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ADAMS BENNETT INVESTMENTS, LLC

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF LOS ANGELES**

11 Coordination Proceeding)
12 Special Title (Rule 1550(b)))
13 **ANTELOPE VALLEY GROUNDWATER**)
14 **CASES**)
15 Including Actions:)
16 **Los Angeles County Waterworks District**)
17 **No. 40 v. Diamond Farming Co.**)
18 Superior Court of California, County of Los)
19 Angeles, Case No. BC 325 201)
20 **Los Angeles County Waterworks District**)
21 **No. 40 v. Diamond Farming Co.**)
22 Superior Court of California, County of Kern,)
23 Case No. S-1500-CV-254-348)
24 **Wm. Bolthouse Farms, Inc. v. City of**)
25 **Lancaster**)
26 **Diamond Farming Co. v. City of Lancaster**)
27 **Diamond Farming Co. v. Palmdale Water**)
28 **Dist.**)
Superior Court of California, County of)
Riverside, consolidated actions, Case Nos. RIC)
353 840, RIC 344 436, RIC 344 668)
AND RELATED ACTIONS.

) Judicial Council Coordination
Proceeding No. 4408
Santa Clara Case No. 1-05-CV-049053
Assigned to the Honorable Jack Komar
Department 17
**[PROPOSED, REVISED] STIPULATION
REGARDING THE DEPOSITION AND
TRIAL TESTIMONY OF CROSS-
DEFENDANT ADAMS BENNETT
INVESTMENTS, LLC**

1 This *Stipulation regarding the Deposition and Trial Testimony of Cross-Defendant*
2 **ADAMS BENNETT INVESTMENTS, LLC** (“Adams Bennett”) is submitted pursuant to
3 Paragraph 2 of the Court’s January 17, 2013 *First Amendment to Case Management Order for*
4 *Phase Four Trial* and in connection with the Phase 4 Trial which is currently scheduled for
5 Tuesday, May 28, 2013, in the above-encaptioned matter.

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

9 1. Adams Bennett is a California limited liability company. It was formed on
10 October 22, 2010. Adams Bennett holds fee title to the following-described parcels or real
11 property, which are situated within the area of adjudication, with the exception of Assessor’s
12 Parcel Number (“APN”) 3042-021-019, which is currently in escrow for purchase by Adams
13 Bennett:

- 14 Assessor’s Parcel Number: 3024 – 015 – 044;
- 15 Assessor’s Parcel Number: 3024 – 015 – 009;
- 16 Assessor’s Parcel Number: 3027 – 013 – 009;
- 17 Assessor’s Parcel Number: 3027 – 013 – 011;
- 18 Assessor’s Parcel Number: 3027 – 013 – 017;
- 19 Assessor’s Parcel Number: 3027 – 013 – 051;
- 20 Assessor’s Parcel Number: 3042 – 021 – 002;
- 21 Assessor’s Parcel Number: 3042 – 021 – 003;
- 22 Assessor’s Parcel Number: 3042 – 021 – 006;
- 23 Assessor’s Parcel Number: 3042 – 021 – 008;
- 24 Assessor’s Parcel Number: 3042 – 021 – 009;
- 25 Assessor’s Parcel Number: 3042 – 021 – 019;
- 26 Assessor’s Parcel Number: 3042 – 021 – 020;
- 27 Assessor’s Parcel Number: 3042 – 021 – 023;
- 28 Assessor’s Parcel Number: 3042 – 021 – 024;
- Assessor’s Parcel Number: 3042 – 021 – 026;
- Assessor’s Parcel Number: 3042 – 021 – 027;
- Assessor’s Parcel Number: 3042 – 023 – 001;
- Assessor’s Parcel Number: 3042 – 023 – 008;
- Assessor’s Parcel Number: 3042 – 023 – 009;
- Assessor’s Parcel Number: 3042 – 023 – 011; and
- Assessor’s Parcel Number: 3042 – 023 – 012.

26 Reference: *Cross-Defendant, Adams Bennett Investments, LLC’s (verified)*
27 *Information and Materials Responsive to December 12, 2012 Discovery Order for*
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Phase 4 Trial (the “*Discovery Responses*”), Paragraphs (“¶”) I.1.a., I.1.b.; *Cross-Defendant, Adams Bennett Investments, LLC’s First Supplemental Response to December 12, 2012 Discovery Order for Phase 4 Trial* (the “*Supplemental Responses*”) ¶¶ I.1.a., I.3.b.

2. Adams Bennett did not own the properties during the years 2000 through 2004 and knows of no wells owned by the former owners during the Base Period years of 2000 to 2004. Adams Bennett has constructed no wells on any of these properties since having acquired title. Further, Adams Bennett did not operate any wells on these properties during the recent years of 2011 to 2012. Adams Bennett has not produced any groundwater from or used any groundwater on these properties during the years 2000 to 2004 or 2011 to 2012.

Reference: *Discovery Responses* ¶¶ I.1.c., I.1.d., I.1.e.

3. Adams Bennett’s properties have not yet been put to use; however, it is planning to engage in the process of permitting these properties for use.

Reference: *Discovery Responses* ¶ I.1.h.

4. Littlerock Creek Wash flows adjacent to and, at times, through the Adams Bennett properties. Though not the subject of this general groundwater adjudication, Adams Bennett asserts that it has riparian rights to the seasonal flow and underflow of waters in the Littlerock Creek Wash.

Reference: *Discovery Responses* ¶ I.1.i.

5. Adams Bennett did not lease property to anyone during the Base Period years of 2000 to 2004 or the recent years of 2011 to 2012.

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

6. Adams Bennett 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.

1 Dated: ^{May} March 16, 2013.

CHARLTON WEEKS LLP

By: [Signature]
Bradley T. Weeks
Attorneys for Cross-Complainant, Quartz Hill
Water District

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6 Dated: March __, 2013.

BEST BEST & KRIEGER LLP

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

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10
11 Dated: ^{May} ~~March~~ 13, 2013.

RICHARDS, WATSON & GERSHON

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

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18 Dated: March __, 2013.

MURPHY & EVERTZ

By: [Signature]
Douglas J. Evertz
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Lancaster and Rosamond Community
Services District

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24 Dated: January __, 2013.

By: [Signature]
John Tootle
Attorneys for Cross-Complainant, California
Water Service Company

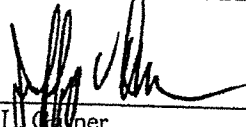
1 Dated: March __, 2013.

CHARLTON WEEKS LLP

2
3 By: _____
4 Bradley T. Weeks
5 Attorneys for Cross-Complainant, Quartz Hill
6 Water District

7 Dated: March __, 2013.

BEST BEST & KRIEGER LLP

8 By:  _____
9 Eric I. Garner
10 Jeffrey V. Dunn
11 Stefanie D. Hedlund
12 Attorneys for Cross-Complainant, Los Angeles
13 County Waterworks District No. 40

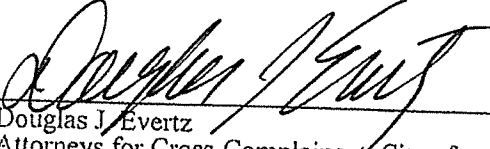
14 Dated: March __, 2013.

RICHARDS, WATSON & GERSHON

15 By: _____
16 Steven Orr
17 James L. Markman
18 Attorneys for Cross-Complainant, City of
19 Palmdale

20 *May 7*
21 Dated: ~~March~~ 7, 2013.

MURPHY & EVERTZ

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

27 Dated: January __, 2013.

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

1 Dated: March __, 2013.

CHARLTON WEEKS LLP

2
3 By: _____
4 Bradley T. Weeks
5 Attorneys for Cross-Complainant, Quartz Hill
6 Water District

7 Dated: March __, 2013.

BEST BEST & KRIEGER LLP

8 By: _____
9 Eric L. Garner
10 Jeffrey V. Dunn
11 Stefanie D. Hedlund
12 Attorneys for Cross-Complainant, Los Angeles
13 County Waterworks District No. 40

14 Dated: March __, 2013.

RICHARDS, WATSON & GERSHON

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16 Steven Orr
17 James L. Markman
18 Attorneys for Cross-Complainant, City of
19 Palmdale

20 Dated: March __, 2013.

MURPHY & EVERTZ

21 By: _____
22 Douglas J. Evertz
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24 Lancaster and Rosamond Community
25 Services District

26 Dated: January __, 2013.

27 By: _____
28 John Wootle
Attorneys for Cross-Complainant, California
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1 Dated: May 13, 2013.

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By: [Signature]
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District, et al.

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6 Dated: 6 May, 2013.

7 LAGERLOF SENEAL GOSNEY & KRUSE
By: [Signature]
Thomas Bunn III
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1500 UNIVERSITY AVE. SUITE 200
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[PROPOSED, REVISED] STIPULATION REGARDING THE DEPOSITION AND TRIAL TESTIMONY OF
CROSS DEFENDANT ADAMIS BENNETT INVESTMENTS, LLC

