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ROSAMOND COMMUNITY SERVICES  
12 DISTRICT and LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40  
13

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT  
16

17 **ANTELOPE VALLEY  
GROUNDWATER CASES**

18 Included Actions:  
Los Angeles County Waterworks District  
19 No. 40 v. Diamond Farming Co., Superior  
Court of California, County of Los  
20 Angeles, Case No. BC 325201;

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

23 Wm. Bolthouse Farms, Inc. v. City of  
24 Lancaster, Diamond Farming Co. v. City of  
Lancaster, Diamond Farming Co. v.  
25 Palmdale Water Dist., Superior Court of  
California, County of Riverside, Case Nos.  
26 RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

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

**DECLARATION OF JEFFREY V. DUNN  
IN SUPPORT OF MUNICIPAL WATER  
PROVIDERS' MOTION TO CERTIFY A  
DEFENDANT CLASS; EXHIBIT**

DECLARATION OF JEFFREY V. DUNN

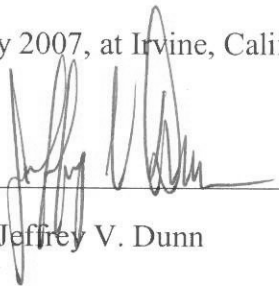
I, Jeffrey V. Dunn, declare as follow

1. I have personal knowledge of the facts below, and if called upon to do so, I could testify competently thereto in a court of law.

2. I am an attorney licensed to practice law in the State of California. I am a partner of Best, Best & Krieger LLP, attorneys of record for Rosamond Community Services District and Los Angeles County Water Works District No. 40.

3. A true copy of the Order Granting Plaintiffs' Petition For Class Certification in the Putah Creek Adjudication, Sacramento County Superior Court, is attached as Exhibit "A".

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct. Executed this 9 day of January 2007, at Irvine, California.

  
\_\_\_\_\_  
Jeffrey V. Dunn

LAW OFFICES OF  
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16 Attorneys for Plaintiffs  
17 SOLANO IRRIGATION DISTRICT and  
18 SOLANO COUNTY WATER AGENCY, Respectively

19 SUPERIOR COURT OF THE STATE OF CALIFORNIA

20 IN AND FOR THE COUNTY OF SACRAMENTO

21 SOLANO IRRIGATION DISTRICT, )  
22 SOLANO COUNTY WATER AGENCY, )  
23 et al., )

24 Plaintiffs, )

25 -vs- )

26 THE NAMES OF ALL APPROPRIATIVE )  
27 WATER RIGHTS HOLDERS IN UPPER )  
28 BASIN, et al., )

Defendants. )

AND RELATED ACTION:

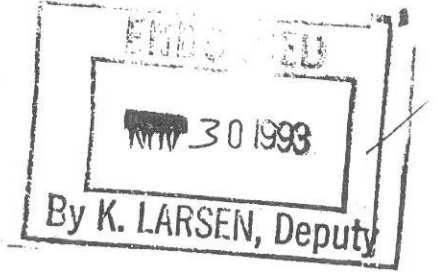
PUTAH CREEK COUNCIL, )

Plaintiff, )

-vs- )

SOLANO IRRIGATION DISTRICT and )  
SOLANO COUNTY WATER AGENCY, )

Defendants. )



///

1 The Petition for Class Certification filed by Plaintiffs came  
2 on regularly for hearing by the Court on October 15, 1993.  
3 Plaintiffs, Solano County Water Agency, et al., appeared by  
4 counsel, Tim O'Laughlin. Defendant, the United States of America,  
5 appeared by counsel, Maria Iizuka. Defendant, Regents of the  
6 University of California, Davis, appeared by counsel, Alan Lilly.  
7 Defendant, California Water Service Company, appeared by counsel,  
8 Eric Garner. Certain other defendants appeared by counsel, Warren  
9 Felger.

10 Based on the pleadings and declarations on file herein, and  
11 oral arguments, the Court finds that the requirements for  
12 certification of a defendant class have been met and that the  
13 Plaintiffs' Petition for Class Certification ought to be granted.  
14 Therefore,

15  
16 IT IS ORDERED THAT:

- 17 1. The Defendant Class petitioned by the plaintiffs be  
18 certified.
- 19 2. The City of Winters, Robert Borchard, Franz Horsely and  
20 George Crum, represented by Warren Felger of McCutchen,  
21 Doyle, Brown & Enersen (Putah Creek Landowners  
22 Association) are defendant class representatives.
- 23 3. California Water Service Company is a defendant class  
24 representative.
- 25 4. Regents of the University of California, Davis, is a  
26 defendant class representative.
- 27 5. The class representatives are not required to take any  
28 actions on behalf of the defendant class, other than any  
actions which the class representatives may decide to  
take to represent their own interests.
6. The class members will be determined by inspection of  
the records of Solano County Tax Assessor and Yolo  
County Tax Assessor and identification of parcels within  
the Putah Fan Recharge Area.

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7. The plaintiffs will prepare a notice to the class members. This notice will include the following information:
  - a. A brief explanation of the Putah Creek Adjudication.
  - b. An explanation of the groundwater issue in the Putah Creek Adjudication.
  - c. A definition of the class.
  - d. An explanation of the issue to be determined which affects the class.
  - e. Procedures for objecting to the class representatives and option of proceeding as an individual party.
8. Copies of the proposed notice shall either be approved by a stipulation signed by all class representatives and members of the Litigation Committee representing parties with interests in the waters of lower Putah Creek or shall be approved by the court, before it is mailed to each class member or published in any newspaper of general circulation.
9. The notice will be delivered via first class mail to each class member.
10. Plaintiffs shall cause the notice to be published three times, once each in three consecutive weeks, in at least one newspaper of general circulation published in each of the counties (Yolo and Solano).
11. Plaintiffs will bear the cost of delivering said notice.

Dated: <sup>November</sup> ~~October~~ 30, 1993

RICHARD K. PARK  
\_\_\_\_\_  
JUDGE PARK

1 **PROOF OF SERVICE**

2 I, Kerry V. Keefe, declare:

3 I am a resident of the State of California and over the age of eighteen years, and  
4 not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza,  
Suite 1500, Irvine, California 92614. On January 10, 2007, I served the within document(s):

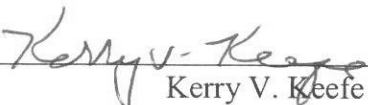
5 **DECLARATION OF JEFFREY V. DUNN IN SUPPORT OF MUNICIPAL WATER  
6 PROVIDERS' MOTION TO CERTIFY A DEFENDANT CLASS; EXHIBIT**

- 7  by posting the document(s) listed above to the Santa Clara County Superior Court  
8 website in regard to the Antelope Valley Groundwater matter.
- 9  by placing the document(s) listed above in a sealed envelope with postage thereon  
10 fully prepaid, in the United States mail at Irvine, California addressed as set forth  
below.
- 11  by causing personal delivery by ASAP Corporate Services of the document(s)  
12 listed above to the person(s) at the address(es) set forth below.
- 13  by personally delivering the document(s) listed above to the person(s) at the  
14 address(es) set forth below.
- 15  I caused such envelope to be delivered via overnight delivery addressed as  
16 indicated on the attached service list. Such envelope was deposited for delivery  
17 by Federal Express following the firm's ordinary business practices.

18 I am readily familiar with the firm's practice of collection and processing  
19 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal  
20 Service on that same day with postage thereon fully prepaid 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.

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

22 Executed on January 10, 2007, at Irvine, California.

23  
24   
25 \_\_\_\_\_  
Kerry V. Keefe

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