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5 Attorneys for Cross-Defendants and Cross-  
 6 Complainants, ANTELOPE VALLEY UNITED  
 7 MUTUAL GROUP; Cross-Defendants, MIRACLE  
 8 IMPROVEMENT CORPORATION dba Golden  
 Sands Mobile Home Park [ROE 1121], SAINT  
 9 ANDREW'S ABBEY, INC. [ROE 623], SERVICE  
 ROCK PRODUCTS, LP, as successor-in-interest to  
 Owl Properties, Inc., SHEEP CREEK WATER  
 10 COMPANY, INC.; and 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 Special Title (Rule 1550(b))	)	Judicial Council Coordination Proceeding No. 4408
14	<b>ANTELOPE VALLEY</b>	)	Santa Clara Case No. 1-05-CV-049053
15	<b>GROUNDWATER CASES</b>	)	Assigned to the Honorable Jack Komar Department 17C
16	Including Actions:	)	
17	<b>Los Angeles County Waterworks District</b> <b>No. 40 v. Diamond Farming Co.</b>	)	<b>AMENDED OFFER OF PROOF BY</b> <b>WHITE FENCE FARMS MUTUAL WATER</b> <b>COMPANY (A MEMBER OF THE</b>
18	Superior Court of California, County of Los Angeles, Case No. BC 325 201	)	<b>ANTELOPE VALLEY UNITED MUTUAL</b> <b>GROUP) OF 2011 AND 2012</b>
19	<b>Los Angeles County Waterworks District</b> <b>No. 40 v. Diamond Farming Co.</b>	)	<b>GROUNDWATER PRODUCTION AND</b> <b>[PROPOSED] ORDER RE PHASE 4 TRIAL</b>
20	Superior Court of California, County of Kern, Case No. S-1500-CV-254-348	)	
21	<b>Wm. Bolthouse Farms, Inc. v. City of</b> <b>Lancaster</b>	)	Trial Date: May 28, 2012
22	<b>Diamond Farming Co. v. City of Lancaster</b>	)	Time: 9:00 A.M.
23	<b>Diamond Farming Co. v. Palmdale Water</b> <b>Dist.</b>	)	Dept.: LASC Dept. 322
24	Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668	)	Judge: Hon. Jack Komar
25		)	
26	<b>AND RELATED ACTIONS.</b>	)	
27		)	

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 GRESHAM | SAVAGE  
 ATTORNEYS AT LAW  
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 STE. 250  
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1 **OFFER OF PROOF**

2 Cross-Defendant / Cross-Complainant **WHITE FENCE FARMS MUTUAL WATER**  
3 **COMPANY**, a member of the Antelope Valley United Mutual Group (“AV UNITED”), by and  
4 through its counsel of record, Michael Duane Davis, Marlene L. Allen-Hammarlund, and Derek  
5 R. Hoffman, of GRESHAM SAVAGE NOLAN & TILDEN, PC, having either stipulated with  
6 and/or having received no material objections from any party, and based on the evidence  
7 identified in the Exhibit List of said party and the proposed testimony of the witness(es)  
8 identified in the Witness List of said party, which evidence is summarized in the Trial Brief of  
9 said party, makes an Offer of Proof that its groundwater production from within the Area of  
10 Adjudication, for the years 2011 and 2012 was as follows:

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PERIOD	ACRE FEET PER YEAR
2011	782.8 acre feet
2012	783.3 acre feet

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

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20 Respectfully submitted,

GRESHAM SAVAGE NOLAN & TILDEN, PC

21  
22 By: 

MICHAEL DUANE DAVIS, ESQ.  
MARLENE L. ALLEN-HAMMARLUND, ESQ.  
DEREK R. HOFFMAN, ESQ.  
Attorneys for CROSS-DEFENDANT / CROSS-  
COMPLAINANT, WHITE FENCE FARMS MUTUAL  
WATER COMPANY (a member of the ANTELOPE  
VALLEY UNITED MUTUAL GROUP)

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**[PROPOSED] ORDER**

**THE COURT FINDS THAT** the Offer of Proof made by WHITE FENCE FARMS MUTUAL WATER COMPANY 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 WHITE FENCE FARMS MUTUAL WATER COMPANY's water use or manner of applying water to the use. This Order will not preclude WHITE FENCE FARMS MUTUAL WATER COMPANY 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 WHITE FENCE FARMS MUTUAL WATER COMPANY'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 WHITE FENCE FARMS MUTUAL WATER COMPANY for purposes of the Phase 4 trial is as follows:

PERIOD	ACRE FEET PER YEAR
2011	782.8 acre feet
2012	783.3 acre feet

**IT IS SO ORDERED:**

DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JACK KOMAR

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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 <sup>30</sup>~~29~~, 2013, I served the foregoing document(s) described as on the interested parties in this action in the following manner:

**OFFER OF PROOF BY WHITE FENCE FARMS MUTUAL WATER COMPANY (A MEMBER OF THE ANTELOPE VALLEY UNITED MUTUAL GROUP) 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 <sup>30</sup>~~29~~, 2013, at Riverside, California.

  
\_\_\_\_\_  
DINA SNIDER