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

**ANTELOPE VALLEY
GROUNDWATER CASES**

Included Actions:

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348 Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case No. RIC 353 840, RIC 344 436, RIC 344 668

) Judicial Council Coordination Proceeding
) No. 4408

) **Santa Clara Case No. 1-05-CV-049053**
) Assigned to The Honorable Jack Komar

) **[PROPOSED] ORDER IN LIMINE
) ESTABLISHING UNITED STATES'
) BURDEN OF PROOF FOR ANY
) RESERVED WATER RIGHTS**

) Trial Date: February 10, 2014
) Time: 9:00 a.m.
) Dept: Room 222

The motion of the Antelope Valley Groundwater Agreement Association (“AGWA”) for an order establishing the burden of proof for the United States to establish any federal reserved water rights was heard by the Court on February 10, 2014.

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The Court, having considered the pleadings and others papers submitted and heard the arguments of counsel, and good cause appearing, AGWA’s motion is GRANTED and the Court hereby ORDERS AS FOLLOWS:

The United States has the burden of proving the following in the Phase V trial:

- (1) Each reservation’s primary purpose;
- (2) The minimum amount of water necessary for each reservation’s primary purpose, which includes distinguishing the water necessary for that purpose from the water necessary for a reservation’s secondary purposes.
- (3) The amount of water available at the time of each reservation; and
- (4) The location of each reservation as overlying the Basin.

Dated:

JUDGE OF THE SUPERIOR COURT

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: 1020 State Street, Santa Barbara, California 93101.

On January 24, 2014, I served the foregoing document described as:

**[PROPOSED] ORDER IN LIMINE ESTABLISHING UNITED STATES' BURDEN
OF PROOF FOR ANY RESERVED WATER RIGHTS**

on the interested parties in this action.

By posting it on the website by 5:00 p.m. on January 24, 2014.

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 January 24, 2014.

**LINDA MINKY
TYPE OR PRINT NAME**



SIGNATURE

BROWNSTEIN HYATT FARBER SCHRECK, LLP
1020 State Street
Santa Barbara, CA 93101-2706

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