

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Best Best &amp; Krieger (PFI)</b> <b>ERIC L GARNER 130665</b> <b>5 PARK PLAZA, SUITE 1500 IRVINE CA</b>		<b>CONFIRMED COPY</b> <b>OF ORIGINAL FILED</b> Los Angeles Superior Court	
TELEPHONE NO.:	FAX NO. (Optional):	AUG 23 2007	
EMAIL ADDRESS (Optional):			
ATTORNEY FOR (Name): <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: <b>111 North Hill Street, Room 102</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME:		John A. Clarke, Executive Officer/Clerk By <u>A E L FLEUR-CLAYTON</u> , Deputy	
PLAINTIFF/PETITIONER: <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>		CASE NUMBER: <b>BC325201</b>	
DEFENDANT/RESPONDENT: <b>DIAMOND FARMING COMPANY, ET. AL</b>		Ref. No. or File No.: <b>26345.00001</b>	
<b>PROOF OF SERVICE OF SUMMONS</b>			

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the (specify documents):  
**Amended Summons; First-amended Cross-complaint of Public Water Suppliers for Declaratory and Injunctive Reli and Adjudication of Water Rights; Model Answer to Complaint and All Cross-complaints; Amendment to Complain (naming Does 231-554).**
3. a. Party served (specify name of party as shown on documents served):  
**DOWHEN FAMILY**
  - b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):  
**KATHLEEN SHAW, SUCCESSOR TRUSTEE, A white female approx. 45-55 years of age 5'4"-5'6" in height weighing 120-140 lbs with brown hair**
4. Address where the party was served:  
**1020 EVERGREEN Lane, VISTA, CA 92084**
5. I served the party (check proper box)
  - a.  **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **7/19/2007** (2) at (time): **7:00 AM**
  - b.  **by substituted service.** On (date): (2) at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
    - (1)  **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2)  **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3)  **(physical address unknown)** a person of at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or  a declaration of mailing is attached.
    - (5)  I attach a **declaration of diligence** stating actions taken first to attempt personal service.

**PROOF OF SERVICE OF SUMMONS**

Order No. 4197305



PLAINTIFF/PETITIONER: <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>	CASE NUMBER: <b>BC325201</b>
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- c.  **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,  
 (1) on (date): (2) from (city):  
 (3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30)  
 (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)
- d.  **by other means** (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a.  as an individual defendant.  
 b.  as the person sued under the fictitious name of (specify):  
 c.  as occupant  
 d.  On behalf of (specify): **DOWHEN FAMILY**  
 under the following Code of Civil Procedure section:
- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other  |

7. **Person who served papers**

- a. Name: **J.R. GOETZ**  
 b. Address: **2121 FIFTH AVE, SUITE 200, SAN DIEGO, CA 92101**  
 c. Telephone number: **619-232-1920**  
 d. The fee for service was: **\$100.00**  
 e. I am:  
 (1)  not a registered California process server.  
 (2)  exempt from registration under Business and Professions Code section 22350(b).  
 (3)  registered California process server:  
 (i)  owner  employee  independant contractor  
 (ii)  Registration No.: **292**  
 (iii)  County: **SAN DIEGO**

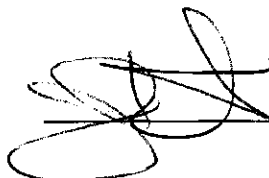
8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 7/19/2007

**J.R. GOETZ**  
 (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

