

# EXHIBIT B

1 Bob H. Joyce, (SBN 84607)  
2 Dave R. Lampe (SBN 77100)  
3 Andrew Sheffield (SBN 220735)

4 LAW OFFICES OF  
5 LEBEAU • THELEN, LLP  
6 5001 East Commercenter Drive, Suite 300  
7 Post Office Box 12092  
8 Bakersfield, California 93389-2092  
9 (661) 325-8962; Fax (661) 325-1127

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:

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

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]

25 PROPOUNDING PARTY : DIAMOND FARMING COMPANY  
26 RESPONDING PARTY : EACH CROSS-COMPLAINING PUBLIC WATER  
27 SUPPLIER LISTED ON EXHIBIT 1  
28 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.

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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.

28

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.

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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

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

1 Bob H. Joyce, (SBN 84607)  
2 Dave R. Lampe (SBN 77100)  
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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
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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)**

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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.

1           2.     DIAMOND FARMING COMPANY hereby propounds to each Cross-Complaining  
2 Public Water Supplier listed on Exhibit 1 the attached set of Request for Admission [Set One].

3           3.     This set of Requests for Admission will cause the total number of Requests for  
4 Admission propounded to each Cross-Complaining Public Water Supplier listed on Exhibit 1 to exceed  
5 the number of Requests for Admission permitted by Section 2033.030 of the Code of Civil Procedure.

6           4.     I have previously propounded no Requests for Admission to these parties.

7           5.     This set of Requests for Admission contains a total of sixty (60) Requests for Admissions.

8           6.     I am familiar with the issues and the previous discovery conducted by the parties in this  
9 case.

10          7.     I have personally examined each of the requests in this set of Requests for Admission.

11          8.     This number of requests for admission is warranted under Section 2033.040 of the Code  
12 of Civil Procedure because this is highly complex litigation involving a large number of parties with an  
13 imminent Class Certification Hearing in August. The Requests for Admission are further warranted  
14 because of the expedience of using this method of discovery to provide to responding party the  
15 opportunity to conduct an inquiry, investigation, or search of files or records to supply the information  
16 sought.

17          9.     None of the requests in this set of Requests for Admission are being propounded for any  
18 improper purpose, such as to harass the party, or the attorneys for the party, to whom it is directed, or  
19 to cause unnecessary delay or needless increase in the cost of litigation.

20           I declare under penalty of perjury under the laws of the State of California, that the foregoing is  
21 true and correct and that this Declaration was executed on May 25, 2007, at Bakersfield, California.

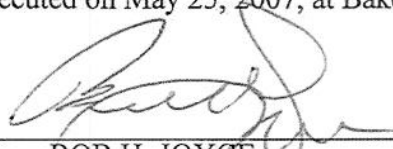
22  
23   
24 \_\_\_\_\_  
25 BOB H. JOYCE  
26  
27  
28

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](http://www.scefilings.org) ; All papers filed  
11 in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

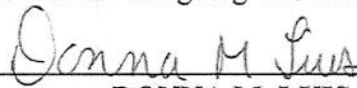
12 Los Angeles County Superior Court  
13 111 North Hill Street  
14 Los Angeles, CA 90012  
15 Attn: **Department 1**  
16 (213) 893-1014

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