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5 Attorneys for Cross-Defendants and Cross-
 6 Complainants, ANTELOPE VALLEY UNITED
 MUTUAL GROUP; Cross-Defendants, MIRACLE
 7 IMPROVEMENT CORPORATION dba Golden
 Sands Mobile Home Park aka Golden Sands Trailer
 8 Park [ROE 1121], SAINT ANDREW'S ABBEY,
 INC. [ROE 623], SERVICE ROCK PRODUCTS,
 9 LP, as successor-in-interest to Owl Properties, Inc.,
 SHEEP CREEK WATER COMPANY, INC.; and
 10 unnamed Cross-Defendant ADAMS BENNETT
 INVESTMENTS, LLC

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

13	Coordination Proceeding	)	Judicial Council Coordination
14	Special Title (Rule 1550(b))	)	Proceeding No. 4408
15	ANTELOPE VALLEY	)	Santa Clara Case No. 1-05-CV-049053
16	GROUNDWATER CASES	)	Assigned to the Honorable Jack Komar
17	Including Actions:	)	Department 17C
18	Los Angeles County Waterworks District	)	OFFER OF PROOF BY CROSS-
19	No. 40 v. Diamond Farming Co.	)	DEFENDANT MIRACLE IMPROVEMENT
20	Superior Court of California, County of Los	)	CORPORATION dba Golden Sands Mobile
21	Angeles, Case No. BC 325 201	)	Home Park aka Golden Sands Trailer Park
22	Los Angeles County Waterworks District	)	[ROE 1121] OF 2011 AND 2012
23	No. 40 v. Diamond Farming Co.	)	GROUNDWATER PRODUCTION AND
24	Superior Court of California, County of Kern,	)	[PROPOSED] ORDER RE PHASE 4 TRIAL
25	Case No. S-1500-CV-254-348	)	Trial Date: May 28, 2012
26	Wm. Bolthouse Farms, Inc. v. City of	)	Time: 10:00 A.M.
27	Lancaster	)	Dept.: TBD
28	Diamond Farming Co. v. City of Lancaster	)	Judge: Hon. Jack Komar
29	Diamond Farming Co. v. Palmdale Water)	
30	Dist.)	
31	Superior Court of California, County of)	
32	Riverside, consolidated actions, Case Nos.)	
33	RIC 353 840, RIC 344 436, RIC 344 668)	

27 GRESHAM | SAVAGE
 28 ATTORNEYS AT LAW
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1 AND RELATED ACTIONS.)
2)

3 **OFFER OF PROOF**

4 Cross-Defendant **MIRACLE IMPROVEMENT CORPORATION dba Golden Sands**
5 **Mobile Home Park aka Golden Sands Trailer Park [ROE 1121]** (“GOLDEN SANDS”), by
6 and through its counsel of record, Michael Duane Davis, Marlene L. Allen-Hammarlund, and
7 Derek R. Hoffman, of GRESHAM SAVAGE NOLAN & TILDEN, PC, having either stipulated
8 with and/or having received no material objections from any party, and based on the evidence
9 identified in the Exhibit List of said party and the proposed testimony of the witness(es)
10 identified in the Witness List of said party, which evidence is summarized in the Trial Brief of
11 said party, makes an Offer of Proof that its groundwater production from within the Area of
12 Adjudication, for the years 2011 and 2012 was as follows:

13

PERIOD	ACRE FEET PER YEAR
2011	46.7 acre feet
2012	44.1 acre feet

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17 The afore-stated figures do not take into account any in-lieu water, any claimed return
18 flows from imported water, any water from natural springs, any water produced outside the Area
19 of Adjudication, or any water other than groundwater produced within the Area of Adjudication
20 during the years of 2011 and 2012.

21 Respectfully submitted,

GRESHAM SAVAGE NOLAN & TILDEN, PC

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23 By: 

24 MICHAEL DUANE DAVIS, ESQ.
25 MARLENE L. ALLEN-HAMMARLUND, ESQ.
26 DEREK R. HOFFMAN, ESQ.
27 Attorneys for CROSS-DEFENDANT MIRACLE
IMPROVEMENT CORPORATION dba Golden Sands
Mobile Home Park aka Golden Sands Trailer Park [ROE
1121]

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PROPOSED ORDER

THE COURT FINDS THAT the Offer of Proof made by MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park aka Golden Sands Trailer Park is either stipulated to or not materially contested by any party.

THE COURT FURTHER FINDS THAT the Offer of Proof satisfies the requirements of this Court for the purposes of the Phase 4 Trial proceedings.

IT IS HEREBY ORDERED that this Order shall not result in any determination of any water right, or the reasonableness of MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park aka Golden Sands Trailer Park’s water use or manner of applying water to the use. This Order will not preclude MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park aka Golden Sands Trailer Park from introducing in a later phase evidence to support its claimed water rights, or any other party to this action from introducing in a later phase evidence to contest MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park aka Golden Sands Trailer Park’s claimed water rights, including, without limitation, evidence of water use in years other than 2011 and 2012. All parties reserve their rights to produce any evidence to support their claimed water rights and to make any related legal arguments including, without limitation, arguments based on any applicable constitutional, statutory, or decisional authority.

IT IS FURTHER ORDERED that pursuant to the Stipulation(s) of the parties to this action and/or upon the failure of any party to make a valid objection thereto; and based upon the offer of proof and/or evidence presented to this Court, the groundwater pumping claimed by

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1 MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park
2 aka Golden Sands Trailer Park for purposes of the Phase 4 trial is as follows:

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4 PERIOD	5 ACRE FEET PER YEAR
6 2011	46.7 acre feet
7 2012	44.1 acre feet

8 **IT IS SO ORDERED:**

9 DATED: _____, 2013

10 _____
11 HONORABLE JACK KOMAR

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OFFER OF PROOF BY CROSS-DEFENDANT MIRACLE IMPROVEMENT CORPORATION
DBA GOLDEN SANDS MOBILE HOME PARK AKA GOLDEN SANDS TRAILER PARK [ROE 1121] OF 2011 AND 2012
GROUNDWATER PRODUCTION AND [PROPOSED] ORDER RE PHASE 4 TRIAL

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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 23, 2013, I served the foregoing document(s) described as on the interested parties in this action in the following manner:

OFFER OF PROOF BY CROSS-DEFENDANT MIRACLE IMPROVEMENT CORPORATION dba Golden Sands Mobile Home Park aka Golden Sands Trailer Park [ROE 1121] OF 2011 AND 2012 GROUNDWATER PRODUCTION AND [PROPOSED] ORDER RE PHASE 4 TRIAL

(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 23, 2013, at Riverside, California.



DINA SNIDER