as Los Angeles County Assessor’s
14 Parcel Number (“APN”) 3154-002-024.

15 Reference: *Cross-Defendant, Miracle Improvement Corporation, A California*
16 *Corporation, dba Golden Sands Mobile Home Park, aka Golden Sands Trailer*
17 *Park’s (verified) Information and Materials Responsive to December 12, 2012*
18 *Discovery Order for Phase 4 Trial (“Discovery Responses”), Paragraphs (“¶”) 1.1.a., 1.1.b., 1.3.a.iii.; 1.3.b.i., 1.3.b.ii., 1.3.b.iii., 1.3.c.i., 1.3.c.ii., 1.3.c.iii.;*
19 *“Historical Perspective” overview of Golden Sands; Articles of Incorporation of*
20 *Miracle Improvement Corp., dated February 7, 1958 and amended on March 24,*
21 *2010; Golden Sands Mobile Home Park Unit Lot Locations Map (not to scale);*
22 *California Secretary of State Business Entity Detail for Miracle Improvement*
23 *Corp. (December 14, 2012); “Landowners Group” list of names; Cross-*
24 *Defendant, Miracle Improvement Corporation, A California Corporation, dba*
25 *Golden Sands Mobile Home Park, aka Golden Sands Trailer Park’s (verified)*
26 *First Supplemental Response to December 12, 2012 Discovery Order for Phase 4*
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Trial (“*Supplemental Responses*”) ¶ I.3.b.; Chicago Title Insurance Company Property Profile Reports for Los Angeles County APN 3154-002-024.

2. The subject property is known as Golden Sands Mobile Home Park and Golden Sands Trailer Park. Golden Sands’ currently active well pump, has been metered at the well head since August 2009, and serves 144 trailer lots within the Golden Sands mobile home park.

Reference: *Discovery Responses* ¶¶ I.1.b., I.1.c., I.1.l., I.3.a.iii; “Historical Perspective” overview of Golden Sands.

3. Golden Sands owned one active groundwater well (“Well #2”) during the measurement period of 2000-2004 and 2011-2012, located at 11W/7N-7N2 which was completed in 1971 to replace the prior well (“Well #1”) constructed in 1958, located at 11W/7N-7N1. Golden Sands has pumped groundwater consistently since its inception in 1958 for domestic use at the mobile home park.

Reference: *Discovery Responses* ¶¶ I.1.c., I.1.f.; “Historical Perspective” overview of Golden Sands.

4. Golden Sands groundwater production during the years 2000 to 2004 and 2011 to 2012, which was determined from the meter readings taken on Well #2, as well as from current and historic occupancy data, is as follows:

- a. 2000: 42.9 acre feet.
- b. 2001: 43.1 acre feet.
- c. 2002: 44.1 acre feet.
- d. 2003: 46.1 acre feet.
- e. 2004: 48.8 acre feet.
- f. 2011: 46.7 acre feet
- g. 2012: 44.1 acre feet

Reference: *Discovery Responses* ¶¶ I.1.c., I.1.d., I.1.e., I.1.k., I.1.l., I.3.a.i., I.3.a.i.1., I.3.a.i.2., I.3.a.i.3., I.3.a.i.4., I.3.a.i.5., I.3.a.ii., I.3.a.iii., I.3.a.iv., I.3.a.v., I.3.a.vi., I.3.a.vii, I.3.a.viii., I.3.a.ix.; Volume of Water Pumped During 2009

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Golden Sands – Well #2 with Log of Water Pumped from Well #02; Volume of Water Pumped During 2010 Golden Sands – Well #2 with Log of Water Pumped from Well #02; Volume of Water Pumped During 2011 Golden Sands – Well #2 with Log of Water Pumped from Well #02; Volume of Water Pumped During 2012 Golden Sands – Well #2; Volume of Water Pumped Golden Sands – Well #2 for Years 2011, 2010, and annualized 2009; History of groundwater pumped by Golden Sands Mobile Home Park; “Historical Perspective” overview of Golden Sands; Determining Historical Usage; Conservation Gains Beginning with 2006 and Water Pumped by Year Since 2000; 2011 First Notice of Extraction and Diversion of Water; Well #2 Record of Drilling and DWR Well Index; Golden Sands Occupancy Summary For Each Year (2000-2011); Monthly Occupancy Detail Reports (2000-2004, 2009-2011); *Supplemental Responses* ¶¶ I.1.a.; Volume of Water Pumped During 2012 Golden Sands – Well #2 (Entire 2012).

5. Golden Sands did not lease any property to anyone during the Base Period years of 2000 to 2004 or the recent years of 2011 to 2012 beyond the rental of individual mobile home trailers located on Golden Sands’ parcel, APN 3154-002-024.

Reference: *Discovery Responses* ¶ I.2.a.

6. Golden Sands did not import or acquire any imported water from the Antelope Valley – East Kern Water Agency, Palmdale Water District, Littlerock Creek Irrigation District or any other entity having rights to State Water Project water, during the Base Period years of 2000 to 2004 or the recent years of 2011 to 2012.

Reference: *Discovery Responses* ¶ III.1.d.

7. The groundwater claimed by Golden Sands is an overlying water right. Golden Sands claims no other groundwater rights that are the subject of this Adjudication for purposes of the Phase 4 Trial, and claims no return flows.

Reference: *Discovery Responses* ¶¶ I.1.f., I.1.j., III.1.a.

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STIPULATION

The parties hereto stipulate and agree that the facts, information and documents provided herein and in the verified discovery responses posted on the Court's website on December 21, 2012 and on January 15, 2013, will not be contested, and are therefore deemed accepted, for purposes of the Phase 4 Trial which is currently scheduled for February 11, 2013; and that the Notice of Taking the Deposition of Golden Sands, which was posted by Quartz Hill Water District on the behalf of the Public Water Suppliers on January 7, 2013, is hereby withdrawn. The parties therefore stipulate and agree that neither deposition testimony nor trial testimony will be required of Golden Sands for purposes of the Phase 4 Trial.

IT IS SO STIPULATED.

Dated: April 26, 2013.


GRESHAM SAVAGE NOLAN & TILDEN, PC

By: 

Michael Duane Davis
Marlene L. Allen-Hammarlund
Derek R. Hoffman
Attorneys for Cross-Defendant, Miracle Improvement Corporation, a California corporation, dba Golden Sands Mobile Home Park, aka Golden Sands Trailer Park, named herein as ROE 1121

Dated: ^{may} April 19, 2013.

CHARLTON WEEKS LLP

By: 

Bradley T. Weeks
Attorneys for Defendant and Cross-Complainant, Quartz Hill Water District

Dated: April ___, 2013.

BEST BEST & KRIEGER LLP

By: SEE NEXT PAGE

Eric L. Garner
Jeffrey V. Dunn
Stefanie D. Hedlund
Attorneys for Cross-Complainant, Los Angeles County Waterworks District No. 40

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Dated: ~~March~~ ^{may} 7, 2013.

BEST BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Eric L. Garner
Jeffrey V. Dunn
Stefanie D. Hedlund
Attorneys for Cross-Complainant, Los Angeles
County Waterworks District No. 40

Dated: ~~March~~ ^{May} 13, 2013.

RICHARDS, WATSON & GERSHON

By: Steven Orr
Steven Orr
James L. Markman
Attorneys for Cross-Complainant, City of
Palmdale

Dated: March ___, 2013.

MURPHY & EVERTZ

By: _____
Douglas J. Evertz
Attorneys for Cross-Complainant, City of
Lancaster and Rosamond Community
Services District

Dated: March ___, 2013.

By: _____
John Tootle
Attorneys for Cross-Complainant, California
Water Service Company

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Dated: April __, 2013.

RICHARDS, WATSON & GERSHON

By: _____
Steven Orr
James L. Markman
Attorneys for Cross-Defendant, City of Palmdale

Mey 7
Dated: ~~January~~ 7, 2013.

MURPHY & EVERTZ

By: *Douglas Evertz*

Douglas J. Evertz
Attorneys for Cross-Defendant, City of Lancaster
and Rosamond community Services District

Dated: January __, 2013.

By: _____
John Tootle
Attorneys for Cross-Defendant, California Water
Service Company

Dated: January __, 2013.

LEMIEUX & O'NEILL

By: _____
Wayne Lemieux
Attorneys for Littlerock Creek Irrigation District,
Palm Ranch Irrigation District, et al.

Dated: January __, 2013.

LAGERLOF SENEAL GOSNEY & KRUSE

By: _____
Thomas Bunn III
Attorneys for Cross-Defendant, Palmdale Water
District

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Dated: April __, 2013.

RICHARDS, WATSON & GERSHON

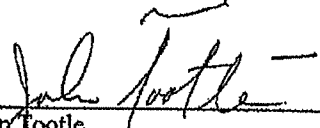
By: _____
Steven Orr
James L. Markman
Attorneys for Cross-Defendant, City of Palmdale

Dated: January __, 2013.

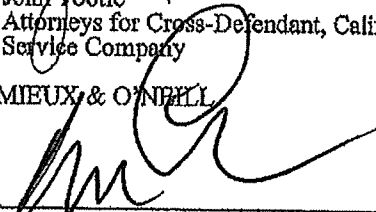
MURPHY & EVERTZ

By: _____
Douglas J. Evertz
Attorneys for Cross-Defendant, City of Lancaster
and Rosamond community Services District

Dated: January __, 2013.

By:  _____
John Footle
Attorneys for Cross-Defendant, California Water
Service Company

May 14
Dated: January __, 2013.

LEMIEUX & O'NEILL
By:  _____
Wayne Lemieux
Attorneys for Littlerock Creek Irrigation District,
Palm Ranch Irrigation District, et al.

Dated: January __, 2013.

LAGERLOF SENECAI GOSNEY & KRUSE

By: _____
Thomas Bunn III
Attorneys for Cross-Defendant, Palmdale Water
District

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Dated: April __, 2013.

RICHARDS, WATSON & GERSHON

By: _____
Steven Orr
James L. Markman
Attorneys for Cross-Defendant, City of Palmdale

Dated: January __, 2013.

MURPHY & EVERTZ

By: _____
Douglas J. Evertz
Attorneys for Cross-Defendant, City of Lancaster
and Rosamond community Services District

Dated: January __, 2013.

By: _____
John Tootle
Attorneys for Cross-Defendant, California Water
Service Company

Dated: January __, 2013.

LEMIEUX & O'NEILL

By: _____
Wayne Lemieux
Attorneys for Littlerock Creek Irrigation District,
Palm Ranch Irrigation District, et al.

6 May
Dated: January __, 2013.

LAGERLOF SENEAL GOSNEY & KRUSE

By: *Thomas L. Bunn III*
Thomas Bunn III
Attorneys for Cross-Defendant, Palmdale Water
District

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**PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

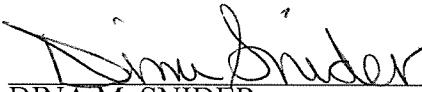
I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 3750 University Avenue, Suite 250, Riverside, CA 92501-3335.

On May 15, 2013, I served the foregoing document(s) described **EXECUTED STIPULATION REGARDING THE DEPOSITION AND TRIAL TESTIMONY OF CROSS-DEFENDANT MIRACLE IMPROVEMENT CORPORATION, A CALIFORNIA CORPORATION, DBA GOLDEN SANDS MOBILE HOME PARK, AKA GOLDEN SANDS TRAILER PARK, NAMED HEREIN AS ROE 1121** on the interested parties in this action in the following manner:

(X) **BY ELECTRONIC SERVICE** – I posted the document(s) listed above to the Santa Clara County Superior Court website, <http://www.scefiling.org>, in the action of the Antelope Valley Groundwater Cases,

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

Executed on May 15, 2013 at Riverside, California.



DINA M. SNIDER