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Quartz Hill Water District  
6  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

10  
11 Coordination Proceeding  
Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding  
No. 4408

12 **ANTELOPE VALLEY GROUNDWATER**  
13 **CASES**

**Santa Clara Case No. 1-05-CV-049053**  
Assigned to The Honorable Jack Komar, Dept. 17

14  
15 Palmdale Water District and Quartz Hill Water  
District,

**CROSS-COMPLAINT OF PALMDALE  
WATER DISTRICT AND QUARTZ HILL  
WATER DISTRICT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

16 Cross-Complainants,

17  
18 vs.

19 Los Angeles County Waterworks District No. 40,  
20 Rosamond Community Services District,  
Diamond Farming Company, a corporation; Wm.  
21 Bolthouse Farms, Inc., a corporation; Bolthouse  
Properties, Inc., California Water Service  
22 Company, City of Lancaster, City of Los Angeles,  
23 City of Palmdale, Littlerock Creek Irrigation  
District, Palm Ranch Irrigation District, Edwards  
24 Air Force Base, California; United States  
Department of The Air Force, ABC Williams  
25 Enterprises LP, Airtrust Singapore Private  
Limited, Marwan M. Aldais, Allen Alevy, Allen  
26 Alevy and Alevy Family Trust, A V Materials,  
27 Inc., Guss A. Barks, Jr., Peter G. Barks, Ildefonso  
S. Bayani, Nilda V. Bayani, Randall Y. Blayney,  
28 Melody S. Bloom, David L. Bowers, Ronald E.

1 Bowers, Bruce Burrows, B.J. Calandri, John  
2 Calandri, John Calandri, John Calandri as Trustee  
3 of the John and B.J. Calandri 2001 Trust,  
4 California Portland Cement Company, Calmat  
5 Land Co., Melinda E. Cameron, Catellus  
6 Development Corporation, Bong S. Chang, Jeanna  
7 Y. Chang, Moon S. Chang, Jacob Chetrit, Frank S.  
8 Chiodo, Lee S. Chiou, M S Chung, Carol K.  
9 Claypool, C.C. Thelma Cole, J. Cole, J. Cole as  
10 Trustee for the T.J. Cole Trust, Consolidated Rock  
11 Products Co., County Sanitation District No. 14,  
12 County Sanitation District No. 20, Ruth A.  
13 Cumming, Ruth A. Cumming as Trustee of the  
14 Cumming Family Trust, Catharine M. Davis,  
15 Milton S. Davis, Del Sur Ranch LLC, Sarkis  
16 Djanibekyan, Hong Dong, Ying X Dong, Dorothy  
17 Dreier, George E. Dreier, Morteza M. Foroughi,  
18 Morteza M. Foroughi as Trustee of the Foroughi  
19 Family Trust, Lewis Fredrichsen, Aurora P.  
20 Gabuya, Rodrigo L. Gabuya, GGF LLC, Betty  
21 Gluckstein, Joseph H. Gluckstein, Morris  
22 Gluckstein, Rose Gluckstein, Frank G. Godde,  
23 Forrest G. Godde as Trustee of the Forrest G.  
24 Godde Trust, Lawrence A. Godde, Lawrence A.  
25 Godde, Lawrence A. Godde and Godde Trust, L.  
26 Gorrindo, Maria B. Gorrindo, Maria B. Gorrindo  
27 as Trustee for the M. Gorrindo Trust, Roland N.  
28 Grubb, Roland N. Grubb and Grubb Family Trust,  
Andreas Hauke, Marilyn Hauke, Healy  
Enterprises, Inc., Walter E. Helmick, Donna L.  
Higelmire, Michael N. Higelmire, Hines Family  
Trust, Hoospack Dev Inc., Chi S. Huang, Suchu  
T. Huang, Hypericum Interests LLC, Daryush  
Iraninezhad, Esfandiar Kadivar, Esfandiar Kadivar  
as Trustee of the Kadivar Family Trust, A. David  
Kagon, A. David Kagon as Trustee for the Kagon  
Trust, Cheng Lin Kang, Herbert Katz, Herbert  
Katz as Trustee for the Katz Family Trust,  
Marianne Katz, Lilian S. Kaufman, Lilian S.  
Kaufman as Trustee for the Lilian S. Kaufman  
Trust, Kazuko Yoshimatsu, Billy H. Kim,  
Kootenai Properties, Inc., Gailen Kyle, Gailen  
Kyle as Trustee of the Kyle Trust, James W. Kyle,  
James W. Kyle as Trustee of the Kyle Family  
Trust, Julia Kyle, Wanda E. Kyle, Fares A.

1 Lahoud, Ying Wah Lam, Land Business  
2 Corporation, Lawrence Charles Trust, Leslie  
3 Property, Light Andrew & Youngnam, Man C.  
4 Lo, Shiung Ru Lo, Lyman C. Miles, Lyman C.  
5 Miles as Trustee for the Miles Family Trust,  
6 Malloy Family Partners LP, Mission Bell Ranch  
7 Development, Barry S. Munz, Kathleen M. Munz,  
8 Terry A. Munz, M.R. Nasir, Eugene B. Nebeker,  
9 Simin C. Newman, Henry Ngo, Frank T. Nguyen,  
10 Juanita R. Nichols, Oliver Nichols, Oliver Nichols  
11 as Trustee of the Nichols Family Trust, Owl  
12 Properties, Inc., Norman L. Poulsen, Elias  
13 Qarmout, Victoria Rahimi, R and M Ranch,  
14 Veronika Reinelt, Reinelt Rosenloecher Corp.  
15 PSP, Patricia J. Riggins, Patricia J. Riggins as  
16 Trustee of the Riggins Family Trust, Edgar C.  
17 Ritter, Paula E. Ritter, Paula E. Ritter as Trustee  
18 of the Ritter Family Trust, Romo Lake Los  
19 Angeles Partnership, Rosemount Equities LLC  
20 Series, Royal Investors Group, Royal Western  
21 Properties LLC, Santa Monica Mountains  
22 Conservancy, San Yu Enterprises, Inc., Daniel  
23 Saporzadeh, Helen Stathatos, Savas Stathatos,  
24 Savas Stathatos as Trustee for the Stathatos  
25 Family Trust, Martin Schwartz, Martin Schwartz  
26 as Trustee of the Burroughs IRR Family Trust,  
27 Seven Star United LLC, Mark H. Shafron, Robert  
28 L. Shafron, Kamram S. Shakib, Donna L.  
Simpson, Gareth L. Simpson, Gareth L. Simpson  
as Trustee of the Simpson Family Trust, Soaring  
Vista Properties, Inc., Maurice H. Stans, State of  
California, George C. Stevens, Jr., George C.  
Stevens, Jr. as Trustee of the George C. Stevens,  
Jr. Trust, George L. Stimson, Jr., George L.  
Stimson, Jr. as Trustee of the George L. Stimson,  
Jr. Trust, Tejon Ranchcorp, Tierra Bonita Ranch  
Company, Tiong D. Tiu, Beverly J. Tobias,  
Beverly J. Tobias as Trustee of the Tobias Family  
Trust, Jung N. Tom, Sheng Tom, Wilma D.  
Trueblood, Wilma D. Trueblood as Trustee of the  
Trueblood Family Trust, Unison Investment Co.,  
LLC, Delmar D. Van Dam, Gertrude J. Van Dam,  
Keith E. Wales, E C Wheeler LLC, WM  
Bolthouse Farms, Inc., Alex Wodchis, Elizabeth  
Wong, Mary Wong, Mike M. Wu, Mike M. Wu as

1 Trustee of the Wu Family Trust, State of  
2 California 50<sup>th</sup> District and Agricultural  
3 Association, and Does 1 through 25,000,

4 Cross-Defendants.

5  
6 Cross Complainants Palmdale Water District and Quartz Hill Water District (“Districts”) allege :

7  
8 1. Palmdale Water District is an irrigation district organized and operating under Division  
9 11 of the California Water Code. Quartz Hill Water District is a county water district organized and  
10 operating under Division 12 of the California Water Code. Districts extract groundwater from the  
11 Lancaster Sub-basin of the Antelope Valley Groundwater Basin for delivery to their customers.

12 2. Districts do not know the true names or capacities of the cross defendants sued herein as  
13 DOES 1 through 25,000.

14 3. On information and belief, each cross defendant either owns land overlying the Antelope  
15 Valley Groundwater Basin, extracts groundwater from the Antelope Valley Groundwater Basin, or  
16 claims a right to extract groundwater from the Antelope Valley Groundwater Basin.

17 4. The Antelope Valley Groundwater Basin (“Basin”) is located in the Antelope Valley, a  
18 topographically closed basin in the western part of the Mojave Desert, about 50 miles northeast of Los  
19 Angeles. The Basin is about 940 square miles and is separated from the northern part of Antelope Valley  
20 by faults and low-lying hills. A map showing the approximate location of the Basin is attached as  
21 Exhibit A. The Basin has been divided by various researchers into sub-basins; however, according to the  
22 Districts’ information and belief, the sub-basins are sufficiently hydrologically connected as to justify  
23 treating them as a single source of groundwater for purposes of determining groundwater rights.

24 5. For many years, Districts have produced groundwater from the Basin and distributed the  
25 water through their waterworks systems to their customers for reasonable and beneficial uses. Districts’  
26 production of groundwater from the Basin has been open, notorious and under claim of right, hostile to  
27 any rights of other parties and has continued for a period of more than five consecutive years, during  
28 which time, Districts are informed and believes, there existed a period of five consecutive years during

1 which the Basin was in a state of overdraft and during which cross defendants had notice of the  
2 overdraft. By reason of their historical production of groundwater, Districts have acquired appropriative  
3 and prescriptive rights to produce groundwater from the Basin, in an amount according to proof.

4 6. Districts purchase water imported from outside the watershed, and distribute the  
5 purchased water through the Districts' waterworks systems to their customers. After use by the  
6 customers for irrigation, domestic, municipal and industrial uses, a portion of these imported waters  
7 percolates into the ground and commingles with the percolating ground waters contained in the Basin  
8 and thereby augments the natural supply of water in the Basin. Districts have a right to extract from the  
9 Basin an amount of water equal to the portion of the water imported by Districts from outside the  
10 watershed that augments the supply of water in the Basin.

11 7. Districts have a right to store water in the Basin and to extract the stored water for later  
12 use.

13 8. Districts' water rights as described above are equal or superior in priority to those of any  
14 cross defendant.

15  
16 **FIRST CAUSE OF ACTION**  
17 **(Declaratory Relief)**

18 9. Districts incorporate by reference the allegations of paragraphs 1 through 8 above.

19 10. An actual controversy has arisen between Districts and each of the cross defendants as to  
20 the nature, extent, and priority of each party's right to produce groundwater from and store water in the  
21 Basin. Districts' contentions are as set forth above. On information and belief, cross-defendants dispute  
22 these contentions.

23 11. A controversy also exists concerning physical facts of the Basin such as basin boundaries,  
24 degree of separation between sub-basins, and safe yield. Districts' contentions are as set forth above.  
25 On information and belief, cross-defendants dispute these contentions.

1 **SECOND CAUSE OF ACTION**

2 **(Injunction)**

3 12. Districts incorporate by reference the allegations of paragraphs 1 through 8 above.

4 13. On information and belief, each cross defendant produces or threatens to produce more  
5 water from the Basin than it has a right to produce. This production in excess of rights interferes with the  
6 rights of Districts to produce groundwater as set forth above.

7 14. On information and belief, the total production of groundwater from the Basin exceeds  
8 the safe yield of the Basin, and the Basin is in overdraft.

9 15. It is necessary and appropriate for the court to exercise and retain continuing jurisdiction  
10 to develop and enforce a physical solution that protects, manages, conserves, and adjudicates  
11 groundwater supplies in the Basin. Such a physical solution may include restrictions on groundwater  
12 production, reasonable monetary assessments on groundwater extractions and for supplemental water  
13 supplies, prohibitions against wasteful and excessive use of water by cross defendants and their  
14 customers in violation of Article X, Section 2 of the California Constitution, mandatory conservation  
15 measures, a groundwater monitoring and reporting program assessment of costs to remediate land  
16 subsidence and groundwater contamination, and the appointment of a Watermaster to administer and  
17 enforce the judgments and order of the court.

18 16. Unless such a physical solution is ordered, Districts will suffer irreparable harm in that  
19 the supply of groundwater will become depleted and other undesirable effects such as subsidence will  
20 occur.

21 17. Districts lack an adequate remedy at law.  
22

23 **WHEREFORE**, Districts pray:

24 1. For a declaration of the nature, extent and priority of the parties' rights to produce  
25 groundwater from the Antelope Valley Basin, and the physical facts of the basin such as basin  
26 boundaries, degree of separation between sub-basins, and safe yield.

27 2. For an injunction prohibiting cross defendants from interfering with the rights of the  
28 Districts to produce groundwater from the Basin.

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- 3. For a physical solution as described in paragraph 16 above.
- 4. For costs of suit.
- 5. For such other relief as the court deems just and proper.

Dated: November 28, 2005

LAGERLOF, SENEAL, BRADLEY,  
GOSNEY & KRUSE, LLP

By: \_\_\_\_\_  
Thomas S. Bunn III  
Attorneys for Palmdale Water District  
and Quartz Hill Water District

EXHIBIT A

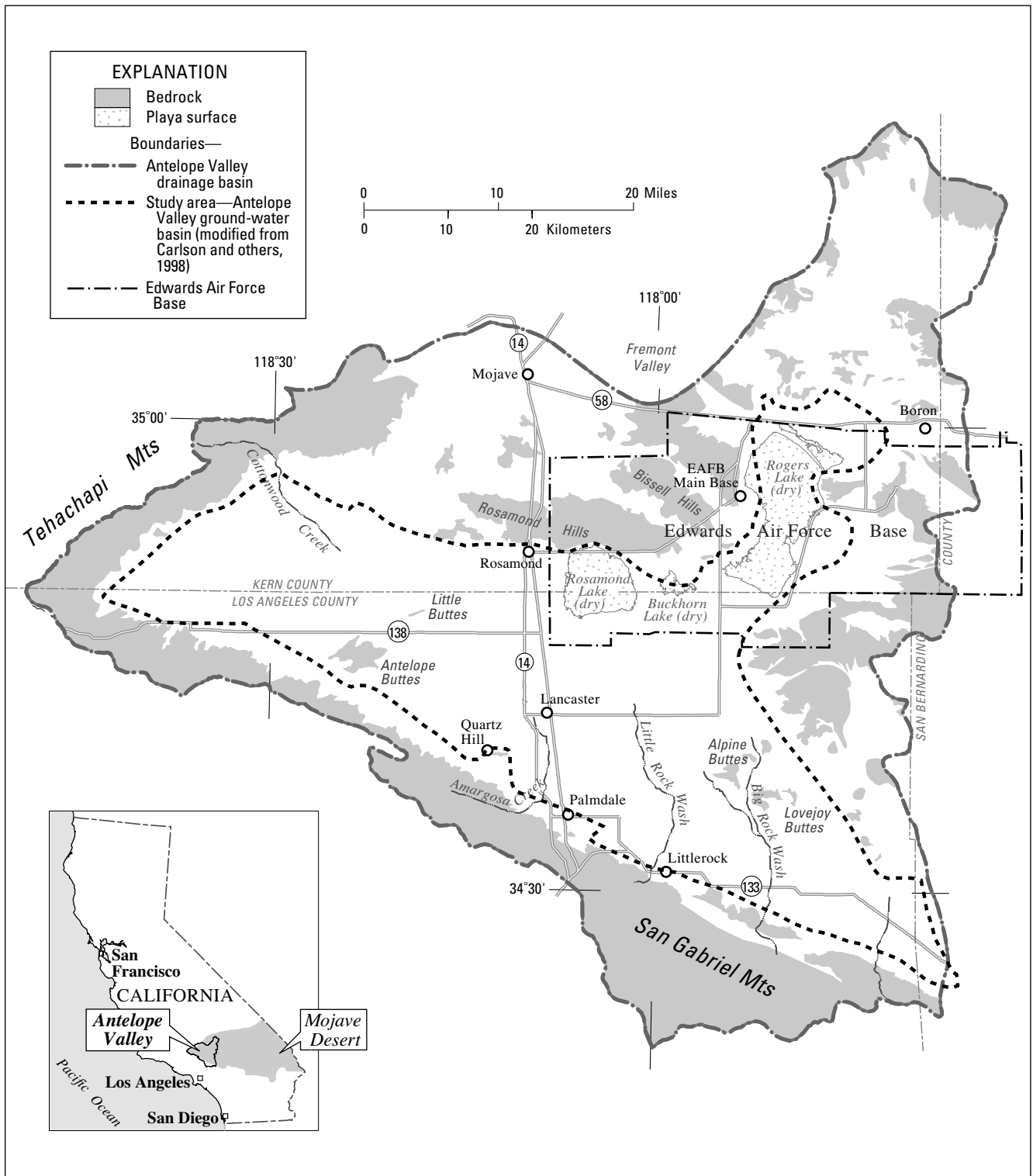
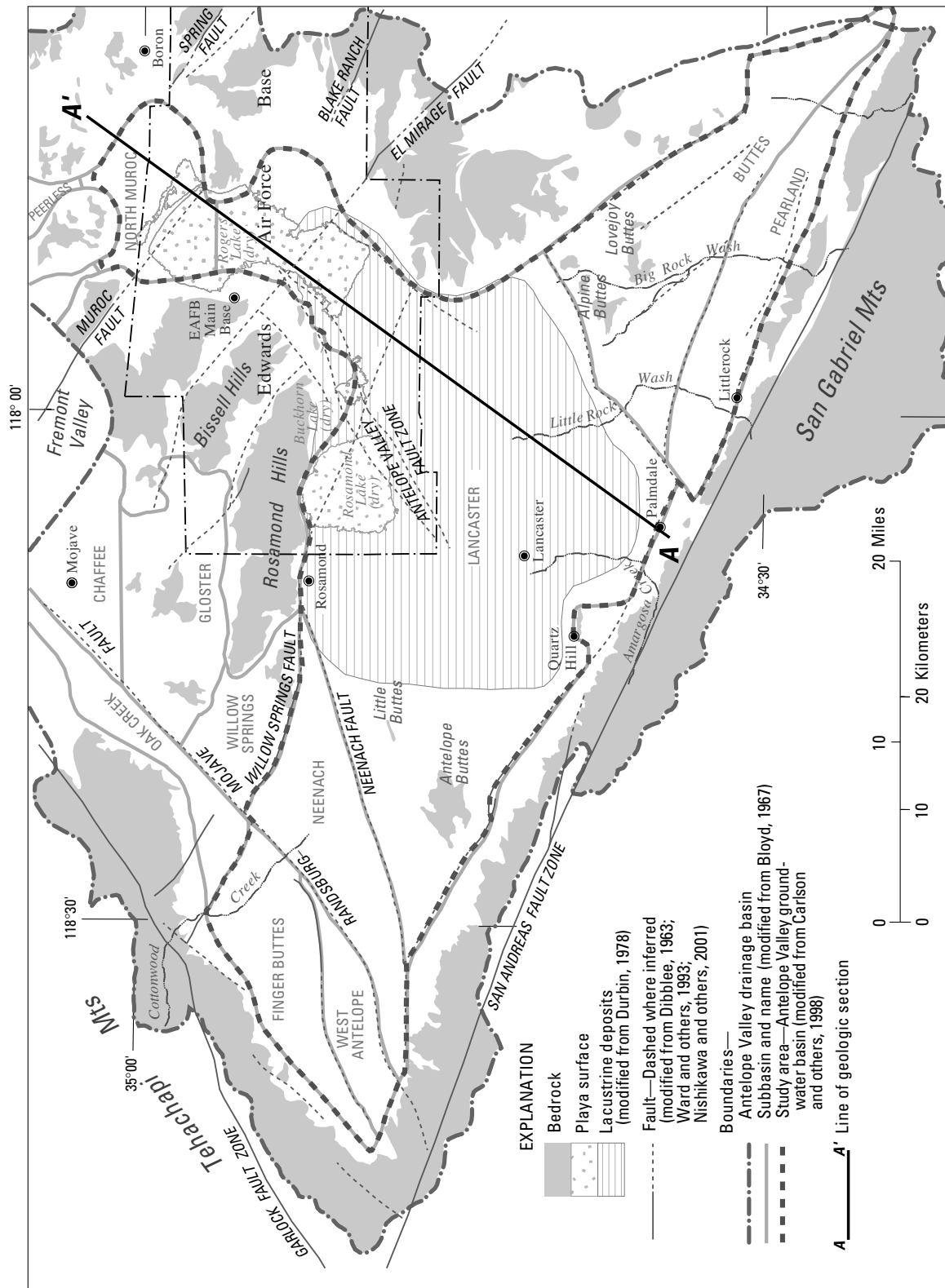


Figure 1. Location of study area, Antelope Valley, California.





**Figure 2.** Location of faults, ground-water subbasins, line of geologic section, and approximate areal extent of lacustrine deposits in the Antelope Valley ground-water subbasin, California.

1 **PROOF OF SERVICE**

2  
3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 years,  
4 and am not a party to the within action; my business address is 301 North Lake Avenue, 10th Floor,  
Pasadena, California 91101-4108.

5 On November 28, 2005, I served the document, described as **CROSS-COMPLAINT OF**  
6 **PALMDALE WATER DISTRICT AND QUARTZ HILL WATER DISTRICT FOR DECLARATORY AND**  
7 **INJUNCTIVE RELIEF** on the interested parties in this action by placing true copies thereof enclosed in  
sealed envelopes addressed as follows:

8 **[SEE ATTACHED PROOF OF SERVICE LIST]**

9 **X** (BY REGULAR MAIL) As follows: I am "readily familiar" with the firm's practice of  
10 collection and processing correspondence for mailing. Under that practice it would be deposited  
11 with the U.S. Postal Service on that same day with postage thereon fully prepaid at Pasadena,  
12 California in the ordinary course of business. I am aware that on motion of 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.

13 **X** (VIA ELECTRONIC MAIL) BY SANTA CLARA SUPERIOR COURT E-FILING IN  
14 COMPLEX LITIGATION PURSUANT TO CLARIFICATION ORDER DATED OCTOBER  
15 27, 2005.

16 \_\_\_\_\_ (VIA FACSIMILE) On \*\*\*, I caused the above-referenced document(s) to be transmitted via  
17 facsimile to the offices of the addressee(s) as follows: A true and correct copy of the  
transmission report indicating transmission without error is attached hereto.

18 \_\_\_\_\_ (BY FEDERAL EXPRESS) I caused such envelope(s) to be delivered by air courier, with next  
19 day service.

20 \_\_\_\_\_ (BY PERSONAL SERVICE) I delivered such envelope(s) by hand to the offices of the  
addressee(s).

21 **X** (STATE) I declare under penalty of perjury under the laws of the State of California that the  
22 above is true and correct.

23 \_\_\_\_\_ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at  
24 whose direction the service was made.

25 EXECUTED at Pasadena, California on November 28, 2005.

26  
27 \_\_\_\_\_  
28 Barbara J. Parker  
Declarant

1 **PROOF OF SERVICE LIST**

2 **Via Regular Mail**

3 Chair, Judicial Council of California  
4 Administrative Office of the Courts  
5 Attn.: Appellate & Trial Court Judicial Services  
6 (Civil Case Coordination)  
7 455 Golden Gate Avenue  
8 San Francisco, CA 94102-3688

7 **Via E-File**

8 Honorable Jack Komar  
9 Santa Clara County Superior Court of California  
10 191 North First Street, Department 17C  
11 San Jose, CA 95113

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Attorneys for Tejon Ranch

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