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Bob H. Joyce, (SBN 84607)
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LAW OFFICES OF
LEBEAU • THELEN, LLP
5001 East Commercenter Drive, Suite 300
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(661) 325-8962; Fax (661) 325-1127

Attorneys for DIAMOND FARMING COMPANY,
a California corporation

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding Special Title
(Rule 1550 (b))

ANTELOPE VALLEY GROUNDWATER
CASES

Included actions:

Los Angeles County Waterworks District No.
40 vs. Diamond Farming Company
Los Angeles Superior Court
Case No. BC 325201

Los Angeles County Waterworks District No.
40 vs. Diamond Farming Company
Kern County Superior Court
Case No. S-1500-CV 254348 NFT

Diamond Farming Company vs. City of
Lancaster
Riverside County Superior Court
Lead Case No. RIC 344436 [Consolidated
w/Case Nos. 344668 & 353840]

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

**REQUESTS FOR ADMISSIONS
[SET ONE]; DECLARATION FOR
ADDITIONAL DISCOVERY**

PROPOUNDING PARTY : DIAMOND FARMING COMPANY
RESPONDING PARTY : EACH CROSS-COMPLAINING PUBLIC WATER
SUPPLIER LISTED ON EXHIBIT 1
SET NO. : ONE

1 DIAMOND FARMING COMPANY requests that responding party admit under oath for
2 purposes of this action the truth of the following facts within 30 days after service hereof, all in
3 accordance with Code of Civil Procedure section 2033.010, et seq.

4 **DEFINITIONS**

5 (a) **YOU** includes you, the responding party, your agents, your employees, your consultants,
6 their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting
7 on your behalf.

8 (b) **PERSON** includes a natural person, firm, association, organization, partnership, business
9 trust, limited liability company, corporation, or public entity.

10 (c) **BASIN** means the area located within the jurisdictional boundary of the Antelope Valley
11 Groundwater Cases as defined by the Revised Order After Hearing on Jurisdictional Boundary dated
12 March 12, 2007.

13 **REQUESTS FOR ADMISSIONS**

14 **REQUEST NO. 1:**

15 Admit that YOU are a PERSON as defined in the definitions above.

16 **REQUEST NO. 2:**

17 Admit that YOU are a public entity.

18 **REQUEST NO. 3:**

19 Admit that YOU did not provide notice in writing to any landowner that your use of groundwater
20 from within the BASIN was adverse to their right to use groundwater before October 29, 1999.

21 **REQUEST NO. 4:**

22 Admit that YOU did not provide notice in writing to any landowner that your use of groundwater
23 from within the BASIN was adverse to their title to their real property at any time before October 29,
24 1999.

25 **REQUEST NO. 5:**

26 Admit that YOU did not provide notice in writing to any landowner that you claimed a
27 prescriptive right to use groundwater from within the BASIN before October 29, 1999.

28

1 REQUEST NO. 6:

2 Admit that YOU have not physically trespassed upon any landowner's property within the
3 BASIN.

4 REQUEST NO. 7:

5 Admit that when YOU first started using groundwater from within the BASIN, that your then
6 use was at that time lawful.

7 REQUEST NO. 8:

8 Admit that when YOU first started using groundwater from within the BASIN, that your then
9 use was not adverse to the overlying right of any landowner.

10 REQUEST NO. 9:

11 Admit that when YOU first started using groundwater from within the BASIN, you were not
12 invading the overlying right of any landowner.

13 REQUEST NO. 10:

14 Admit that before October 29, 1999, YOU were not asserting an adverse claim of right to use
15 groundwater from within the BASIN.

16 REQUEST NO. 11:

17 Admit that before October 29, 1999, no landowner had actual notice that YOU were asserting
18 an adverse claim of right to use groundwater from within the BASIN.

19 REQUEST NO. 12:

20 Admit that before October 29, 1999, no landowner had constructive notice that YOU were
21 asserting an adverse claim of right to use groundwater from within the BASIN.

22 REQUEST NO. 13:

23 Admit that as of January 1, 1985, YOU knew that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 14:

26 Admit that as of January 1, 1986, YOU knew that the groundwater supply of the BASIN was
27 being overdrafted.

28

1 REQUEST NO. 15:

2 Admit that as of January 1, 1987, YOU knew that the groundwater supply of the BASIN was
3 being overdrafted.

4 REQUEST NO. 16:

5 Admit that as of January 1, 1988, YOU knew that the groundwater supply of the BASIN was
6 being overdrafted.

7 REQUEST NO. 17:

8 Admit that as of January 1, 1989, YOU knew that the groundwater supply of the BASIN was
9 being overdrafted.

10 REQUEST NO. 18:

11 Admit that as of January 1, 1990, YOU knew that the groundwater supply of the BASIN was
12 being overdrafted.

13 REQUEST NO. 19:

14 Admit that as of January 1, 1991, YOU knew that the groundwater supply of the BASIN was
15 being overdrafted.

16 REQUEST NO. 20:

17 Admit that as of January 1, 1992, YOU knew that the groundwater supply of the BASIN was
18 being overdrafted.

19 REQUEST NO. 21:

20 Admit that as of January 1, 1993, YOU knew that the groundwater supply of the BASIN was
21 being overdrafted.

22 REQUEST NO. 22:

23 Admit that as of January 1, 1994, YOU knew that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 23:

26 Admit that as of January 1, 1995, YOU knew that the groundwater supply of the BASIN was
27 being overdrafted.

28

1 REQUEST NO. 24:

2 Admit that as of January 1, 1996, YOU knew that the groundwater supply of the BASIN was
3 being overdrafted.

4 REQUEST NO. 25:

5 Admit that as of January 1, 1997, YOU knew that the groundwater supply of the BASIN was
6 being overdrafted.

7 REQUEST NO. 26:

8 Admit that as of January 1, 1998, YOU knew that the groundwater supply of the BASIN was
9 being overdrafted.

10 REQUEST NO. 27:

11 Admit that as of January 1, 1999, YOU knew that the groundwater supply of the BASIN was
12 being overdrafted.

13 REQUEST NO. 28:

14 Admit that as of January 1, 2000, YOU knew that the groundwater supply of the BASIN was
15 being overdrafted.

16 REQUEST NO. 29:

17 Admit that as of January 1, 2001, YOU knew that the groundwater supply of the BASIN was
18 being overdrafted.

19 REQUEST NO. 30:

20 Admit that as of January 1, 2002, YOU knew that the groundwater supply of the BASIN was
21 being overdrafted.

22 REQUEST NO. 31:

23 Admit that as of January 1, 2003, YOU knew that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 32:

26 Admit that as of January 1, 2004 YOU knew that the groundwater supply of the BASIN was
27 being overdrafted.

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1 REQUEST NO. 33:

2 Admit that as of January 1, 2005, YOU knew that the groundwater supply of the BASIN was
3 being overdrafted.

4 REQUEST NO. 34:

5 Admit that as of January 1, 2006, YOU knew that the groundwater supply of the BASIN was
6 being overdrafted.

7 REQUEST NO. 35:

8 Admit that as of January 1, 2007, YOU knew that the groundwater supply of the BASIN was
9 being overdrafted.

10 REQUEST NO. 36:

11 Admit that as of January 1, 1985, YOU believed that the groundwater supply of the BASIN was
12 being overdrafted.

13 REQUEST NO. 37:

14 Admit that as of January 1, 1986, YOU believed that the groundwater supply of the BASIN was
15 being overdrafted.

16 REQUEST NO. 38:

17 Admit that as of January 1, 1987, YOU believed that the groundwater supply of the BASIN was
18 being overdrafted.

19 REQUEST NO. 39:

20 Admit that as of January 1, 1988, YOU believed that the groundwater supply of the BASIN was
21 being overdrafted.

22 REQUEST NO. 40:

23 Admit that as of January 1, 1989, YOU believed that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 41: Admit that as of January 1, 1990, YOU believed that the groundwater supply of
26 the BASIN was being overdrafted.

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1 REQUEST NO. 42:

2 Admit that as of January 1, 1991, YOU believed that the groundwater supply of the BASIN was
3 being overdrafted.

4 REQUEST NO. 43:

5 Admit that as of January 1, 1992, YOU believed that the groundwater supply of the BASIN was
6 being overdrafted.

7 REQUEST NO. 44:

8 Admit that as of January 1, 1993, YOU believed that the groundwater supply of the BASIN was
9 being overdrafted.

10 REQUEST NO. 45:

11 Admit that as of January 1, 1994, YOU believed that the groundwater supply of the BASIN was
12 being overdrafted.

13 REQUEST NO. 46:

14 Admit that as of January 1, 1995, YOU believed that the groundwater supply of the BASIN was
15 being overdrafted.

16 REQUEST NO. 47:

17 Admit that as of January 1, 1996, YOU believed that the groundwater supply of the BASIN was
18 being overdrafted.

19 REQUEST NO. 48:

20 Admit that as of January 1, 1997, YOU believed that the groundwater supply of the BASIN was
21 being overdrafted.

22 REQUEST NO. 49:

23 Admit that as of January 1, 1998, YOU believed that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 50:

26 Admit that as of January 1, 1999, YOU believed that the groundwater supply of the BASIN was
27 being overdrafted.

28

1 REQUEST NO. 51:

2 Admit that as of January 1, 2000, YOU believed that the groundwater supply of the BASIN was
3 being overdrafted.

4 REQUEST NO. 52:

5 Admit that as of January 1, 2001, YOU believed that the groundwater supply of the BASIN was
6 being overdrafted.

7 REQUEST NO. 53:

8 Admit that as of January 1, 2002, YOU believed that the groundwater supply of the BASIN was
9 being overdrafted.

10 REQUEST NO. 54:

11 Admit that as of January 1, 2003, YOU believed that the groundwater supply of the BASIN was
12 being overdrafted.

13 REQUEST NO. 55:

14 Admit that as of January 1, 2004 YOU believed that the groundwater supply of the BASIN was
15 being overdrafted.

16 REQUEST NO. 56:

17 Admit that as of January 1, 2005, YOU believed that the groundwater supply of the BASIN was
18 being overdrafted.

19 REQUEST NO. 57:

20 Admit that as of January 1, 2006, YOU believed that the groundwater supply of the BASIN was
21 being overdrafted.

22 REQUEST NO. 58:

23 Admit that as of January 1, 2007, YOU believed that the groundwater supply of the BASIN was
24 being overdrafted.

25 REQUEST NO. 59:

26 Admit that after YOU knew that the groundwater supply within the BASIN was being
27 overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction.

28

1 REQUEST NO. 60:

2 Admit that after YOU knew that the groundwater supply within the BASIN was being
3 overdrafted, that YOU issued will-serve letters for new developments within your jurisdiction that had
4 been approved on the basis of a negative declaration.

5 If you fail to comply with the provisions of Section 2033 of the Code of Civil Procedure with
6 respect to this Request for Admissions, each of the matters of which an admission is requested may be
7 deemed admitted.

8 Dated: May 25, 2007

LeBEAU • THELEN, LLP

9

10

By: 

BOB H. JOYCE
Attorneys for DIAMOND FARMING COMPANY,
a California corporation

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10 Attorneys for DIAMOND FARMING COMPANY,
11 a California corporation

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 IN AND FOR THE COUNTY OF LOS ANGELES

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

Judicial Council Coordination No. 4408

16 ANTELOPE VALLEY GROUNDWATER
17 CASES

Case No.: 1-05-CV-049053

18 Included actions:

**DECLARATION FOR ADDITIONAL
DISCOVERY
(REQUEST FOR ADMISSIONS)**

19 Los Angeles County Waterworks District No.
20 40 vs. Diamond Farming Company
21 Los Angeles Superior Court
22 Case No. BC 325201

23 Los Angeles County Waterworks District No.
24 40 vs. Diamond Farming Company
25 Kern County Superior Court
26 Case No. S-1500-CV 254348 NFT

27 Diamond Farming Company vs. City of
28 Lancaster
Riverside County Superior Court
Lead Case No. RIC 344436 [Consolidated
w/Case Nos. 344668 & 353840]

I, BOB H. JOYCE, declare as follows:

1. I am an attorney at law, duly licensed to practice before all of the Courts of the State of California, and am a partner with the law firm of LeBeau - Thelen, LLP, attorneys of record for DIAMOND FARMING COMPANY, herein.

Exhibit 1

Responding Parties to Diamond Farming Company's Requests for Admissions [Set One]

California Water Service Company
City of Lancaster
City of Palmdale
Littlerock Creek Irrigation District
Los Angeles County Water Works District No. 40
Palmdale Water District
Rosamond Community Services District
Palm Ranch Irrigation District
Quartz Hill Water District

PROOF OF SERVICE

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

4 I am a citizen of the United States and a resident of the county aforesaid; I am over the age
5 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter
6 Drive, Suite 300, Bakersfield, California 93309. On May 25, 2007, I served the within **REQUEST**
7 **FOR ADMISSIONS [SET ONE]; DECLARATION FOR ADDITIONAL**
8 **DISCOVERY**

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

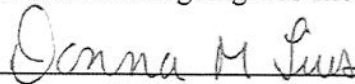
12 Los Angeles County Superior Court
13 111 North Hill Street
14 Los Angeles, CA 90012
15 Attn: **Department 1**
16 (213) 893-1014

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

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

21 **(OVERNIGHT/EXPRESS MAIL)** By enclosing a true copy thereof in a sealed
22 envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United
23 Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary
24 business practices from Kern County. I am readily familiar with this business' practice of
25 collecting and processing correspondence for overnight/express/UPS mailing. On the same day
26 that the correspondence is placed for collection and mailing, it is deposited in the ordinary course
27 of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with
28 delivery fees paid/provided for at the facility regularly maintained by United States Postal Service
(Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an
authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal
Express/United Postal Service to receive documents]).

(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 25,
2007, in Bakersfield, California.



DONNA M. LUIS

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
ELECTRONIC FILING - WWW.SCEFILING.ORG

c/o Glotrans
2915 McClure Street
Oakland, CA94609
TEL: (510) 208-4775
FAX: (510) 465-7348
EMAIL: Info@Glotrans.com

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

Antelope Valley Groundwater Cases (JCCP 4408))	Antelope Valley Groundwater Cases
)	Lead Case No.1-05-CV-049053
Plaintiff,)	
vs.)	Judge Jack Komar
)	
Defendant.)	
)	PROOF OF SERVICE
<u>AND RELATED ACTIONS</u>)	Electronic Proof of Service
)	

I am employed in the County of Alameda, State of California.

I am over the age of 18 and not a party to the within action; my business address is 2915 McClure Street, Oakland, CA 94609.

The documents described on page 2 of this Electronic Proof of Service were submitted via the worldwide web on Fri. May 25, 2007 at 11:51 AM PDT and served by electronic mail notification.

I have reviewed the Court's Order Concerning Electronic Filing and Service of Pleading Documents and am readily familiar with the contents of said Order. Under the terms of said Order, I certify the above-described document's electronic service in the following manner:

The document was electronically filed on the Court's website, <http://www.scefiling.org>, on Fri. May 25, 2007 at 11:51 AM PDT

Upon approval of the document by the Court, an electronic mail message was transmitted to all parties on the electronic service list maintained for this case. The message identified the document and provided instructions for accessing the document on the worldwide web.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 25, 2007 at Oakland, California.

Dated: May 25, 2007

For WWW.SCEFILING.ORG

Andy Jamieson

2 Electronic Proof of Service
Page 2

3 Document(s) submitted by Bob Joyce of LeBeau-Thelen, LLP on Fri. May 25, 2007 at 11:51 AM PDT

4 1. Discovery (e-service only): REQUESTS FOR ADMISSIONS [SET ONE]; DECLARATION FOR ADDITIONAL DISCOVERY
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