

5 Landale 8

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6 Attorneys for Cross-Defendant/Cross-Complainant,
7 ANTELOPE VALLEY UNITED MUTUAL GROUP; and
8 Cross-Defendants, ADAMS BENNETT INVESTMENTS,
9 LLC; MIRACLE IMPROVEMENT CORPORATION dba
10 GOLDEN SANDS MOBILE HOME PARK, aka
11 GOLDEN SANDS TRAILER PARK, named as ROE
12 1121; ST. ANDREW'S ABBEY, INC., named as ROE
13 623; SERVICE ROCK PRODUCTS, L.P.; and SHEEP
14 CREEK WATER COMPANY, INC.

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

13 Coordination Proceeding)
14 Special Title (Rule 1550(b))) Judicial Council Coordination
15) Proceeding No. 4408
16 **ANTELOPE VALLEY GROUNDWATER**)
17 **CASES**) Santa Clara Case No. 1-05-CV-049053
18) Assigned to the Honorable Jack Komar
19) Department 17C
20 Including Consolidated Actions:)
21 **Los Angeles County Waterworks District**) **CROSS-DEFENDANT/CROSS-**
22 **No. 40 v. Diamond Farming Co.**) **COMPLAINANT, ANTELOPE VALLEY**
23 Superior Court of California, County of Los) **UNITED MUTUAL GROUP,**
24 Angeles, Case No. BC 325 201) **SPECIFICALLY LANDALE MUTUAL**
25 **Los Angeles County Waterworks District**) **WATER COMPANY'S, FIRST**
26 **No. 40 v. Diamond Farming Co.**) **SUPPLEMENTAL RESPONSE TO**
27 Superior Court of California, County of Kern,) **DECEMBER 12, 2012 DISCOVERY**
28 Case No. S-1500-CV-254-348) **ORDER FOR PHASE 4 TRIAL**
29)
30 **Wm. Bolthouse Farms, Inc. v. City of**)
31 **Lancaster**) For Court's Use Only:
32 **Diamond Farming Co. v. City of Lancaster**) Santa Clara County
33 **Diamond Farming Co. v. Palmdale Water**) Case No. 1-05-CV-049053
34 **Dist.**) (For E-Posting/E-Service Purposes Only)
35 Superior Court of California, County of)
36 Riverside, consolidated actions, Case Nos. RIC)
37 353 840, RIC 344 436, RIC 344 668)
38 **AND RELATED ACTIONS.**)

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1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
3 **GROUP** [comprised of Antelope Park Mutual Water Co., Aqua-J Mutual Water Co., Averydale
4 Mutual Water Co., Baxter Mutual Water Co., Bleich Flat Mutual Water Co., Colorado Mutual
5 Water Co., Eldorado Mutual Water Co., Evergreen Mutual Water Co., Land Projects Mutual
6 Water Co., Landale Mutual Water Co., Shadow Acres Mutual Water Co., Sundale Mutual Water
7 Co., Sunnyside Farms Mutual Water Co., Tierra Bonita Mutual Water Co., Westside Park
8 Mutual Water Co., and White Fence Farms Mutual Water Co., Inc.], by and through their
9 attorneys of record, Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis, Marlene L.
10 Allen-Hammarlund and Derek R. Hoffman, submit the following supplemental information and
11 materials for **LANDALE MUTUAL WATER COMPANY**, under penalty of perjury, in
12 response to the December 12, 2012 Discovery Order for Phase 4 Trial (the "*Discovery Order*"),
13 issued by the Honorable Jack Komar, Trial Judge.

14 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
15 **GROUP**, and specifically **LANDALE MUTUAL WATER COMPANY**, made a good faith
16 effort to fully and accurately respond to the categories of information required by the *Discovery*
17 *Order* in the Discovery Responses that it filed on December 21, 2012. However, due to the
18 shortness of time between the issuance of the order and the degree of detail required by the
19 *Discovery Order*, Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED**
20 **MUTUAL GROUP** hereby supplements its responses for **LANDALE MUTUAL WATER**
21 **COMPANY** to include information and documents responsive to the *Discovery Order* which
22 were obtained after the December 21, 2012 deadline, and reserves the right to further supplement
23 its responses pursuant to the *Code of Civil Procedure* and this Court's December 12, 2012 *Case*
24 *Management Order for Phase Four Trial* and this Court's January 17th *First Amendment to Case*
25 *Management Order for Phase Four Trial*.

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1 Each supplemental response is identified by reference to specific responses and
2 documents provided in the **Landale Mutual Water Company** section of *Cross-*
3 *Defendant/Cross-Complainant, Antelope Valley United Mutual Group's Information and*
4 *Materials Responsive To December 12, 2012 Discovery Order For Phase 4 Trial* (the "*Original*
5 *Responses*").

6 These Supplemental Responses are verified by Frank L. Purcell, whose name and title are
7 set forth in the Verification block at the end of these supplemental Responses. Mr. Purcell is
8 authorized to make said verification on behalf of the Landale Mutual Water Company. Mr.
9 Purcell has personal knowledge that the data and the documentation provided by these
10 Supplemental Responses were collected and are maintained by Landale Mutual Water
11 Company's employees, agents and vendors in the ordinary course of Landale Mutual Water
12 Company's business. Mr. Purcell has obtained (or caused to be obtained) the data and
13 documentation provided by the Supplemental Responses from the business records of Landale
14 Mutual Water Company. Mr. Purcell has reviewed these Supplemental Responses and believes
15 the data and documentation to be true and correct to the best of his knowledge and belief.

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1 LANDALE MUTUAL WATER COMPANY

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3 **Original Response I.3.a. *Prima Facie* Groundwater Production Materials** is supplemented to
4 include references to the following additional documents:

- 5 • Landale Mutual Water Company – County of Los Angeles, Public Health License
6 • Landale Mutual Water Company – Southern California Edison Electricity Usage Bills,
7 2011
8 • Landale Mutual Water Company – Southern California Edison Electricity Usage Bills,
9 2012

10
11 **Original Response I.3.b. *Prima Facie* Property Uses Materials** is supplemented to include
12 references to the following additional documents:

- 13 • Landale Mutual Water Company – Annual Property Tax Bill for 2011
14 • Landale Mutual Water Company – Annual Property Tax Bill for 2012

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16 **Original Response I.3.c. Additional Materials** is supplemented to include references to the
17 following additional documents:

- 18 • Landale Mutual Water Company – Permit for the sale and issuance of securities
19 • Landale Mutual Water Company – Amended By-Laws

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21 **Original Response III.1.b. Amount of Return Flows Pumped** is amended as follows:

- 22 • Landale Mutual Water Company – AVEK Water District invoices for 2011: 3.1
23 acre feet

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25 **Original Response III.1.d. Amount of Water Imported** is amended as follows:

- 26 • Landale Mutual Water Company – AVEK Water District invoices for 2011, 6.8 acre
27 feet.

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- Landale Mutual Water Company - Los Angeles County, Department of Public Health, Water System Bacteriological Sampling Plan

Original Response III.1.g. Dates of Importation of Water is supplemented to include the following additional information:

- Landale Mutual Water Company – AVEK Water District invoices for 2011

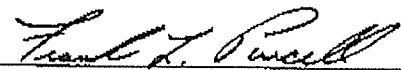
Original Response III.1. Specifically Requested Non-Overlying Information is supplemented to include references to the following materials provided with this *First Supplemental Response* as Attachment III.1. in support of Landale Mutual Water Company’s claims for return flows and imported water.

1 Verification by Authorized Individual:

2 I, Frank L. Purcell am the President of the Landale Mutual Water Company and have
3 personal knowledge of the facts set forth above.


4 If called to do so, I could and would competently testify to these facts under oath. I
5 declare under penalty of perjury under the laws of the State of California that the foregoing is
6 true and correct.

7 Executed this 27 th day of January, 2013 at Lancaster, CA.

8
9 
10 FRANK L. PURCELL

11 Respectfully submitted,

12 GRESHAM SAVAGE NOLAN & TIDEN, PC

13 By: 
14 MICHAEL DUANE DAVIS, ESQ.
15 MARLENE L. ALLEN-HAMMARLUND, ESQ.
16 DEREK R. HOFFMAN, ESQ.
17 Attorneys for CROSS-DEFENDANT / CROSS-
18 COMPLAINANT, ANTELOPE VALLEY UNITED
19 MUTUAL GROUP; and CROSS-DEFENDANTS,
20 ADAMS BENNETT INVESTMENTS, LLC, MIRACLE
21 IMPROVEMENT CORPORATION dba GOLDEN
22 SANDS MOBILE HOME PARK, aka GOLDEN
23 SANDS TRAILER PARK [ROE 1121], ST.
24 ANDREW'S ABBEY, INC. [ROE 623], SERVICE
25 ROCK PRODUCTS, L.P., and SHEEP CREEK WATER
26 COMPANY, INC.
27

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CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP. SPECIFICALLY
LANDALE MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012
DISCOVERY ORDER FOR 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 January 30, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY LANDALE MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012 DISCOVERY ORDER FOR PHASE 4 TRIAL** 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.scefilings.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 January 30, 2013, at Riverside, California.



DINA M. SNIDER