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8 **Attorneys for:** Gene T. Bahlman, Thomas M. Bookman, B.J. Calandri, John Calandri, John
9 Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land
10 Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur
11 Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence
12 A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin,
13 Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group,
14 Gailen Kyle, Gailen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of
15 the Kyle Family Trust, Julia Kyle, Wanda E. Kyle, Maritorena Living Trust, Jose and Marie
16 Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B.
17 Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reca,
18 Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch
19 Company, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and
20 Vulcan Lands Inc., Willow Springs Company, Donna Wilson, **collectively known as the Antelope
21 Valley Groundwater Agreement Association (“AGWA”)**

22 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
23 **FOR THE COUNTY OF LOS ANGELES**

24 **ANTELOPE VALLEY**)
25 **GROUNDWATER CASES**) Judicial Council Coordination Proceeding
26) No. 4408
27)
28 Included Actions:)
29) **Santa Clara Case No. 1-05-CV-049053**
30) Assigned to The Honorable Jack Komar
31 Los Angeles County Waterworks District No.)
32 40 v. Diamond Farming Co. Superior Court of)
33 California County of Los Angeles, Case No. BC)
34 325 201 Los Angeles County Waterworks)
35 District No. 40 v. Diamond Farming Co.)
36 Superior Court of California, County of Kern,)
37 Case No. S-1500-CV-254-348 Wm. Bolthouse)
38 Farms, Inc. v. City of Lancaster Diamond)
39 Farming Co. v. City of Lancaster Diamond)
40 Farming Co. v. Palmdale Water Dist. Superior)
41 Court of California, County of Riverside,)
42 consolidated actions, Case No. RIC 353 840,)
43 RIC 344 436, RIC 344 668)
44) **[CCP § 437c(f)]**
45) **DATE: January 27, 2014**
46) **TIME: TBD**
47) **DEPT.: TBD**

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on January 27, 2014, or as soon thereafter as the matter can be heard, at the above entitled Court, the Antelope Valley Groundwater Agreement Association (“AGWA”), pursuant to California Code of Civil Procedure section 437c(f), will and hereby does move the Court for an order adjudicating that the following issue be established without substantial controversy as against the United States, that no further proof thereof shall be required at the Phase V Trial, and that any final judgments in this action shall, in addition to any matters determined at Trial, be used on the issue so established:

Issue: No triable issue of material fact exists as to the establishment and existence of a “federal reserved right” to the native groundwater of the Antelope Valley Adjudication Area (“AVAA”), and, because there is no triable issue as to any material fact and, as a matter of law, said cause of action is without merit.

This motion is based on this Notice of Motion and Motion, the attached Memorandum of Points and Authorities, the Separate Statement of Undisputed Material Facts, the pleadings in this case, and such other and further evidence and argument as may be presented at the hearing of this Motion.

Dated: November 13, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP



By: _____
MICHAEL T. FIFE
BRADLEY J. HERREMA
ATTORNEYS FOR AGWA

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PROOF OF SERVICE

**STATE OF CALIFORNIA,
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On November 13, 2013, I served the foregoing document described as:

AGWA's Notice of Motion & Motion For Summary Adjudication

on the interested parties in this action.

By posting it on the website by 5:00 p.m. on November 13, 2013.

This posting was reported as complete and without error.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed in Santa Barbara, California, on November 13, 2013.

**LINDA MINKY
TYPE OR PRINT NAME**


SIGNATURE