

6-COPA-1

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

DECLARATION OF ELLIOT JOELSON
FOR COPA DE ORO LAND COMPANY

8792/013113/P012913rsb (Declaration)

DECLARATION OF ELLIOT JOELSON

1 **DECLARATION OF ELLIOT JOELSON**

2 I, Elliot Joelson, declare:

3 1. I am the Vice President of Eldan Holdings, Inc., a California corporation that is
4 the corporate parent of Copa de Oro Land Company ("Copa de Oro"), a California general
5 partnership, a party to this action. I have personal knowledge of each fact herein and, if called
6 as a witness, would testify thereto under oath.

7 **Property Ownership and Parcel Size**

8 2. Copa de Oro owns property that overlies a portion of the Antelope Valley. The
9 land is in Kern County and is identified by the following Assessor's Parcel Numbers ("APNs"):
10 Kern County APNs 359-032-01 and 359-032-17 (collectively, the "Property"). All of the
11 following references to APNs in this Declaration are to Kern County APNs.

12 3. Copa de Oro claims groundwater rights only as to the Property.

13 4. APN 359-032-01 constitutes the northern half of the Property while APN 359-
14 032-17 constitutes the southern half of the Property. The Property is bounded by Gaskell Road
15 to the north, 110th Street to the east, Avenue A to the south and 120th Street to the west. A Los
16 Angeles Department of Water and Power right-of-way for power lines runs diagonally through
17 the Property. That right-of-way is APN 359-032-29. For each APN identified above, the total
18 acreage by parcel is as follows:

19 a. APN 359-032-01: approximately 300 acres;

20 b. APN 359-032-17: approximately 300 acres.

21 5. Copa de Oro, which was formerly known as Kernross Estates, a California
22 general partnership, owned the northern half of the Property, APN 359-032-01, during the
23 following time period: 1996-present. A copy of the grant deed evidencing the transfer of the
24 northern half of the Property to Kernross Estates is attached hereto as Exhibit A. Copa de Oro
25 owned the southern half of the Property, APN 359-032-17, during the following time period:
26 2006-present. A copy of the grant deed evidencing the transfer of the southern half of the
27 Property to Copa de Oro is attached hereto as Exhibit B.

1 6. To the best of my knowledge, the following are the individuals/entities
2 appearing on the title for the above identified APNs from January 1, 2000 to the present:

- 3 a. For APN 359-032-01, Kernross Estates and Copa de Oro, which are
4 different names of the same partnership.
5 b. For APN 359-032-17, Yong See Cho and Copa de Oro. There may have
6 been other owners that preceded Mr. Cho during the relevant period of
7 which Copa de Oro is not aware.

8 7. To the best of my knowledge, for each individual/entity identified in paragraph
9 6, that individual/entity appeared on the title during the following time:

- 10 a. For Kernross Estates/Copa de Oro for APN 359-032-01, from the date of the
11 deed attached as Exhibit A to present.
12 b. For Copa de Oro for APN 359-032-17, from the date of the deed attached as
13 Exhibit B to present.
14 c. For Yong See Cho for APN 359-032-17, from a date unknown to me to the
15 date of the deed attached as Exhibit B

16 8. Copa de Oro has obtained a title report for the Property, which shows that an
17 easement for the construction, operation, maintenance and repair of a turnout structure and
18 related facilities was granted in the northern half of the Property to the Antelope Valley-East
19 Kern Water Agency ("AVEK") in 1977. A copy of the Turnout Easement granting this
20 easement is attached hereto as Exhibit C.

21 9. Copa de Oro's title report for the Property also shows that an easement for an
22 underground water line across the northern half of the Property was granted to Melvin and
23 Kathleen Stueve in 1982. A copy of the Grant Deed granting this easement is attached hereto
24 as Exhibit D.


25 10. The Property contains various structures that appear to relate to water use on the
26 Property. There are structures at the northern edge of the Property that bear the same number –
27 11.6 R – as the turnout for the Property identified in AVEK's 2011 letter concerning deliveries
28 to the Property. A copy of that letter is attached as Exhibit E. Photographs that I took of those

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

structures referenced above are included in Exhibit F attached hereto. There is a concrete structure located at the center of the Property that appears to have been related to a well. Exhibit G consists of photographs I took of this structure. There is a line of additional concrete structures that run through the southern half of the Property that appear to be related to water use on the Property. Exhibit H consists of photographs that I took of one of these structures.

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

EL
San Antonio, Texas
Executed at ~~Beverly Hills, California~~ on January 31, 2013.



Elliot Joelson

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On January 4, 2012, I served, in the manner described below, the following document:

DECLARATION OF ELLIOT JOELSON FOR COPA DE ORO LAND COMPANY

I posted this document to the Court's World Wide Website located at www.sccfiling.org.

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

Executed at Sacramento, California on January 31, 2013.

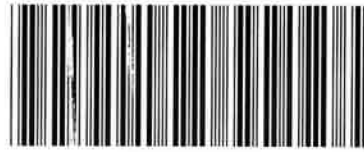
Terry M. Olson

RECORDING REQUESTED BY:

Fidelity National Title Ins. Co,
9600005 - ACCOMMODATION
WHEN RECORDED MAIL TO:

Andrew C. Schutz, Esq.
Jackson, DeMarco & Peckenpaugh
4 Park Plaza/16th Floor
Irvine, CA 92713

DOCUMENT #: 0196037023



0196037023

Fees 36.00
Taxes
Other
TOTAL PAID . . . 36.00

Stat. Types: 1

The undersigned grantor(s) declare(s):

SPACE ABOVE THIS LINE FOR RECORDER'S USE

- (1) The Grantee herein was the beneficiary under the Deed of Trust referred to below.
- (2) The amount of the unpaid debt secured by said Deed of Trust was \$1,223,721
- (3) The amount paid by the grantee was forgiveness of the unpaid secured debt. There was no other consideration
- (4) The documentary transfer tax is -0-
- (5) Said property is in an unincorporated area.

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ROSAMOND 300, a general partnership organized under the laws of the State of California, hereby GRANTS to KERNROSS ESTATES, a California general partnership, the following described real property in the County of Kern, State of California.

See Exhibit "A" for the legal description of the real property.

Subject to: (1) General, special and supplemental real property taxes and assessments for the current fiscal year which are a lien not yet payable; and (2) covenants, conditions, restrictions, easements, reservations, rights, rights-of-way and other matters of record.

This Deed is an absolute conveyance, the grantor having sold said land to the grantee for a fair and adequate consideration; such consideration being full satisfaction of all obligations secured by the deed of trust encumbering said real property, recorded on July 11, 1989 as instrument No. 002905, Book 6262, Page 2283, Official Records of Kern County.

Grantor declares that this conveyance is freely and fairly made, and that there are no agreements, oral or written, other than this deed and the Agreement for Deed in Lieu of Foreclosure, between grantor and grantee, dated February 5, 1996 with respect to the transfer of said land to grantee.

SEE NEXT PAGE FOR SIGNATURES

*copy -> kernross Develop File
orig -> safe.*

Dated: 2-27-96

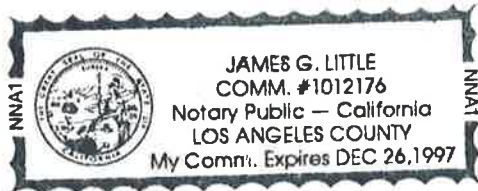
ROSAMOND 300, a California general partnership

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

On FEB 27, 1996 before me,
JAMES LITTLE "NOTARY PUBLIC"
personally appeared DAVID T. SMITH

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
Signature James G. Little



By: Royal Baccarat Corporation, a California corporation, its general partner

By: [Signature]
James F. Moscovitz, Its president

By: Rosamond Estates, Inc., a California corporation, its general partner

By: [Signature]
Alan Joelson, Its Joint Chief Executive Officer

By: Royal Canasta Corporation, a California corporation

By: [Signature]
David T. Smith

Its: _____



STATE OF CALIFORNIA }
COUNTY OF Orange }

On March 1, 1996 before me,
Jean F. Koci, Notary Public.
personally appeared James F. Moscovitz

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
Signature Jean F. Koci



MAIL TAX STATEMENTS AS DIRECTED TO:

Rosamond 300, Attn: James Moscovitz, 18952 MacArthur Blvd., Suite 310, Irvine, CA 92715

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of LOS ANGELES

On MARCH 12, 1996 before me, HOLLY T. CRITTENDEN
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared ALAN JOELSON by: STANA ERICSON
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
Holly T. Crittenden
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing:

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing:

The land referred to in this Report is situated in the County of Kern, State of California, and is described as follows:

The North half of Section 35, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the official plat thereof.

Except a strip of land 250 feet in width, the sidelines of said strip of land being parallel with and distant southeasterly 75 feet and northwesterly 175 feet, measured at right angles, from that certain line described in Lis Pendens of Superior Court Case No. 52961, recorded in Book 1598, Page 429, of said Official Records, a portion of that certain line being more particularly described as follows:

Beginning at a point on the South line of said Section 35, distant thereon North 88°56'40" East, 206.26 feet from a 2 inch iron pipe with brass cap, set in concrete by the Los Angeles County Surveyor to mark the northwest corner of Section 2, Township 8 North, Range 14 West, San Bernardino Meridian; thence from said point of beginning North 25°25'50" East, 5449.69 feet; thence North 28°35'36" East, 485.92 feet to a point on the North line of said Section 35, distant thereon South 88°58'46" West, 2492.27 feet from a 2 inch iron pipe set to mark the northeast corner of said Section 35, the sidelines of said strip of land being prolonged and shortened respectively, so as to terminate in the said North line of Section 35.

EXHIBIT "A" TO GRANT DEED

RECORDING REQUESTED BY
First American Title Company

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Munger, Tolles & Olson LLP
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
Attention: Michael T. Kovaleski, Esq.

MAIL TAX STATEMENT TO:

Copa De Oro Land Company
c/o Palmer Investments, Inc.
233 Wilshire Boulevard, Suite 800
Santa Monica, California 90401
Attention: Anthony Bains

James W. Fitch, Assessor – Recorder
Kern County Official Records

JASON
7/28/2006
8:00 AM

Recorded at the request of
First American Title

DOC#: **0206184323**



Stat Types: 1 Pages: 4

Fees	16.00
Taxes	** Conf **
Others	0.00
PAID	\$16.00

(Space Above Line for Recorder's Use Only)

GRANT DEED

APN 359-032-017

In accordance with Section 11932 of the California Revenue and Taxation Code, Grantor has declared the amount of the transfer tax that is due by a separate statement which is not being recorded with this Grant Deed.

FOR VALUE RECEIVED, Peter Yong See Cho, a married man as his sole and separate property who acquired title as Yong See Cho ("Grantor"), grants to Copa De Oro Land Company, a California general partnership ("Grantee"), all that certain real property situated in the County of Kern, State of California, described on Exhibit A attached hereto and by this reference incorporated herein (the "Property").

TO HAVE AND TO HOLD the Property with all the rights, privileges and appurtenances thereto belonging, or in any way appertaining, unto the said Grantee and Grantee's successors and assigns.

[SIGNATURE ON NEXT PAGE]

Exhibit A

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of KERN, State of California, described as follows:

THE SOUTH HALF OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 14 WEST, S.B.B.&M., IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND INCLUDED WITHIN A STRIP OF LAND 250 FEET IN WIDTH, THE SIDELINES OF SAID STRIP OF LAND BEING PARALLEL WITH AND DISTANT SOUTHEASTERLY 75 FEET AND NORTHWESTERLY 175 FEET, MEASURED AT RIGHT ANGLES, FROM THAT CERTAIN LINE DESCRIBED IN SUPERIOR COURT CASE NO. 52961, RECORDED IN BOOK 1598, PAGE 429 OF SAID OFFICIAL RECORDS, A PORTION OF THAT CERTAIN LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 35, DISTANT THEREON NORTH $88^{\circ}56'40''$ EAST, 206.26 FEET FROM A 2" IRON PIPE WITH BRASS CAP, SET IN CONCRETE THE LOS ANGELES COUNTY SURVEYOR TO MARK THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 14 WEST, S.B.B.&M., THENCE FROM SAID POINT BEING NORTH $25^{\circ}25'50''$ EAST, 5449.69 FEET; THENCE NORTH $28^{\circ}35'36''$ EAST, 485.92 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 35 DISTANT THEREON SOUTH $88^{\circ}58'46''$ WEST, 2492.27 FEET FROM A 2" IRON PIPE SET TO MARK THE NORTHEAST CORNER OF SAID SECTION 35, THE SIDELINES OF SAID STRIP OF LAND BEING PROLONGED OR SHORTENED RESPECTIVELY, SO AS TO BEGIN IN THE SOUTH LINE OF SAID SECTION 35 AND TO TERMINATE IN THE NORTH LINE OF SECTION 35, AS CONDEMNED IN FEE SIMPLE TO THE CITY OF LOS ANGELES, A MUNICIPAL CORPORATION BY FINAL ORDER OF CONDEMNATION RECORDED JUNE 18, 1971 IN BOOK 4539, PAGE 95 OF OFFICIAL RECORDS.

APN: 359-032-17

Dated: 10/18/, 2006

By: 
Peter Yong See Cho

STATE OF CALIFORNIA)
COUNTY OF Los Angeles) ss.

On July 18, 2006, before me, Frank X. Marcial, a Notary Public in and for said County and State, personally appeared ****PETER YONG SEE CHO****, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.



[Signature]
Notary Public

My Commission Expires: 8/11/2009

Notary Registration Number: 1594848

RECORDING
REQUESTED BY
& MAIL TO

BOOK 5013 PAGE 2049 FD
A 18 FOR 3 0.00

MAR 14 1977 2 22 7 8 10 00

ANTELOPE VALLEY - EAST KERN
WATER AGENCY
554 W. LANCASTER BLVD.
LANCASTER, CA 93534

Recorded by KAY A. ...

TURNOUT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, for good and valuable consideration consisting of making agricultural water available, the undersigned, LAND RESEARCH INVESTMENT, hereinafter called "Grantor", hereby grants and transfers unto ANTELOPE VALLEY-EAST KERN WATER AGENCY, a Public Corporation, hereinafter called "Grantee", a perpetual easement and right-of-way to construct, operate, maintain, repair and if necessary replace a turnout structure and related facilities for agricultural water from the Grantee's underground water pipeline known as the "West Feeder", located on adjacent real property, which easement and right-of-way is in all that portion of the Northeast Quarter of Section 35, Township 9 North, Range 14 West, San Bernardino Meridian, in the County of Kern, State of California, according to the Official Plat thereof, included within a strip of land 30.00 feet (9.15 meters) of even width, the center line of said 30.00 foot wide strip of land being described as follows:

NO FEE

Beginning at the Northeast Corner of the Northeast Quarter of said Section 35, thence westerly along the North line of said Northeast Quarter 2360.00 feet (719.51 meters); thence southerly along a line perpendicular to said North line 30.00 feet (9.15 meters) to the True Point of Beginning of said center line; thence continuing along said perpendicular line 50.00 feet (15.24 meters) to the southerly terminus of said center line.

Said easement shall include, but not be limited to, the right and privilege of workmen, contractors, and any and all agents employed by the Grantee herein to use and occupy said easement for the purpose of constructing, operating and maintaining agricultural turnout facilities and any and all


appurtenances incidental thereto within the above described lands of the Grantor herein. Said easement shall also include the right and privilege to place and operate any and all equipment and machinery on said lands which the Grantee herein or any agent or contractor employed by said Grantee deems necessary for the construction, operation and maintenance of said agricultural turnout facilities.

Reserving to the Grantor herein, his successors and assigns, an easement for ingress and egress over and across all of the lands described above, except that which may cause damage to or restrict the proper operation of said agricultural turnout facilities.

In Witness Whereof, this instrument has been executed this

14 day of Feb, 1977.

LAND RESEARCH INVESTMENTS

By: 
Everett W. Hughes, Jr., Partner

Certificate of Acceptance
Pursuant to Section 27281 of the Government Code

This is to certify that the interest in real property conveyed by the deed or grant dated February 14, 1977 from Good Properties Investments to the Antelope Valley-East Kern Water Agency, a political subdivision of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the Board of Directors of the Antelope Valley-East Kern Water Agency pursuant to authority conferred by resolution of the said Board of Directors adopted on March 8, 1977, and the grantee consents to recordation thereof by its duly authorized officer.

Date March 10, 1977

By Wallace B. Spivack
General Manager

TO 442 C
(Partnership)



STATE OF CALIFORNIA
COUNTY OF Los Angeles } SS.

On February 14, 1977
before me, the undersigned, a Notary Public in and for said State, personally appeared Everett W. Hughes, Jr.

STAPLE HERE

_____ known to me
to be one of the partners of the partnership
that executed the within instrument, and acknowledged to me
that such partnership executed the same.

WITNESS my hand and official seal.

Signature M. J. Cartwright
M. J. Cartwright
Name (Typed or Printed)



(This area for official notarial seal)

RECORDERS MEMO. POOR RECORDED
REPRODUCTION DUE TO QUALITY OF
PRINT OR TYPE ON ORIGINAL DOCUMENT.

RECORDING REQUESTED BY
 WINGERT, GRESING, ANELLO, CHAPIN
 Melvin M. Stuevo
 642 Smoketree Drive
 La Verne, California 91750
 496717-80
 TITLE INSURANCE AND TRUST COMPANY
 AND WHEN RECORDED MAIL TO

5511 1008
 4.00 ORS
 1.00 REEP
 07201 11716782 5.00 CASH

059829

1982 DEC 16 AM 8:20

RECORDED
 RAY A. VERCAMMEN
 KERN COUNTY RECORDER

NAME Melvin M. Stuevo
 ADDRESS 642 Smoketree Drive
 CITY & STATE La Verne, CA 91750

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

NAME N/A
 ADDRESS
 CITY & STATE

Documentary transfer tax \$ 0.00
 Computed on full value of property conveyed, or
 Computed on full value less liens & encumbrances
 remaining thereon at time of sale.
 Signature of declarant or agent determining tax - firm name
 Unincorporated area City of

Grant Deed

THIS FORM FURNISHED BY SECURITY TITLE INSURANCE COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
 LAND RESEARCH INVESTMENTS,

hereby GRANT(S) to Melvin M. Stuevo and Kathleen J. Stuevo (husband and wife)
 and Sidney E. Wasserman and Evelyn Wasserman (husband and wife)

the following described real property in the Rosamond Area
 county of Kern, state of California:

An easement 10' in width for installation and maintenance of underground
 water lines located in the N $\frac{1}{2}$ Sec. 35 T0N, R14W, SBBM. The center line
 of said easement as per attached exhibit "A".

Dated _____

Everett W. Hughes, Jr.
 Everett W. Hughes, Jr.
 Partner
 Land Research Investments

TO 1944 CA (9-74)
 (Partnership)

STATE OF CALIFORNIA }
 COUNTY OF Los Angeles } SS.

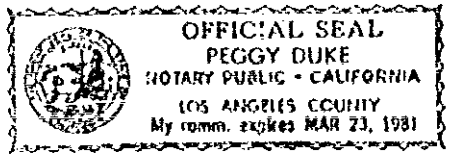
On August 16, 1977
 before me, the undersigned, a Notary Public in and for said State, personally appeared
 Everett W. Hughes, Jr.

He is known to me
 to be ONE of the partners of the partnership
 that executed the within instrument, and acknowledged to me
 that such partnership executed the same.
 WITNESS my hand and official seal.

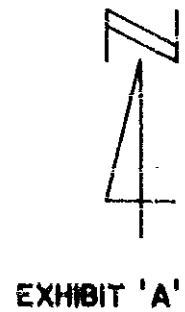
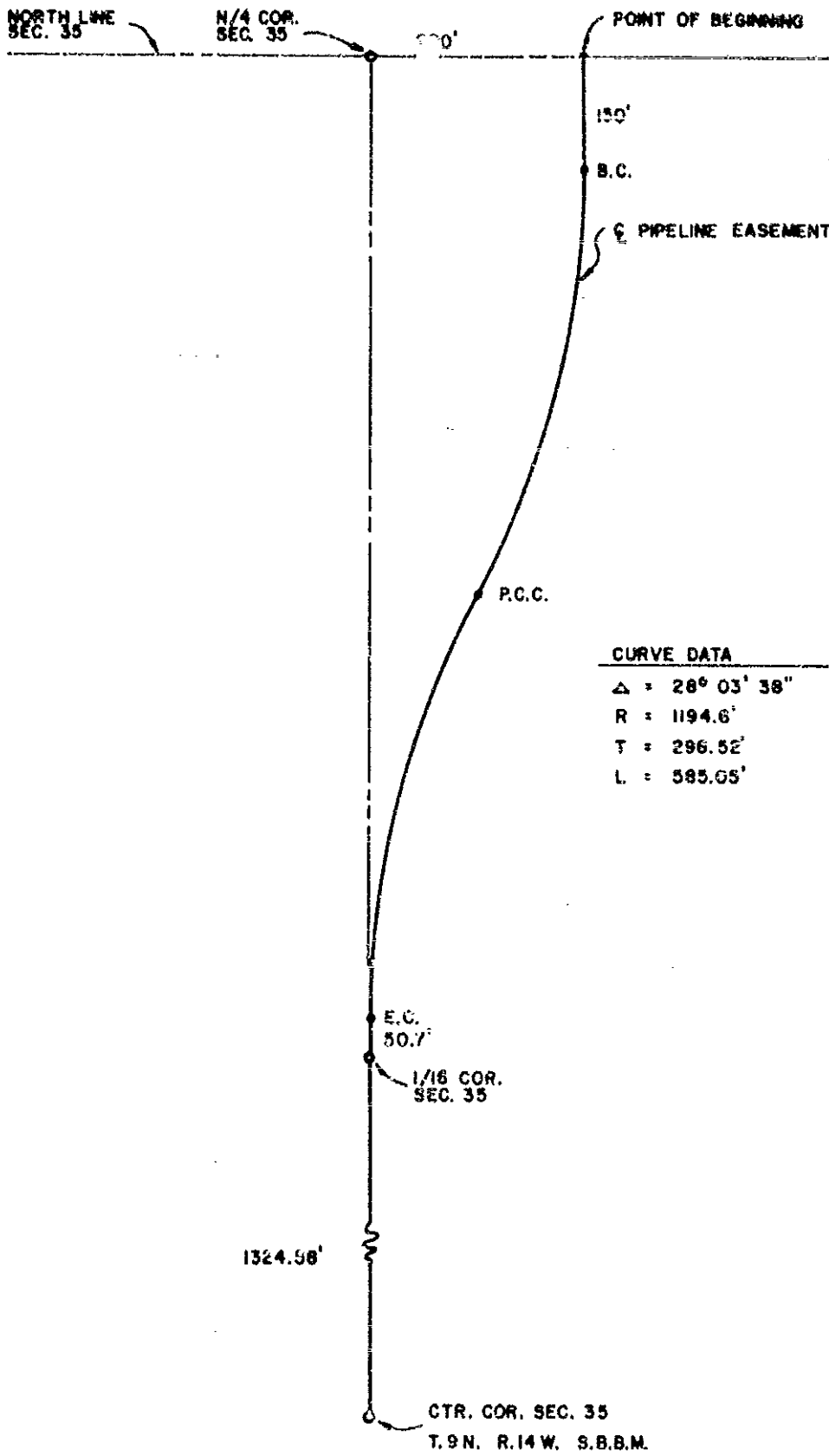
Signature *Peggy Duke*
 Peggy Duke



IR STAMP



(This area for official notarial seal)



CURVE DATA	
Δ	$28^{\circ} 03' 38''$
R	1194.6'
T	296.52'
L	585.05'

BOARD OF DIRECTORS

GEORGE M. LANE
Division 4
President

KEITH DYAS
Division 2
Vice President

CHARLIE O'LOUGHIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

MARLON BARNES
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

DAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

July 28, 2011

Bartkiewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95816-4907

Attn: Ryan Bezzera

**Re: Public Records Act Request – Kern County Property
Gaskell Road & 110th St W-120th St W
APNs 359-032-01 and 359-032-17
("Copa de Oro" Project)**

Dear Mr. Bezzera,

In follow-up to your Public Records Request letter to AVEK dated July 12, 2011 and our conversation from today, I have included our historical untreated water deliveries for the mentioned property. The last deliveries made through our two (2) 11.6R turnout meters located on the property were in 2004. Since 1977, we have delivered 28,133 Acre-Feet of water coming from the State Water Project, Calif. Aqueduct to the site.

Please allow us another 10-15 days to collect the remainder of what documents are available as requested. This will include any contracts for water deliveries by AVEK to the property and any correspondence concerning the site's AVEK water. We have no records related to groundwater pumping on the property.

Sincerely,

Tom Barnes
Resources Manager
AVEK Water Agency

AVEK Customer Water Use Report - 1976 thru 2010
Water Deliveries (Acre-Foot) - Location of AVEK Turnouts

LOCATION: 115th St West & Gaskell Rd.

YEAR	Acre-Ft	Acre-Ft
2010	0	0
2009	0	0
2008	0	0
2007	0	0
2006	0	0
2005	0	0
2004	0	626
2003	0	867
2002	0	842
2001	0	829
2000	0	708
1999	0	635
1998	0	208
1997	0	805
1996	0	182
1995	0	447
1994	0	204
1993	0	234
1992	0	117
1991	0	0
1990	0	899

AVEK Customer Water Use Report - 1976 thru 2010
Water Deliveries (Acre-Ft) - Location of AVEK Turnouts

LOCATION: 115th St West & Gaskell Rd.

YEAR	Acre-Ft	Acre-Ft
1989	637	767
1988	641	595
1987	634	657
1986	584	276
1985	746	505
1984	806	478
1983	0	1,535
1982	0	1,757
1981	1,838	1,122
1980	1,768	1,084
1979	1,136	701
1978	646	1,010
1977	606	---
1976	---	---
TOTAL:	10,043	18,090



11.6R







02.14.2012



02.15.2012



02.15.2012



6-COPA-2

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION REGARDING FACTS
PERTAINING TO COPA DE ORO
LAND COMPANY FOR TRIAL

8792/P022813rsb (Stipulation)

STIPULATION REGARDING COPA DE ORO LAND COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

This Stipulation establishes the facts below between Copa de Oro Land Company (“Copa de Oro”) and the public water suppliers. For purposes of this Stipulation, the public water suppliers are: (A) Los Angeles County Waterworks District No. 40; (B) Quartz Hill Water District; (C) Littlerock Creek Irrigation District; (D) Palm Ranch Irrigation District; (E) Palmdale Water District; (F) the City of Palmdale; (G) the City of Lancaster; (H) Rosamond Community Services District; and (I) California Water Service Company. Copa de Oro and the public water suppliers hereby stipulate as follows:

The facts stated in the Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, which declaration and exhibits were posted to the Court’s website on January 31, 2013, are undisputed, may be treated by the Court as facts proven in open court and shall be binding upon Copa de Oro and the public water suppliers for all and purposes in this action.

Dated: February 28, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: 
Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

Dated: February 28, 2013

BEST BEST & KRIEGER LLP

By: 
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks District No. 40

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: February 28, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: February 28, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: February 28, 2013

LAGERLOF, SENECA, GOSNEY & KRUSE

By: Thomas A. Bunn III
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: February 28, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

Dated: February 28, 2013

MURPHY & EVERTZ LLP

By: _____
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On February 28, 2013, I served, in the manner described below, the following document:

**STIPULATION REGARDING FACTS PERTAINING TO COPA DE ORO
LAND COMPANY FOR TRIAL**

I posted this document to the Court's World Wide Website located at www.scefiling.org.

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

Executed at Sacramento, California on February 28, 2013.

Terry M. Olson

6-COPA-3

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

1 **STIPULATION**

2 Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have
3 signed this Stipulation stipulate as follows:

4 1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water
5 Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos.
6 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

7 2. The following amounts of water were used for agricultural purposes on the
8 Property in the following years:

- 9 (A) 2000 – 708 acre-feet;
10 (B) 2001 – 829 acre-feet;
11 (C) 2002 – 842 acre-feet;
12 (D) 2003 – 867 acre-feet; and
13 (E) 2004 – 626 acre-feet.

14 3. Consistent with the Court's January 17, 2013 First Amendment to Case
15 Management Order for Phase Four Trial, Copa de Oro and the undersigned public water
16 suppliers reserve, for a future phase of this action, their rights concerning:

- 17 (A) The reasonableness of the 2000 and 2001 water use on the Property; and
18 (B) The requirements for the application of Water Code section 1005.4.

19 4. Subject to the reservations stated in paragraph 3 above, the parties to this
20 Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be
21 treated by the Court as facts proven in open court and shall be binding for all purposes in this
22 action on Copa de Oro and the public water suppliers who have signed below.

23 Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

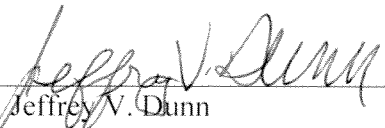
24
25 By: 
26 Ryan S. Bezerra

27 Attorneys for Copa de Oro Land Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: 
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

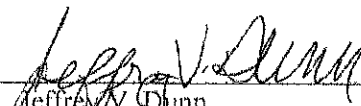
By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 16, 2013

BEST, BEST & KRIEGER LLP

By: 
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

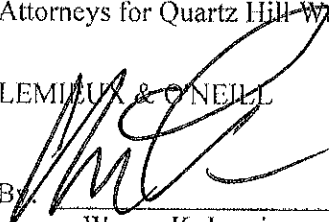
CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April 16, 2013

LEMIEUX & O'NEILL

By: 
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENECA, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1 Dated: April 16, 2013

BEST, BEST & KRIEGER LLP

2
3 By: Jeffrey V. Dunn
4 Jeffrey V. Dunn

5 Attorneys for Los Angeles County Waterworks
6 District No. 40

7 Dated: April __, 2013

CHARLTON WEEKS LLP

8
9 By: _____
Bradley T. Weeks

10 Attorneys for Quartz Hill Water District

11 Dated: April __, 2013

LEMIEUX & O'NEILL

12
13 By: _____
14 Wayne K. Lemieux

15 Attorneys for Littlerock Creek Irrigation District
16 and Palm Ranch Irrigation District

17 Dated: April 16, 2013

LAGERLOF, SENECAI, GOSNEY & KRUSE

18
19 By: Thomas L. Bunn III
20 Thomas Bunn III

21 Attorneys for Palmdale Water District

22 Dated: April __, 2013

RICHARDS, WATSON & GERSHON

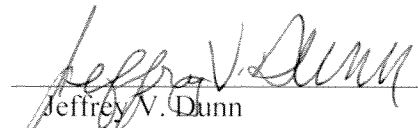
23
24 By: _____
25 STEVEN R. ORR

26 Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: 
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April 17, 2013

RICHARDS, WATSON & GERSHON

By: 
STEVEN R. ORR

Attorneys for City of Palmdale

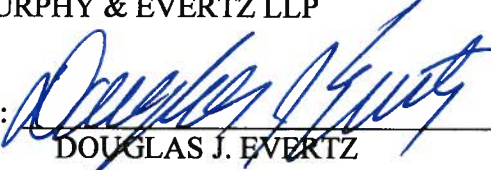
StO

StO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 16, 2013

MURPHY & EVERTZ LLP

By: 
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: April __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
JOHN TOOTLE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April __, 2013

MURPHY & EVERTZ LLP

By: _____
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: April __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
JOHN TOOTLE

Antelope Valley-East Kern Water Agency stipulates to the foregoing facts.

Dated: April 7, 2013

BRUNICK, McELHANEY & KENNEDY PLC

By:  _____
WILLIAM J. BRUNICK

Attorneys for Antelope Valley-East Kern Water
Agency

BOARD OF DIRECTORS

GEORGE LANE
Division 4
President

KEITH DYAS
Division 2
Vice President

CHARLIE O'LOUGHLIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

MARLON BARNES
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

DAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Katrina C. Gonzales
Bartkiewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W – 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004:

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	37.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.16	9.94	75.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.86	212.33	214.53	169.41	66.84	32.28	0	0	867.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre Foot

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency

6-COPA-4

1 RYAN S. BEZERRA, State Bar No. 178048
 2 JOSHUA M. HOROWITZ, State Bar No. 186866
 3 KATRINA C. GONZALES, State Bar No. 258412
 4 BARTKIEWICZ, KRONICK & SHANAHAN
 5 A PROFESSIONAL CORPORATION
 6 1011 TWENTY-SECOND STREET
 7 SACRAMENTO, CALIFORNIA 95816-4907
 8 TELEPHONE: (916) 446-4254
 9 TELECOPIER: (916) 446-4018
 10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
 12 Copa De Oro Land Company.

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
 16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
 18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
 21 No. 40 v. Diamond Farming Co., Superior
 22 Court of California, County of Los Angeles,
 23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
 25 No. 40 v. Diamond Farming Co., Superior
 26 Court of California, County of Kern, Case
 27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
 Lancaster, Diamond Farming Co. v.
 Lancaster, Diamond Farming Co. v.
 Palmdale Water Dist., Superior Court of
 California, County of Riverside, Case No.
 RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
 PROCEEDING NO. 4408

Case No. BC 391869
 Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

~~PROPOSED~~ ORDER APPROVING
 STIPULATIONS CONCERNING COPA
 DE ORO LAND COMPANY AND
 GRANTING LEAVE TO SERVE
 WRITTEN DISCOVERY

Date: April 30, 2013
 Time: 9 a.m.
 Dept: TBD (CourtCall)
 Judge: Hon. Jack Komar
 Filing Date: July 11, 2005 (coordination)
 Trial Date: May 28, 2013 (Phase IV)

8792/P042313rsb Order

[PROPOSED] ORDER APPROVING STIPULATIONS CONCERNING COPA DE ORO LAND COMPANY
 AND GRANTING LEAVE TO SERVE WRITTEN DISCOVERY

1 **ORDER GRANTING APPLICATION OF COPA DE ORO LAND COMPANY FOR**
2 **APPROVAL OF STIPULATIONS CONCERNING COPA DE ORO LAND COMPANY**
3 **AND GRANTING LEAVE TO SERVE WRITTEN DISCOVERY**

4 On April 30, 2013, at 9 a.m. in Department ___ of the Los Angeles County Superior
5 Court, the application of cross-defendant Copa de Oro Land Company ("Copa de Oro") came
6 on for hearing via CourtCall, the Honorable Jack Komar presiding. Copa de Oro applied for an
7 order: (1) approving a Stipulation Regarding Facts Pertaining to Copa de Oro Land Company
8 for Trial (the "Ownership Stipulation"), and a Stipulation for Phase IV Trial Regarding Water
9 Use on Copa de Oro Land Company's Property (the "Water Use Stipulation") among Copa de
10 Oro, and public water suppliers; (2) granting Copa de Oro leave to serve requests for admission
11 and Form Interrogatory 17.1 on all parties in this action that have not executed the Ownership
12 Stipulation and the Water Use Stipulation; (3) shortening the time for responding to those
13 requests for admission and that Form Interrogatory to five court days; and (4) establishing that
14 a failure to respond to one or more of those requests for admission shall be deemed to be an
15 admission to the request(s). The parties' appearances were as recorded by the Clerk. The
16 Court has considered the parties' evidence and arguments.

17 The Court finds as follows:

18 (1) In the Ownership Stipulation, Copa de Oro, Los Angeles County Waterworks
19 District No. 40 ("District 40") and Palmdale Water District have stipulated to the truth of the
20 facts stated in the Declaration of Elliot Joelson for Copa de Oro Land Company and its
21 exhibits, posted on the Court's Web site at
22 <http://www.scefilng.org/document/document.jsp?documentId=76507> on January 31, 2013 (the
23 "Joelson Declaration"). The City of Palmdale also has stated its agreement with the Ownership
24 Stipulation;

25 (2) In the Water Use Stipulation, Copa de Oro, District 40, Littlerock Creek
26 Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, City of Palmdale,
27 Rosamond Community Services District, City of Lancaster and the Antelope Valley-East Kern
28 Water Agency ("AVEK") have stipulated to the truth of the facts concerning AVEK water

1 deliveries to Copa de Oro's property during the 2000-2004 period and the amounts of water
2 used for agricultural purposes on Copa de Oro's property in 2000, 2001, 2002, 2003 and 2004;

3 (3) The parties have had considerable time to review the facts stated in the Joelson
4 Declaration and in the Declaration of Vera H. Nelson for Copa de Oro Land Company and its
5 exhibits, posted on the Court's Web site at
6 <http://www.sceffiling.org/document/document.jsp?documentId=76508> (the "Nelson
7 Declaration");

8 (4) The Ownership Stipulation and the Water Use Stipulation are the products of the
9 discovery process that the Court established to simplify the Phase IV trial, with the Joelson and
10 Nelson Declarations having been produced in that process;

11 (5) Consistent with the Court's stated intent of simplifying the Phase IV Trial and
12 its powers over this coordinated matter, this Court may authorize Copa de Oro to propound its
13 proposed requests for admission and Form Interrogatory 17.1, attached hereto as Exhibits A
14 and B, to identify any disputes concerning Copa de Oro's property ownership and water use
15 that the parties have not disclosed to date;

16 (6) Shortening the time for responses to Copa de Oro's proposed discovery requests
17 pursuant to the Court's powers over this coordinated matter and Code of Civil Procedure
18 sections 2030.260, subdivision (a), and 2033.250, subdivision (a), will enable the stipulating
19 parties to conclude any steps necessary to ensure they will not need to present evidence
20 concerning facts agreed upon in the Ownership and Water Use Stipulations at the Phase IV trial
21 and assist the Court in organizing the Phase IV trial; and

22 (7) Ordering that a failure to respond to the proposed requests for admission shall be
23 deemed an admission is authorized by Code of Civil Procedure section 404.7 and California
24 Rules of Court, rule 3.504, subdivision (e), and is consistent with the intent of the procedures
25 stated in Code of Civil Procedure section 2033.280, subdivisions (b) and (c).

26 Accordingly, GOOD CAUSE APPEARING, the Court orders as follows:

27 (1) The Ownership Stipulation and the Water Use Stipulation are approved and
28 shall be binding upon the parties to such stipulations for all purposes in this action.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

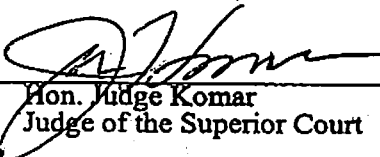
(2) Copa de Oro may serve its proposed requests for admission and Form Interrogatory 17.1 in the form attached as Exhibits A and B on every party in this action that is not a signatory to the Ownership Stipulation and the Water Use Stipulation, or has not stated its agreement with both stipulations, by posting those written discovery requests to the Court's Web site at www.scefilings.org.

(3) Parties that are served with Copa de Oro's requests for admission and Form Interrogatory 17.1 must post their responses to the Court's Web site at www.scefilings.org within five court days following service by Copa de Oro of those requests and that Form Interrogatory.

(4) A party's failure to respond to one or more of Copa de Oro's requests for admission shall be deemed an admission of the matters specified in each request to which the responding party does not serve a response as required by this Order.

IT IS SO ORDERED.

Dated: APRIL 30, 2013



Hon. Judge Komar
Judge of the Superior Court

6-COPA-5

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

COPA DE ORO LAND COMPANY'S
FIRST SET OF REQUESTS FOR
ADMISSIONS PROPOUNDED ON
PARTIES THAT ARE NOT
SIGNATORIES TO THE
STIPULATIONS CONCERNING COPA
DE ORO LAND COMPANY

1 **PROPOUNDING PARTY:** Copa de Oro Land Company

2 **RESPONDING PARTY:** Every party that is not a signatory to both the Stipulation
3 Regarding Facts Pertaining to Copa de Oro Land Company for
4 Trial and the Stipulation for Phase IV Trial Regarding Water Use
5 on Copa de Oro Land Company's Property, posted on the Court's
6 Web site on February 28, 2013 and April 19, 2013, respectively

6 **SET:** One

7 **PRELIMINARY STATEMENT**

8 Pursuant to Code of Civil Procedure section 2030.010 et seq., Copa de Oro Land
9 Company respectfully requests that responding party answer, under oath, the Requests for
10 Admissions [Set One] within five court days of service as follows:

11 **REQUESTS FOR ADMISSIONS**

12 **REQUEST FOR ADMISSION NO. 1:**

13 Admit that Copa de Oro Land Company owns the property identified as Kern County
14 Assessor's Parcel Number 359-032-01 in Kern County, California.

15 **REQUEST FOR ADMISSION NO. 2:**

16 Admit that Copa de Oro Land Company owns the property identified as Kern County
17 Assessor's Parcel Number 359-032-17 in Kern County, California.

18 **REQUEST FOR ADMISSION NO. 3:**

19 Admit that the total amount of water delivered by the Antelope-Valley East Kern Water
20 Agency to the PROPERTY in 2000 was, rounded to the nearest acre-foot, 708 acre feet. For
21 purposes of this Request for Admission, the term "PROPERTY" means those parcels identified
22 as Kern County Assessor's Parcel Numbers 359-032-01 and 359-032-17.

23 **REQUEST FOR ADMISSION NO. 4:**

24 Admit that the total amount of water delivered by Antelope-Valley East Kern Water
25 Agency to the PROPERTY in 2001 was, rounded to the nearest acre-foot, 829 acre feet. For
26 purposes of this Request for Admission, the term "PROPERTY" means those parcels identified
27 as Kern County Assessor's Parcel Numbers 359-032-01 and 359-032-17.
28

1 **REQUEST FOR ADMISSION NO. 5:**

2 Admit that the total amount of water delivered by Antelope Valley-East Kern Water
3 Agency to the PROPERTY in 2002 was, rounded to the nearest acre-foot, 842 acre feet. For
4 purposes of this Request for Admission, the term "PROPERTY" means those parcels identified
5 as Kern County Assessor's Parcel Numbers 359-032-01 and 359-032-17.

6 **REQUEST FOR ADMISSION NO. 6:**

7 Admit that the total amount of water delivered by Antelope Valley-East Kern Water
8 Agency to the PROPERTY in 2003 was, rounded to the nearest acre-foot, 867 acre feet. For
9 purposes of this Request for Admission, the term "PROPERTY" means those parcels identified
10 as Kern County Assessor's Parcel Numbers 359-032-01 and 359-032-17.

11 **REQUEST FOR ADMISSION NO. 7:**

12 Admit that the total amount of water delivered by Antelope Valley-East Kern Water
13 Agency to the PROPERTY in 2004 was, rounded to the nearest acre-foot, 626 acre feet. For
14 purposes of this Request for Admission, the term "PROPERTY" means those parcels identified
15 as Kern County Assessor's Parcel Numbers 359-032-01 and 359-032-17.

16 **REQUEST FOR ADMISSION NO. 8:**

17 Admit that 708 acre-feet of water was used for agricultural purposes on the
18 PROPERTY in 2000. For purposes of this Request for Admission, the term "PROPERTY"
19 means those parcels identified as Kern County Assessor's Parcel Numbers 359-032-01 and
20 359-032-17.

21 **REQUEST FOR ADMISSION NO. 9:**

22 Admit that 829 acre-feet of water was used for agricultural purposes on the
23 PROPERTY in 2001. For purposes of this Request for Admission, the term "PROPERTY"
24 means those parcels identified as Kern County Assessor's Parcel Numbers 359-032-01 and
25 359-032-17.

26
27
28

1 **REQUEST FOR ADMISSION NO. 10:**

2 Admit that 842 acre-feet of water was used for agricultural purposes on the
3 PROPERTY in 2002. For purposes of this Request for Admission, the term "PROPERTY"
4 means those parcels identified as Kern County Assessor's Parcel Numbers 359-032-01 and
5 359-032-17.

6 **REQUEST FOR ADMISSION NO. 11:**

7 Admit that 867 acre-feet of water was used for agricultural purposes on the
8 PROPERTY in 2003. For purposes of this Request for Admission, the term "PROPERTY"
9 means those parcels identified as Kern County Assessor's Parcel Numbers 359-032-01 and
10 359-032-17.

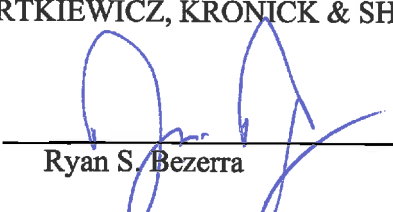
11 **REQUEST FOR ADMISSION NO. 12:**

12 Admit that 626 acre-feet of water was used for agricultural purposes on the
13 PROPERTY in 2004. For purposes of this Request for Admission, the term "PROPERTY"
14 means those parcels identified as Kern County Assessor's Parcel Numbers 359-032-01 and
15 359-032-17.

16 Dated: May 1, 2013

Respectfully submitted,

BARTKIEWICZ, KRONICK & SHANAHAN

18
19 By: 
20 Ryan S. Bezerra

21 Attorneys for Copa de Oro Land Company

22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On ^{May 1,} ~~March 14,~~ 2013, I served, in the manner described below, the following document:

COPA DE ORO LAND COMPANY'S FIRST SET OF REQUESTS FOR ADMISSIONS PROPOUNDED ON PARTIES THAT ARE NOT SIGNATORIES TO THE STIPULATIONS CONCERNING COPA DE ORO LAND COMPANY

I posted this document to the Court's World Wide Website located at www.scefiling.org.

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

Executed at Sacramento, California on ^{May 1} _____, 2013.

Terry M. Olson

6-COPA-6

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
BETWEEN COPA DE ORO LAND
COMPANY AND PHELAN PINON
HILLS COMMUNITY SERVICES
DISTRICT

8792/P042613rsb Stipulation

PHASE IV STIPULATION BETWEEN COPA DE ORO AND PHELAN PINON HILLS CSD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

This Stipulation establishes facts stated below between Copa de Oro Land Company ("Copa de Oro") and Phelan Pinon Hills Community Services District ("PPHCSD"), which are adverse parties in this matter. Subject to the reservation of rights below, Copa de Oro and PPHCSD hereby stipulate that the facts stated in the following documents are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action as between Copa de Oro and PPHCSD:

1. The [Proposed] Stipulation for Phase 4 Trial Regarding Phelan Pinon Hills Community Services District's Groundwater Production And Beneficial Uses, posted to the Court's Web site on March 11, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=78248>);
2. The Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, posted to the Court's Web site on January 31, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=76507>); and
3. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's Property, posted to the Court's Web site on April 19, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=79881>).

Copa de Oro and PPHCSD reserve their respective rights to make all legal arguments concerning each other's water rights, and introduce related evidence that does not contradict the stipulated facts above, in any future phase of this matter.

Dated: April 29, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: _____


Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April ~~27~~^{29th}, 2013

ALESHIRE & WYNDER, LLP

By: 
Wesley A. Miliband

Attorneys for Phelan Pinon Hills Community
Services District

2
3 **PROOF OF SERVICE**

4 I, Linda Yarvis,

5 I am employed in the County of Orange, State of California. I am over the age of 18 and
6 not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700,
Irvine, CA 92612.

7 On April 29, 2013, I served the within document(s) described as **STIPULATION FOR**
8 **PHASE IV TRIAL BETWEEN COPA DE ORO LAND COMPANY AND PHELAN PINON**
HILLS COMMUNITY SERVICES DISTRICT as follows:

9 (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara
10 County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the
Court's Clarification Order. Electronic service and electronic posting completed through
11 www.scefiling.org.

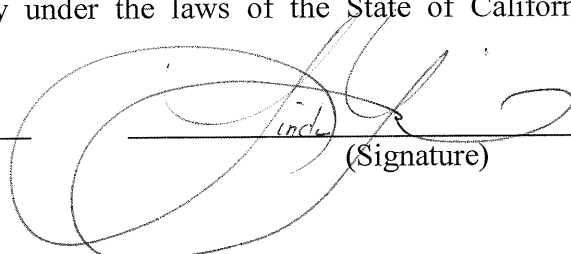
12 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
13 addressed as set forth above. I placed each such envelope for collection and mailing following
ordinary business practices. I am readily familiar with this Firm's practice for collection and
14 processing of correspondence for mailing. Under that practice, the correspondence would be
deposited with the United States Postal Service on that same day, with postage thereon fully
15 prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the
party served, service is presumed invalid if postal cancellation date or postage meter date is more
than one day after date of deposit for mailing in affidavit.

16 (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained
17 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by
said express service carrier to receive documents, a true copy of the foregoing document(s) in a
18 sealed envelope or package designated by the express service carrier, addressed as set forth above,
with fees for overnight delivery paid or provided for.

19 Executed on April 29, 2013, at Irvine, California.

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

22 _____
Linda Yarvis
(Type or print name)

23 

(Signature)

6-COPA-7

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1 Dated: April __, 2013

MURPHY & EVERTZ LLP

2

3

By: _____
DOUGLAS J. EVERTZ

4

Attorneys for City of Lancaster and Rosamond
Community Services District

5

6

7 Dated: April __, 2013

CALIFORNIA WATER SERVICE COMPANY

8

9

By: _____
JOHN TOOTLE

10

11

Antelope Valley-East Kern Water Agency stipulates to the foregoing facts.

12

Dated: April 18, 2013

BRUNICK, McELHANEY & KENNEDY PLC

13

14

By:  _____
WILLIAM J. BRUNICK

15

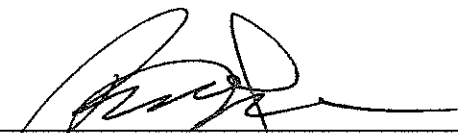
Attorneys for Antelope Valley-East Kern Water
Agency

16

DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY
ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC hereby stipulate to the foregoing
facts.

Dated: May 6, 2013

LeBEAU - THELEN, LLP

By:  _____

BOB H. JOYCE, ESQ.
Attorneys for DIAMOND FARMING
COMPANY, a California corporation,
CRYSTAL ORGANIC FARMS, a limited
liability company, GRIMMWAY
ENTERPRISES, INC., and LAPIS LAND
COMPANY, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
JUDICIAL COUNCIL PROCEEDING NO. 4408
CASE NO.: 1-05-CV-049053

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On May 6, 2013, I served the within **STIPULATION FOR PHASE IV TRIAL REGARDING WATER USE ON COPA DE ORO LAND COMPANY'S PROPERTY SIGNED BY BOB H. JOYCE**

(BY POSTING) I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through www.scefilings.org ; All papers filed in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

Los Angeles County Superior Court
111 North Hill Street
Los Angeles, CA 90012
Attn: **Department 1**
(213) 893-1014

Chair, Judicial Council of California
Administrative Office of the Courts
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordinator)
Carlotta Tillman
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Fax (415) 865-4315

(BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on May 6, 2013, in Bakersfield, California.


LEQUETTA HANSEN

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

STIPULATION REGARDING FACTS
PERTAINING TO COPA DE ORO
LAND COMPANY FOR TRIAL

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

8792/P022813rsb (Stipulation)

STIPULATION REGARDING COPA DE ORO LAND COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

STIPULATION

This Stipulation establishes the facts below between Copa de Oro Land Company ("Copa de Oro") and the public water suppliers. For purposes of this Stipulation, the public water suppliers are: (A) Los Angeles County Waterworks District No. 40; (B) Quartz Hill Water District; (C) Littlerock Creek Irrigation District; (D) Palm Ranch Irrigation District; (E) Palmdale Water District; (F) the City of Palmdale; (G) the City of Lancaster; (H) Rosamond Community Services District; and (I) California Water Service Company. Copa de Oro and the public water suppliers hereby stipulate as follows:

The facts stated in the Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, which declaration and exhibits were posted to the Court's website on January 31, 2013, are undisputed, may be treated by the Court as facts proven in open court and shall be binding upon Copa de Oro and the public water suppliers for all and purposes in this action.

Dated: February 28, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: _____


Ryan S. Bezerra

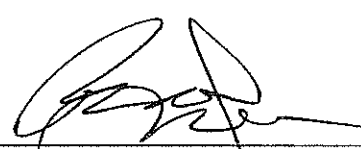
Attorneys for Copa de Oro Land Company

DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC hereby stipulate to the foregoing facts.

Dated: May 6, 2013

LeBEAU - THELEN, LLP

By: _____


BOB H. JOYCE, ESQ.
Attorneys for DIAMOND FARMING COMPANY, a California corporation, CRYSTAL ORGANIC FARMS, a limited liability company, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES
JUDICIAL COUNCIL PROCEEDING NO. 4408
CASE NO.: 1-05-CV-049053

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On May 6, 2013, I served the within **STIPULATION REGARDING FACTS PERTAINING TO COPA DE ORO LAND COMPANY FOR TRIAL SIGNED BY BOB H. JOYCE**

(BY POSTING) I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through www.scefilings.org ; All papers filed in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

Los Angeles County Superior Court
111 North Hill Street
Los Angeles, CA 90012
Attn: **Department 1**
(213) 893-1014

Chair, Judicial Council of California
Administrative Office of the Courts
Attn: Appellate & Trial Court Judicial Services
(Civil Case Coordinator)
Carlotta Tillman
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Fax (415) 865-4315

(BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on May 6, 2013, in Bakersfield, California.


LEQUETTA HANSEN

6-COPA-8

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Copa De Oro Land Company**

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF LOS ANGELES**

14 **Coordination Proceeding Special Title**
15 **(Rule 1550(b))**

16 **ANTELOPE VALLEY GROUNDWATER**
17 **CASES**

18 **Included Actions:**

19 **Los Angeles County Waterworks District**
20 **No. 40 v. Diamond Farming Co., Superior**
21 **Court of California, County of Los Angeles,**
22 **Case No. BC 325 201;**

23 **Los Angeles County Waterworks District**
24 **No. 40 v. Diamond Farming Co., Superior**
25 **Court of California, County of Kern, Case**
26 **No. S-1500-CV-254-348;**

27 **Wm. Bolthouse Farms, Inc. v. City of**
28 **Lancaster, Diamond Farming Co. v.**
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

NOTICE OF LODGING OF
SIGNATURES TO STIPULATIONS
CONCERNING COPA DE ORO LAND
COMPANY

8792/P050813rsb (Lodging of Signatures)

NOTICE OF LODGING OF SIGNATURES TO COPA DE ORO'S STIPULATIONS

1 **NOTICE OF LODGING OF SIGNATURES TO COPA DE ORO'S STIPULATIONS**

2 TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that Copa de Oro Land Company ("Copa de Oro") is lodging
4 additional signatures on stipulations concerning its property and water use.

5 On April 30, 2013, Copa de Oro posted to the Court's web site a letter to all counsel
6 offering a general stipulation ("General Stipulation") to all parties who had not signed either the
7 Stipulation Regarding Facts Pertaining to Copa de Oro Land Company for Trial
8 (<http://www.scefilng.org/document/document.jsp?documentId=77782>) ("Ownership
9 Stipulation") or the Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land
10 Company's Property (<http://www.scefilng.org/document/document.jsp?documentId=79881>)
11 ("Water Use Stipulation").

12 Copa de Oro has received additional signatures on these stipulations, as follows:

13 Exhibit A: Signature of Robert G. Kuhs, Kuhs & Parker, Attorneys for Tejon
14 Ranchcorp, Tejon Ranch Company and Granite Construction Company,
15 to the Water Use Stipulation;

16 Exhibit B: Signature of W. Keith Lemieux, Lemieux & O'Neill, Attorneys for
17 North Edwards Water District, Desert Lake Community Service District,
18 Llano del Rio Water Company, Llano Mutual Water Company and Big
19 Rock Mutual Company, to the Water Use Stipulation;

20 Exhibit C: Signature of Ryan Drake, Brownstein Hyatt Farber Schreck, Attorneys
21 for Antelope Valley Groundwater Agreement Association (AGWA), to
22 the General Stipulation;

23 Exhibit D: Signature of William R. Carlson, Herum Crabtree, Attorneys for
24 Antelope Valley Water Storage, LLC, to the General Stipulation; and

25 Exhibit E: Signature of Edward S. Renwick, Hanna and Morton LLP, Attorneys for
26 WAGAS Land Company LLC, to the General Stipulation.

27 These signatures are in addition to the following signatures that have already been
28 posted to the Court's web site:

1 (1) Signature of Bob Joyce, LeBeau-Thelen LLP, attorneys for Diamond Farming
2 Company, Crystal Organic Farms, Grimmway Enterprises, Inc. and Lapis Land Company,
3 LLC, to the Ownership Stipulation
4 (<http://www.scefilng.org/document/document.jsp?documentId=80522>) and the Water Use
5 Stipulation (<http://www.scefilng.org/document/document.jsp?documentId=80521>) posted on
6 May 6, 2013; and

7 (2) Signature of Wesley A. Miliband, Aleshire & Wynder, LLP, Attorneys for
8 Phelan Pinon Hills Community Services District, to the Stipulation for Phase IV Trial Between
9 Copa de Oro Land Company and Phelan Pinon Hills Community Services District
10 (<http://www.scefilng.org/document/document.jsp?documentId=80211>) posted on April 29,
11 2013.

12
13 Dated: May 8, 2013

Respectfully submitted,

14 BARTKIEWICZ, KRONICK & SHANAHAN
15 A Professional Corporation

16
17 By: 
Katrina C. Gonzales

18 Attorneys for Cross-defendant Copa de Oro Land
19 Company
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On May 8, 2013, I served, in the manner described below, the following document:

**NOTICE OF LODGING OF SIGNATURES TO STIPULATIONS
CONCERNING COPA DE ORO LAND COMPANY**

I posted this document to the Court's World Wide Website located at www.scefiling.org.

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

Executed at Sacramento, California on May 8, 2013.

Terry M. Olson

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1 **STIPULATION**

2 Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have
3 signed this Stipulation stipulate as follows:

4 1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water
5 Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos.
6 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

7 2. The following amounts of water were used for agricultural purposes on the
8 Property in the following years:

- 9 (A) 2000 – 708 acre-feet;
10 (B) 2001 – 829 acre-feet;
11 (C) 2002 – 842 acre-feet;
12 (D) 2003 – 867 acre-feet; and
13 (E) 2004 – 626 acre-feet.

14 3. Consistent with the Court's January 17, 2013 First Amendment to Case
15 Management Order for Phase Four Trial, Copa de Oro and the undersigned public water
16 suppliers reserve, for a future phase of this action, their rights concerning:

- 17 (A) The reasonableness of the 2000 and 2001 water use on the Property; and
18 (B) The requirements for the application of Water Code section 1005.4.

19 4. Subject to the reservations stated in paragraph 3 above, the parties to this
20 Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be
21 treated by the Court as facts proven in open court and shall be binding for all purposes in this
22 action on Copa de Oro and the public water suppliers who have signed below.

23 Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

24
25 By: 

Ryan S. Bezerra

26
27 Attorneys for Copa de Oro Land Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 16, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

MURPHY & EVERTZ LLP

By: 
DOUGLAS L. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: April 2, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
JOHN TOOTLE

TEJON RANCHCORP, TEJON RANCH COMPANY AND GRANITE
CONSTRUCTION COMPANY hereby stipulate to the facts set forth in paragraphs 1 and 2
above, subject to the reservations set forth in paragraph 3 above.

Dated: May 7, 2013

KUHS & PARKER

By: 
Robert G. Kuhs

Attorney for Tejon Ranchcorp, Tejon
Ranch Company and Granite
Construction Company

BOARD OF DIRECTORS

GEORGE LANE
Division 4
President

KERBY DYAS
Division 2
Vice President

CHARLE O'LOUGHLIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

JANILSON BARRIE
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

IGAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Karina C. Gonzales
Bartkewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W - 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004:

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	57.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.15	9.94	5.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.85	212.33	214.53	169.41	66.84	32.28	0	0	867.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre Foot

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency

May 1, 2013

Via Email Only: rsb@bkslawfirm.com

Ryan Bezerra, Esq.
Bartkiewicz, Kronick & Shanahan
1011 Twenty-Second Street
Sacramento, CA 95816

Re: Stipulation Re: Water Use on Copa de Oro Property for Phase 4 trial

Our office executed the Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's property. Our intent was to stipulate on behalf of all of our clients. It appears the signature page only reflects two of our clients, Littlerock Creek Irrigation District and Palm Ranch Irrigation District. We have attached a signed copy which reflects a signature on behalf of our other clients as well, North Edwards Water District, Desert Lake Community Services District, Llano del Rio Water Company, Llano Mutual Water Company, and Big Rock Mutual Water Company, at the last page.

We trust this relieves our clients of any obligation to respond to the Requests for Admissions and Form Interrogatories posted on May 1, 2013. If this is not your understanding, please contact us immediately.

Thank you for your continued cooperation.

Sincerely,

LEMIEUX & O'NEILL


Christine Carson, Esq.

CC:km
Enclosure

1 DATED: May 1, 2013.

LEMIEUX & O'NEILI

2
3 By: 

W. KEITH LEMIEUX

4 Attorneys for NORTH EDWARDS WATER
5 DISTRICT, DESERT LAKE COMMUNITY
6 SERVICE DISTRICT, LLANO DEL RIO WATER
7 COMPANY, LLANO MUTUAL WATER
8 COMPANY, BIG ROCK MUTUAL WATER
9 COMPANY

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
CONCERNING COPA DE ORO LAND
COMPANY

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

This Stipulation establishes facts stated below between Copa de Oro Land Company ("Copa de Oro") and the undersigned party(ies). Subject to the reservation of rights below, the undersigned party(ies) hereby stipulate that the facts stated in the following documents are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action as between Copa de Oro and the undersigned party(ies):

1. The Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, posted to the Court's Web site on January 31, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=76507>); and
2. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's Property, posted to the Court's Web site on April 19, 2013 (<http://www.scefilng.org/document/document.jsp?documentId=79881>).

Copa de Oro and the undersigned party(ies) reserve their respective rights to make all legal arguments concerning each other's water rights, and introduce related evidence that does not contradict the stipulated facts above, in any future phase of this matter.

Dated: April 30, 2013

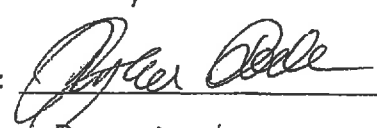
BARTKIEWICZ, KRONICK & SHANAHAN

By: 
Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

Dated: May 1, 2013

Brownstein Hyatt Farber Schreck (Firm name)

By: 
Ryan Drake (Attorney name)

Attorneys for Antelope Valley Groundwater Agreement Association (AVGWA) (Client(s))

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
CONCERNING COPA DE ORO LAND
COMPANY

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

This Stipulation establishes facts stated below between Copa de Oro Land Company ("Copa de Oro") and the undersigned party(ies). Subject to the reservation of rights below, the undersigned party(ies) hereby stipulate that the facts stated in the following documents are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action as between Copa de Oro and the undersigned party(ies):

1. The Declaration of Elliot Joelson for Copa de Oro Land Company and all exhibits incorporated therein, posted to the Court's Web site on January 31, 2013 (<http://www.sceffiling.org/document/document.jsp?documentId=76507>); and
2. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land Company's Property, posted to the Court's Web site on April 19, 2013 (<http://www.sceffiling.org/document/document.jsp?documentId=79881>).

Copa de Oro and the undersigned party(ies) reserve their respective rights to make all legal arguments concerning each other's water rights, and introduce related evidence that does not contradict the stipulated facts above, in any future phase of this matter.

Dated: April 30, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: 
Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

Dated: May 2, 2013

Herum Crabtree (Firm name)

By: 

William R. Carlson (Attorney name)

Attorneys for Antelope Valley Water

Storage, LLC (Client(s))

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
CONCERNING COPA DE ORO LAND
COMPANY

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

1 **STIPULATION**

2 This Stipulation establishes facts stated below between Copa de Oro Land Company
3 ("Copa de Oro") and the undersigned party(ies). Subject to the reservation of rights below, the
4 undersigned party(ies) hereby stipulate that the facts stated in the following documents are
5 undisputed, may be treated by the Court as facts proven in open court and shall be binding for
6 all purposes in this action as between Copa de Oro and the undersigned party(ies):

- 7 1. The Declaration of Elliot Joelson for Copa de Oro Land Company and all
8 exhibits incorporated therein, posted to the Court's Web site on January 31,
9 2013 (<http://www.scefilng.org/document/document.jsp?documentId=76507>);
10 and
11 2. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land
12 Company's Property, posted to the Court's Web site on April 19, 2013
13 (<http://www.scefilng.org/document/document.jsp?documentId=79881>).

14 Copa de Oro and the undersigned party(ies) reserve their respective rights to make all
15 legal arguments concerning each other's water rights, and introduce related evidence that does
16 not contradict the stipulated facts above, in any future phase of this matter.

17 Dated: April 30, 2013

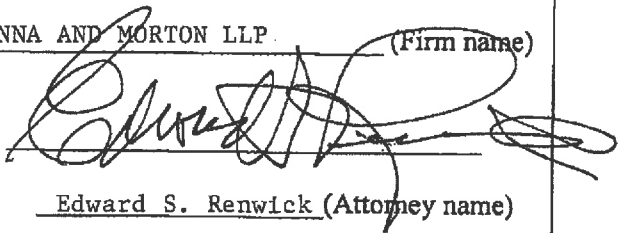
BARTKIEWICZ, KRONICK & SHANAHAN

18 By: 
19 Ryan S. Bezerra

20 Attorneys for Copa de Oro Land Company

21
22 Dated: May 2, 2013

HANNA AND MORTON LLP (Firm name)

23
24 By: 
25 Edward S. Renwick (Attorney name)

26 Attorneys for Cross-Defendant

27 WAGAS Land Company LLC (Client(s))
28

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

6-COPA-9

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Copa De Oro Land Company

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF LOS ANGELES

14 Coordination Proceeding Special Title
15 (Rule 1550(b))

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

18 Included Actions:

19 Los Angeles County Waterworks District
20 No. 40 v. Diamond Farming Co., Superior
21 Court of California, County of Los Angeles,
22 Case No. BC 325 201;

23 Los Angeles County Waterworks District
24 No. 40 v. Diamond Farming Co., Superior
25 Court of California, County of Kern, Case
26 No. S-1500-CV-254-348;

27 Wm. Bolthouse Farms, Inc. v. City of
28 Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

NOTICE OF LODGING OF
ADDITIONAL SIGNATURES TO
STIPULATIONS CONCERNING COPA
DE ORO LAND COMPANY

8792/P051413kcg (Lodging of Additional
Signatures)

NOTICE OF LODGING OF ADDITIONAL SIGNATURES TO COPA DE ORO'S STIPULATIONS

1 **NOTICE OF LODGING OF SIGNATURES TO COPA DE ORO'S STIPULATIONS**

2 TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that Copa de Oro Land Company ("Copa de Oro") is lodging
4 additional signatures on stipulations concerning its property and water use on that property.

5 On May 8, 2013, Copa de Oro lodged signatures to the general stipulation ("General
6 Stipulation") it previously offered to parties who had not signed either the Stipulation
7 Regarding Facts Pertaining to Copa de Oro Land Company for Trial
8 (<http://www.scefilings.org/document/document.jsp?documentId=77782>) ("Ownership
9 Stipulation") or the Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land
10 Company's Property (<http://www.scefilings.org/document/document.jsp?documentId=79881>)
11 ("Water Use Stipulation") as well as additional signatures to its Water Use Stipulation.

12 Copa de Oro has received additional signatures on these stipulations, as follows:

13 Exhibit A: Signature of Christopher M. Sanders, Ellison, Schneider & Harris,
14 Attorneys for County Sanitation Districts of Los Angeles County Nos.
15 14 and 20, to the General Stipulation;

16 Exhibit B: Signatures of William M. Sloan, Morrison & Foerster, LLP, Attorneys
17 for U.S. Borax, Inc., and Richard G. Zimmer, Clifford & Brown,
18 Attorneys for Wm. Bolthouse Farms, Inc. and Bolthouse Properties, LLC
19 to the Water Use Stipulation; and

20 Exhibit C: Signature of John Tootle, Attorney for California Water Company, to the
21 Water Use Stipulation.

22 Dated: May 16, 2013

Respectfully submitted,

23 BARTKIEWICZ, KRONICK & SHANAHAN
24 A Professional Corporation

25 By: 
26 _____

Katrina C. Gonzales

27 Attorneys for Cross-defendant Copa de Oro Land
28 Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Terry M. Olson, declare as follows:

I am a citizen of the United States and a resident of Sacramento County. I am over the age of 18, not a party to this action and am employed at Bartkiewicz, Kronick & Shanahan, 1011 Twenty-Second Street, Sacramento, California 95816. On May 16, 2013, I served, in the manner described below, the following document:

NOTICE OF LODGING OF ADDITIONAL SIGNATURES TO STIPULATIONS CONCERNING COPA DE ORO LAND COMPANY

I posted this document to the Court's World Wide Website located at www.scefiling.org.

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

Executed at Sacramento, California on May 16, 2013.

Terry M. Olson

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

STIPULATION FOR PHASE IV TRIAL
CONCERNING COPA DE ORO LAND
COMPANY

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

8792/P043013rsb Stipulation

PHASE IV STIPULATION CONCERNING COPA DE ORO LAND COMPANY

1 **STIPULATION**

2 This Stipulation establishes facts stated below between Copa de Oro Land Company
3 ("Copa de Oro") and the undersigned party(ies). Subject to the reservation of rights below, the
4 undersigned party(ies) hereby stipulate that the facts stated in the following documents are
5 undisputed, may be treated by the Court as facts proven in open court and shall be binding for
6 all purposes in this action as between Copa de Oro and the undersigned party(ies):

- 7 1. The Declaration of Elliot Joelson for Copa de Oro Land Company and all
8 exhibits incorporated therein, posted to the Court's Web site on January 31,
9 2013 (<http://www.scefiling.org/document/document.jsp?documentId=76507>);
10 and
11 2. The Stipulation for Phase IV Trial Regarding Water Use on Copa de Oro Land
12 Company's Property, posted to the Court's Web site on April 19, 2013
13 (<http://www.scefiling.org/document/document.jsp?documentId=79881>).

14 Copa de Oro and the undersigned party(ies) reserve their respective rights to make all
15 legal arguments concerning each other's water rights, and introduce related evidence that does
16 not contradict the stipulated facts above, in any future phase of this matter.

17 Dated: April 30, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

18 By: 
19 Ryan S. Bezerra

20 Attorneys for Copa de Oro Land Company

21 Dated: May 2, 2013

22 ELLISON, SCHNEIDER & HARRIS (Firm name)

23 By: 
24

25 CHRIS SANDERS (Attorney name)

26 Attorneys for COUNTY SANITATION
27 DISTRICTS OF LOS ANGELES (Client(s))

28 COUNTY Nos. 14 & 20

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

19 **Included Actions:**

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1 **STIPULATION**

2 Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have
3 signed this Stipulation stipulate as follows:

4 1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water
5 Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos.
6 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

7 2. The following amounts of water were used for agricultural purposes on the
8 Property in the following years:

- 9 (A) 2000 – 708 acre-feet;
10 (B) 2001 – 829 acre-feet;
11 (C) 2002 – 842 acre-feet;
12 (D) 2003 – 867 acre-feet; and
13 (E) 2004 – 626 acre-feet.

14 3. Consistent with the Court's January 17, 2013 First Amendment to Case
15 Management Order for Phase Four Trial, Copa de Oro and the undersigned public water
16 suppliers reserve, for a future phase of this action, their rights concerning:

- 17 (A) The reasonableness of the 2000 and 2001 water use on the Property; and
18 (B) The requirements for the application of Water Code section 1005.4.

19 4. Subject to the reservations stated in paragraph 3 above, the parties to this
20 Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be
21 treated by the Court as facts proven in open court and shall be binding for all purposes in this
22 action on Copa de Oro and the public water suppliers who have signed below.

23 Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

24
25 By: 

Ryan S. Bezerra

26 Attorneys for Copa de Oro Land Company
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENECA, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1 Dated: April 6, 2013

MURPHY & EVERTZ LLP

2
3 By: 
4 DOUGLAS L. EVERTZ

5 Attorneys for City of Lancaster and Rosamond
6 Community Services District

7 Dated: April 6, 2013


CALIFORNIA WATER SERVICE COMPANY

8
9 By: _____
10 JOHN TOOTLE

11 TEJON RANCHCORP, TEJON RANCH COMPANY AND GRANITE
12 CONSTRUCTION COMPANY hereby stipulate to the facts set forth in paragraphs 1 and 2
13 above, subject to the reservations set forth in paragraph 3 above.

14 Dated: May 7, 2013

KUHS & PARKER

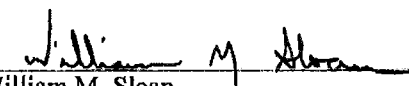
15
16
17 By: 
18 Robert G. Kuhs

19 Attorney for Tejon Ranchcorp, Tejon
20 Ranch Company and Granite
21 Construction Company

22 U.S. BORAX, INC. hereby stipulates to the facts set forth in paragraphs 1 and 2
23 above, subject to the reservations set forth in paragraph 3 above.

24 Dated: May 9, 2013

MORRISON & FOERSTER LLP

25
26 By: 
27 William M. Sloan

28 Attorneys for U.S. Borax, Inc.

BOARD OF DIRECTORS

GEORGE LANE
Division 4
President

KETFE DVAS
Division 2
Vice President

CHARLIE O'LOUGHIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

MARLON BARRER
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

GAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Karina C. Gonzales
Bartkewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W - 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004.

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	57.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.16	9.94	75.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.86	212.33	214.53	169.41	66.84	32.28	0	0	887.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

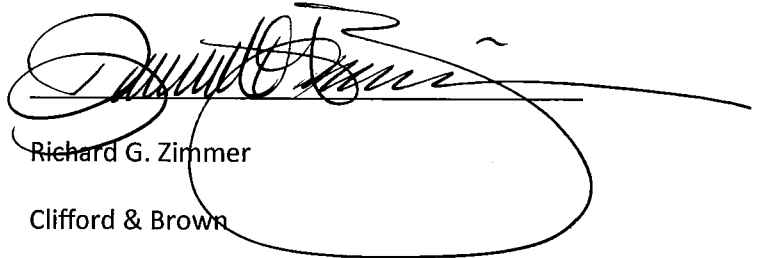
Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre-Feet

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency

Bolthouse agrees to the forgoing Stipulation based upon the terms thereof and based upon the understanding that the stipulation relates only as to water usage for the time frame stated and reserving arguments as to the meaning and applicability of such information to trial issues.

A handwritten signature in black ink, appearing to read 'Richard G. Zimmer', is written over a horizontal line. The signature is highly stylized with loops and flourishes.

Richard G. Zimmer

Clifford & Brown

Attorney for Wm. Bolthouse Farms, Inc. and Bolthouse
Properties, LLC.

1 RYAN S. BEZERRA, State Bar No. 178048
2 JOSHUA M. HOROWITZ, State Bar No. 186866
3 KATRINA C. GONZALES, State Bar No. 258412
4 BARTKIEWICZ, KRONICK & SHANAHAN
5 A PROFESSIONAL CORPORATION
6 1011 TWENTY-SECOND STREET
7 SACRAMENTO, CALIFORNIA 95816-4907
8 TELEPHONE: (916) 446-4254
9 TELECOPIER: (916) 446-4018
10 E-MAIL: rsb@bkslawfirm.com

11 Attorneys for Cross-Defendant
12 Copa De Oro Land Company

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special Title
16 (Rule 1550(b))

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

19 Included Actions:

20 Los Angeles County Waterworks District
21 No. 40 v. Diamond Farming Co., Superior
22 Court of California, County of Los Angeles,
23 Case No. BC 325 201;

24 Los Angeles County Waterworks District
25 No. 40 v. Diamond Farming Co., Superior
26 Court of California, County of Kern, Case
27 No. S-1500-CV-254-348;

28 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have signed this Stipulation stipulate as follows:

1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos. 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

2. The following amounts of water were used for agricultural purposes on the Property in the following years:

- (A) 2000 – 708 acre-feet;
- (B) 2001 – 829 acre-feet;
- (C) 2002 – 842 acre-feet;
- (D) 2003 – 867 acre-feet; and
- (E) 2004 – 626 acre-feet.

3. Consistent with the Court's January 17, 2013 First Amendment to Case Management Order for Phase Four Trial, Copa de Oro and the undersigned public water suppliers reserve, for a future phase of this action, their rights concerning:

- (A) The reasonableness of the 2000 and 2001 water use on the Property; and
- (B) The requirements for the application of Water Code section 1005.4.

4. Subject to the reservations stated in paragraph 3 above, the parties to this Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action on Copa de Oro and the public water suppliers who have signed below.

Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By:  _____
Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 16, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April 16, 2013

LAGERLOF, SENECAI, GOSNEY & KRUSE

By: Thomas L. Bunn III
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April __, 2013

MURPHY & EVERTZ LLP

By: _____
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: May 14, 2013

CALIFORNIA WATER SERVICE COMPANY

By:  _____
JOHN TOOTLE

BOARD OF DIRECTORS

GEORGE LANE
Division 4
President

KEITH DYAS
Division 2
Vice President

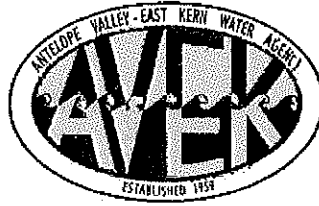
CHARLIE O'LOUGHLIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

MARLON BARNES
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

DAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Katrina C. Gonzales
Bartkiewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W – 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004:

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	37.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.16	9.94	75.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.86	212.33	214.53	169.41	66.84	32.28	0	0	867.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre Foot

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency

6-COPA-10

1 **RYAN S. BEZERRA, State Bar No. 178048**
2 **JOSHUA M. HOROWITZ, State Bar No. 186866**
3 **KATRINA C. GONZALES, State Bar No. 258412**
4 **BARTKIEWICZ, KRONICK & SHANAHAN**
5 **A PROFESSIONAL CORPORATION**
6 **1011 TWENTY-SECOND STREET**
7 **SACRAMENTO, CALIFORNIA 95816-4907**
8 **TELEPHONE: (916) 446-4254**
9 **TELECOPIER: (916) 446-4018**
10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES**

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATION

Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have signed this Stipulation stipulate as follows:

1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos. 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

2. The following amounts of water were used for agricultural purposes on the Property in the following years:

- (A) 2000 – 708 acre-feet;
- (B) 2001 – 829 acre-feet;
- (C) 2002 – 842 acre-feet;
- (D) 2003 – 867 acre-feet; and
- (E) 2004 – 626 acre-feet.

3. Consistent with the Court's January 17, 2013 First Amendment to Case Management Order for Phase Four Trial, Copa de Oro and the undersigned public water suppliers reserve, for a future phase of this action, their rights concerning:

- (A) The reasonableness of the 2000 and 2001 water use on the Property; and
- (B) The requirements for the application of Water Code section 1005.4.

4. Subject to the reservations stated in paragraph 3 above, the parties to this Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be treated by the Court as facts proven in open court and shall be binding for all purposes in this action on Copa de Oro and the public water suppliers who have signed below.

Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

By: 
Ryan S. Bezerra

Attorneys for Copa de Oro Land Company

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks District No. 40

May
Dated: April 6, 2013

CHARLTON WEEKS LLP

By: Bradley T. Weeks
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: 
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks
District No. 40

Dated: April __, 2013

CHARLTON WEEKS LLP

By: _____
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District
and Palm Ranch Irrigation District

Dated: April 16, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: 
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April __, 2013

MURPHY & EVERTZ LLP

By: _____
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: April __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
JOHN TOOTLE

BOARD OF DIRECTORS

GEORGE LANE
Division 4
President

KEITH DYAS
Division 2
Vice President

CHARLIE O'LOUGHLIN
Division 1

FRANK S. DONATO
Division 3

ANDY D. RUTLEDGE
Division 5

MARLON BARNES
Division 6

DAVID RIZZO
Division 7



A PUBLIC AGENCY

OFFICERS

DAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Katrina C. Gonzales
Bartkiewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W – 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004:

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	37.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.16	9.94	75.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.86	212.33	214.53	169.41	66.84	32.28	0	0	867.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre Foot

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency