

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): <b>ERIC L GARNER 130665</b> <b>Best Best &amp; Krieger (PFI)</b> <b>5 PARK PLAZA, SUITE 1500 IRVINE CA</b>  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40</b>	FOR COURT USE ONLY  <b>ORIGINAL FILED</b> <b>By A. Caballero</b>  <b>OCT 11 2007</b> <b>LOS ANGELES</b> <b>SUPERIOR COURT</b>  CASE NUMBER: <b>BC325201</b>  Ref. No. or file No.: <b>26345.00001</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: <b>111 North Hill Street, Room 102</b> MAILING ADDRESS _____ CITY AND ZIP CODE: <b>Los Angeles 90012 California</b> BRANCH NAME _____	
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>	

(Separate proof of service is required for each party served.)

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:  
**AMENDED SUMMONS; FIRST-AMENDED CROSS-COMPLAINT OF PUBLIC WATER SUPPLIERS FOR DECLARATORY AND INJUNCTIVE RELIEF AND ADJUDICATION OF WATER RIGHTS; MODEL ANSWER TO COMPLAINT AND ALL CROSS-COMPLAINTS; AMENDMENT TO COMPLAINT (NAMING DOES 231-554).**
3. a. Party served (specify name of party as shown on documents served):  
**EAGLE MEADOWS OF NO EDWARDS 435 LLC**
- 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):
4. Address where the party was served: **4772 FRONTIER STOCKTON, CA 95215**
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): \_\_\_\_\_ (2) at (time): \_\_\_\_\_
  - b.  **by substituted service.** On (date): **Jun 26 2007** at (time): **4:00:00 PM** 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):  
**Gustavo Rios, General Council A Hispanic male approx. 30-35 years of age 5'6"-5'8" in height weighing 160-180 lbs with brown hair**
    - (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 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): **Los Angeles** or  a declaration of mailing is attached.
    - (5)  I attach a **declaration of diligence** stating actions taken first to attempt personal service.



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- c.  **by mail and acknowledgement 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 Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement 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*): **EAGLE MEADOWS OF NO EDWARDS 435 LLC**  
under the following Code of Civil Procedure section:
- |   |   |
|---|---|
| <input checked="" 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: **Lester Sosa**
- b. Address: **242 N. SUTTER STREET #507, STOCKTON, CA 95202**
- c. Telephone number: **209-937-0348**
- d. The fee for service was: **\$ 114.60**
- 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  independent contractor.
- (ii) Registration No.: \_\_\_\_\_
- (iii) County: \_\_\_\_\_

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: **Sep 21 2007**

**Lester Sosa**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)



## DECLARATION OF MAILING

The undersigned hereby declares: that I, **Alicia Rosales**, am a Citizen of the United States of America and employed in the City of Los Angeles, in the State of CA.

That I am over the age of twenty-one and not a party to nor interested in the within entitled action:  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40**  
vs.  
**DIAMOND FARMING COMPANY, ET. AL**

My business address is 241 S. Figueroa St. Suite 370 Los Angeles, CA 90012.

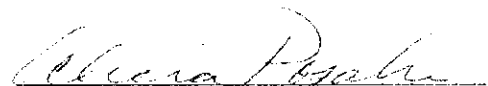
That on Sep 20 2007, after substituted service was made, I served the within:  
**AMENDED SUMMONS; FIRST-AMENDED CROSS-COMPLAINT OF PUBLIC WATER SUPPLIERS FOR DECLARATORY AND INJUNCTIVE RELIEF AND ADJUDICATION OF WATER RIGHTS; MODEL ANSWER TO COMPLAINT AND ALL CROSS-COMPLAINTS; AMENDMENT TO COMPLAINT (NAMING DOES 231-554).** on the defendant in this action by placing a true and correct copy in a sealed envelope with postage prepaid for first class mail and by placing said envelope in the United States mail in Los Angeles, CA.

That I addressed the envelope as follows:

**EAGLE MEADOWS OF NO EDWARDS 435 LLC  
4772 FRONTIER  
STOCKTON CA 95215**

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

That I executed this declaration: **Sep 20 2007**, at Los Angeles, CA.

  
**Alicia Rosales**

Order No. 4855025

