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6 ANTELOPE VALLEY WATER STORAGE, LLC

7
8 **SUPERIOR COURT OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

10 Coordination Proceeding
11 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding No.
4408

12 **ANTELOPE VALLEY GROUNDWATER**
13 **CASES**

Santa Clara Case No. 1-05-CV-049053
The Honorable Jack Komar, Dept. 17

14 Included actions:

STIPULATION OF FACTS RELATED TO
ANTELOPE VALLEY WATER STORAGE,
LLC

15 Los Angeles County Waterworks District No.
40 v. Diamond Farming Company, a
16 corporation, Superior Court of California,
County of Los Angeles, Case No. BC325201;

17 Los Angeles County Waterworks District No.
40 v. Diamond Farming Company, a
18 corporation, Superior Court of California,
County of Kern, Case No. S-1500-CV-254-
19 348;

20 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Company, a
21 corporation, v. City of Lancaster, Diamond
22 Farming Company, a corporation vs. Palmdale
Water District, Superior Court of California,
23 County of Riverside, Case Nos. RIC 353840,
RIC 344436, RIC 344668.

24
25 IT IS HEREBY STIPULATED AND AGREED by and between the Parties hereto, by
26 their respective counsel, that, for the purpose of ^{Phase 4} trial in this action, the facts listed below are
27 undisputed and may be treated by the Court as facts proved in open court, and shall be binding
28 for all purposes in this action. for Phase 4 only.

HERUM \ CRABTREE

STIPULATION OF FACTS RELATED TO ANTELOPE VALLEY WATER STORAGE, LLC

1 By this Stipulation, the Parties are not agreeing to any water rights, and they reserve their
2 respective rights to make any and all legal arguments concerning each other's water rights, and
3 to present further evidence that does not contradict the stipulated facts below, in any future
4 phases of this action.

5 The undisputed facts are as follows:

6
7 1. Antelope Valley Water Storage, LLC ("AVWS") holds fee title to the following real
8 property ("Property"), which is located within the Antelope Valley Area of
9 Adjudication:

10 APN	11 Size in Acres	12 Original Owners	13 Date Acquired by AVWS
14 1. APN 261-196-02 (portion)	80	C&M Van Dam ¹	8/24/2007
15 2. APN 261-196-02 (portion)	40	C&M Van Dam	8/24/2007
16 3. APN 261-196-02 (portion)	80	C&M Van Dam	8/24/2007
17 4. APN 261-196-03	120	C&M Van Dam	8/24/2007
18 5. APN 359-041-18	158	C&M Van Dam	8/24/2007
19 6. APN 261-196-04	160	C&M Van Dam	8/24/2007
20 7. APN 359-041-11	160	C&M Van Dam	8/24/2007
21 8. APN 359-041-12	160	C&M Van Dam	8/24/2007
22 9. APN 359-041-17	160	C&M Van Dam	8/24/2007
23 10. APN 261-196-11	160	C&M Van Dam	8/24/2007
24 11. APN 261-196-09	320	C&M Van Dam	8/24/2007
25 12. APN 359-041-13	80	D&G Van Dam ²	6/23/2008
26 13. APN 359-041-20	10	D&G Van Dam	6/23/2008
27 14. APN 359-041-21	10	D&G Van Dam	6/23/2008
28 15. APN 359-041-22	10	D&G Van Dam	6/23/2008
16. APN 359-041-23	10	D&G Van Dam	6/23/2008
17. AIN 3258-01-28 (LA Co.)	40	C&M Van Dam	8/24/2007
18. AIN 3258-01-29 (LA Co.)	40	C&M Van Dam	8/24/2007
19. APN 359-041-01	40	C&M Van Dam	8/24/2007
TOTAL	1,838		

¹ Craig and Marta Van Dam

² Delmar and Gertrude Van Dam

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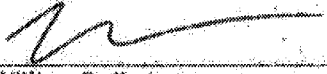
2. The following amounts of groundwater (in acre feet) were pumped from the Property and used on the Property for irrigation in the following years:

Year:	Groundwater Used:
2000	XXXX,820
2001	XXXX,765
2002	XXXX,896
2003	XXXX,810
2004	XXXX,807
2011	1,198
2012	2,281

(The stipulated groundwater amounts listed above have reduced the acreage to 96% of the gross acreage as set forth in Mark Buehler's Declaration dated January 31, 2013, and Amended Declaration dated April 11, 2013, in order to account for the difference between gross acreage and irrigated acreage.)


Dated: May 22, 2013

HERUM \ CRABTREE

By: 
William R. Carlson
Attorneys for ANTELOPE VALLEY WATER STORAGE, LLC

Dated: May 22, 2013

BEST, BEST & KRIEGER LLP

By: 
Jeffrey M. Quinn
Attorneys for LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40

Dated: May 27, 2013

LAGERLOF SENECAI GOSNEY & KRUSE

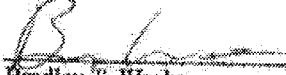
By: 
Thomas Bunn III
Attorneys for PALMDALE WATER DISTRICT

HERUM \ CRABTREE

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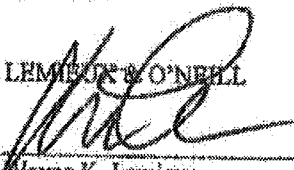
Dated: May 13, 2013

CHARLTON WEEKS LLP

By: 
Bradley T. Weeks
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Dated: May 22, 2013

LEMBUE & O'NEILL

By: 
Wayne K. Lemieux
Attorneys for LITTLE ROCK CREEK IRRIGATION DISTRICT and PALM RANCH IRRIGATION DISTRICT

Dated: May __, 2013

RICHARDS, WATSON & GERSHON

By: _____
Steven R. Orr
Attorneys for CITY OF PALMDALE

Dated: May __, 2013

MURPHY & EVERTZ LLP

By: _____
Douglas J. Evertz
Attorneys for CITY OF LANCASTER and ROSAMOND COMMUNITY SERVICES DISTRICT

Dated: May __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
John Tootle
Attorneys for CALIFORNIA WATER SERVICE COMPANY

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Dated: May __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks
Attorneys for QUARTZ HILL WATER DISTRICT

Dated: May __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux
Attorneys for LITTLE ROCK CREEK IRRIGATION DISTRICT and PALM RANCH IRRIGATION DISTRICT

Dated: May 23, 2013

RICHARDS, WATSON & GERSHON

By: STO
Steven R. Orr
Attorneys for CITY OF PALMDALE

Dated: May 22, 2013

MURPHY & EVERTZ LLP

By: [Signature]
Douglas B. Evertz
Attorneys for CITY OF LANCASTER and ROSAMOND COMMUNITY SERVICES DISTRICT

Dated: May __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
John Tootle
Attorneys for CALIFORNIA WATER SERVICE COMPANY

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Dated: May __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks
Attorneys for QUARTZ HILL WATER
DISTRICT

Dated: May __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux
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IRRIGATION DISTRICT and PALM RANCH
IRRIGATION DISTRICT

Dated: May __, 2013

RICHARDS, WATSON & GERSHON

By: _____
Steven R. Orr
Attorneys for CITY OF PALMDALE

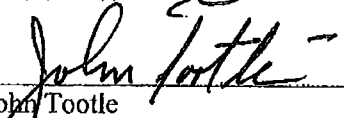
Dated: May __, 2013

MURPHY & EVERTZ LLP

By: _____
Douglas J. Evertz
Attorneys for CITY OF LANCASTER and
ROSAMOND COMMUNITY SERVICES
DISTRICT

Dated: May __, 2013

CALIFORNIA WATER SERVICE
COMPANY

By:  _____
John Tootle
Attorneys for CALIFORNIA WATER
SERVICE COMPANY

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PROOF OF SERVICE

I, Carol Bracken certify and declare:

I am over the age of 18 years and not a party to this action. My business address is: HERUM CRABTREE, 5757 Pacific Avenue, Suite 222, Stockton, California 95207. On the date set forth below, I served the following document(s):

STIPULATION OF FACTS RELATED TO ANTELOPE VALLEY WATER STORAGE, LLC

[X] BY ELECTRONIC SERVICE AS FOLLOWS I posted the document listed above to the Santa Clara Superior Court website regarding the Antelope Valley Groundwater matter (Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No. 1-05-CV-049053) pursuant to the Court's Clarification Order.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: May 23, 2013

/s/ Carol Bracken
CAROL BRACKEN