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9  
10 SUPERIOR COURT OF CALIFORNIA

11 COUNTY OF LOS ANGELES

12  
13 Coordination Proceeding  
Special Title (Rule 1550(b))

Judicial Council Coordination  
Proceeding No. 4408

14 ANTELOPE VALLEY GROUNDWATER  
CASES

15 Included Actions:

16 Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co.  
17 Superior Court of California County of Los Angeles,  
Case No. BC 325 201

18 Los Angeles County Waterworks District No. 40 v.  
19 Diamond Farming Co.  
Superior Court of California, County of Kern,  
20 Case No. S-1500-CV-254-348

21 Wm. Bolthouse Farms, Inc. v. City of Lancaster  
Diamond Farming Co. v. City of Lancaster  
22 Diamond Farming Co. v. Palmdale Water Dist.  
Superior Court of California, County of Riverside,  
23 consolidated Actions, Case Nos. RIC 353 840, RIC 344  
436, RIC 344 668

24  
25 ROSAMOND COUNTY SERVICES DISTRICT:  
LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40;  
26 PALMDALE WATER DISTRICT;  
CITY OF LANCASTER;  
27 CITY OF PALMDALE;  
LITTLEROCK CREEK IRRIGATION DISTRICT;  
28 PALM RANCH IRRIGATION DISTRICT;  
QUARTZ HILL DISTRICT;

**ANSWER OF STATE OF  
CALIFORNIA, SANTA  
MONICA MOUNTAINS  
CONSERVANCY AND STATE  
OF CALIFORNIA 50<sup>TH</sup>  
DISTRICT AGRICULTURAL  
ASSOCIATION TO CROSS-  
COMPLAINT OF  
MUNICIPAL PURVEYORS  
FOR DECLARATORY AND  
INJUNCTIVE RELIEF AND  
ADJUDICATION OF WATER  
RIGHTS**

1 CALIFORNIA WATER SERVICE COMPANY;

2 Cross-Complainants.

3 v.

4 DIAMOND FARMING COMPANY, et al.,

5 Cross-Defendants.

6 Defendants State of California and its agencies owning land overlying the Antelope Valley  
7 Groundwater Basin or pumping water from the Antelope Valley Groundwater Basin, and the Santa  
8 Monica Mountains Conservancy, and the State of California 50th District Agricultural Association  
9 ("State defendants") hereby answer the Cross-Complaint of Municipal Purveyors for Declaratory  
10 and Injunctive Relief and Adjudication of Water Rights filed by Rosamond Community Services  
11 District, Los Angeles County Waterworks District No. 40 et al. ("Public Water Suppliers"), filed  
12 January 18, 2006.

13 **INTRODUCTION**

14 1. State defendants lack information or belief sufficient to answer the allegations  
15 in paragraph 1, and basing their denial on this ground deny each and every allegation thereof.

16 **CROSS-COMPLAINANTS**

17 2. State defendants lack information or belief sufficient to answer the allegations  
18 in paragraph 2, and basing their denial on this ground deny each and every allegation thereof.

19 3. State defendants lack information or belief sufficient to answer the allegations  
20 in paragraph 3, and basing their denial on this ground deny each and every allegation thereof.

21 4. State defendants admit the allegations of the first sentence of paragraph 4. State  
22 defendants lack information or belief sufficient to answer the allegations of the second sentence of  
23 paragraph 4, and basing their denial on this ground deny each and every allegation thereof.

24 5. State defendants lack information or belief sufficient to answer the allegations  
25 in paragraph 5, and basing their denial on this ground deny each and every allegation thereof.

26 6. State defendants admit that the City of Palmdale is a municipal corporation in  
27 the County of Los Angeles. State defendants lack information or belief sufficient to answer the  
28

1 allegations of the second sentence of paragraph 6, and basing their denial on this ground deny each  
2 and every allegation thereof.

3 7. State defendants admit based on information and belief that the City of Lancaster  
4 is a municipal corporation located in the County of Los Angeles. Except as expressly admitted, State  
5 defendants lack information or belief sufficient to answer the allegations in paragraph 7, and basing  
6 their denial on this ground deny each and every allegation thereof.

7 8. Based on information and belief, State defendants admit that Littlerock Creek  
8 Irrigation District is a public agency. Except as admitted, State defendants lack information or belief  
9 sufficient to answer the allegations in paragraph 8, and basing their denial on this ground deny each  
10 and every allegation thereof.

11 9. State defendants lack information or belief sufficient to answer the allegations  
12 in paragraph 9, and basing their denial on this ground deny each and every allegation thereof.

13 10. State defendants admit that California water Service Company is a California  
14 corporation. State defendants lack information or belief sufficient to answer the remaining  
15 allegations in paragraph 10, and basing their denial on this ground deny each and every allegation  
16 thereof.

### 17 **CROSS-DEFENDANTS**

18 11. State defendants admit that the State of California and some of its agencies,  
19 including but not limited to named cross-defendants the Santa Monica Mountains Conservancy,  
20 and State of California 50<sup>th</sup> District Agricultural Association, are owners of and/or beneficial  
21 interest holders in real property within the geographic boundaries of the Basin. State defendants  
22 admit that they claim overlying rights to extract water from the Basin whether or not they have  
23 heretofore exercised such overlying rights. As to the other named cross-defendants, State  
24 defendants lack information or belief sufficient to answer the allegations in paragraph 11, and  
25 basing their denial on this ground deny each and every allegation thereof.

26 12. State defendants affirmatively allege that one or more as-yet-unnamed state  
27 agencies are the owners, lessees or other persons or entities holding or claiming to hold ownership  
28 or possessory interests in real property within the boundaries of the Basin; extract water from the

1 Basin; claim some right, title or interest to water located within the Basin; or that they have or  
2 assert claims adverse to the Public Water Suppliers' rights and claims. State defendants are  
3 continuing to investigate the nature and extent of these unnamed state agencies' interests, and will  
4 seek leave to amend this answer when the full extent of the unnamed state agencies' interests is  
5 known. Except as affirmatively alleged, State defendants lack information or belief sufficient to  
6 answer the allegations in paragraph 12, and basing their denial on this ground deny each and every  
7 allegation thereof.

8 **THE UNITED STATES**

9 13. Paragraph 13 of the cross-complaint presents a legal conclusion, to  
10 which no answer is required.

11 14. Based on information and belief, State defendants admit the allegations  
12 of Paragraph 14.

13 15. Paragraph 15 of the cross-complaint presents a legal conclusion, to  
14 which no answer is required.

15 16. Paragraph 16 of the cross-complaint presents a legal conclusion to  
16 which no answer is required.

17 17. Paragraph 17 of the cross-complaint presents a legal conclusion to  
18 which no answer is required.

19 **HISTORY OF THE ANTELOPE VALLEY GROUNDWATER BASIN**

20 18. Paragraph 18 of the cross-complaint presents legal conclusions to which  
21 no answer is required. To the extent an answer is required, State defendants deny the allegations of  
22 Paragraph 18.

23 19. State defendants admit the allegations of the first and third sentences  
24 of Paragraph 19. State defendants admit that the basin is partially located in Los Angeles and Kern  
25 Counties. Except as expressly admitted, State defendants deny the allegations of the second sentence  
26 of Paragraph 19. State defendants admit that the communities of Lancaster, Palmdale and Rosamond  
27 and part of Edwards Air Force Base lie over the basin, and except as expressly admitted, the State  
28 defendants deny the allegations of the fourth sentence of Paragraph 19.

1                   20.     State defendants admit the allegations of the first sentence of paragraph  
2 20 of the cross-complaint. With regard to the second sentence of paragraph 20, State defendants lack  
3 information or belief sufficient to answer the allegations in paragraph 20, and basing their denial  
4 on this ground deny each and every allegation thereof.

5                   21.     State defendants lack information or belief sufficient to answer the  
6 allegations in paragraph 21, and basing their denial on this ground deny each and every allegation  
7 thereof.

8                   22.     State defendants lack information or belief sufficient to answer the  
9 allegations in paragraph 22, and basing their denial on this ground deny each and every allegation  
10 thereof.

11                  23.     State defendants lack information or belief sufficient to answer the  
12 allegations in paragraph 23, and basing their denial on this ground deny each and every allegation  
13 thereof.

14                  24.     State defendants lack information or belief sufficient to answer the  
15 allegations in paragraph 24, and basing their denial on this ground deny each and every allegation  
16 thereof.

17                  25.     State defendants lack information or belief sufficient to answer the  
18 allegations in paragraph 25, and basing their denial on this ground deny each and every allegation  
19 thereof.

20                                   **PUBLIC WATER SUPPLIERS' ACTIVITIES**  
21                                   **(HEADING IN CROSS-COMPLAINT DENIED BASED ON**  
22                                   **LACK OF INFORMATION AND BELIEF)**

23                  26.     State defendants admit that the Antelope Valley-East Kern Water  
24 Agency is a State Water Contractor, and as such has a contract with the State of California,  
25 Department of Water Resources, to purchase water from the State Water Project. State defendants  
26 admit that State [Water] Project water originates in northern California. Except as expressly  
27 admitted, State defendants lack information or belief sufficient to answer the allegations in  
28 paragraph 26, and basing their denial on this ground deny each and every allegation thereof.

1 27. State defendants admit that cross-complainants Littlerock Creek  
2 Irrigation District and Palmdale Water District are State Water Contractors, and as such, have a  
3 contract with the State of California, Department of Water Resources, to purchase water from the  
4 State Water Project. Except as expressly admitted, State defendants lack information or belief  
5 sufficient to answer the allegations in paragraph 27, and basing their denial on this ground deny  
6 each and every allegation thereof.

7 28. State defendants lack information or belief sufficient to answer the  
8 factual allegations in paragraph 28, and basing their denial on this ground deny each and every  
9 allegation thereof. To the extent the allegations in paragraph 28 constitute legal conclusions, they  
10 require no answer.

11 **OVERDRAFT**  
12 **(HEADING IN CROSS-COMPLAINT DENIED BASED ON**  
13 **LACK OF INFORMATION AND BELIEF)**

14 29. State defendants lack information or belief sufficient to answer the  
15 factual allegations in paragraph 29, and basing their denial on this ground deny each and every  
16 allegation thereof.

17 30. Answering the first sentence of paragraph 30, State defendants  
18 admit that some of them have pumped and continue to pump and divert water from the natural  
19 supply of the Basin, and each of them claims some interest in Basin water. The word  
20 "appropriate" is a legal conclusion, to which no answer is required. As to other cross-defendants,  
21 State defendants lack information or belief sufficient to answer the allegations in the first sentence  
22 of paragraph 30, and basing their denial on this ground deny each and every allegation thereof.  
23 State defendants lack information or belief sufficient to answer the allegations of the second  
24 sentence of paragraph 30, and on that basis deny each and every allegation. State defendants  
25 specifically deny that their extraction of water exceeds the Basin's safe yield.

26 31. Answering paragraph 31, State defendants admit that each of them  
27 claims a right to take water and to increase its taking of water and affirmatively allege that their  
28 water rights have priority over the Public Water Suppliers' rights. Except as specifically admitted  
or alleged, State defendants deny the allegations of the first sentence of paragraph 31. Answering



1 37. Answering the first sentence and the first part of the second sentence,  
2 prior to the semi-colon, State defendants lack information or belief sufficient to answer the factual  
3 allegations in those sentences, and basing their denial on this ground, deny each and every allegation  
4 thereof. State defendants deny each and every allegation of the second part of the second sentence,  
5 following the semi-colon, of paragraph 37.

6 38. The allegations of paragraph 38 and its subparts are Public Water  
7 Suppliers' legal contentions, to which no answer is required. To the extent an answer is required,  
8 State defendants deny the allegations in Paragraph 38.

9 **FIRST CAUSE OF ACTION**

10 39. State defendants incorporate by reference their answers to the  
11 allegations in each and all of the preceding paragraphs as though fully set forth herein.

12 40. The allegations of paragraph 40 are not alleged against the State  
13 defendants, as this cause of action is "Against all Cross-Defendants Except the United States and  
14 Other Public Entity Cross-Defendants," and thus no answer is required. The State defendants  
15 affirmatively allege that California Civil Code section 1007 provides that there can be no  
16 prescription against water rights owned by the state or any public entity. To the extent that an  
17 answer is required because this paragraph is incorporated into later causes of action, State  
18 defendants allege that the first sentence of paragraph 40 is a legal conclusion to which no answer  
19 is required. State defendants deny each and every allegation of the second and third sentences of  
20 paragraph 40.

21 41. The allegations of paragraph 41 are not alleged against State  
22 defendants, and thus no answer is required. To the extent that an answer is required because this  
23 paragraph is incorporated into later causes of action, State defendants deny the allegations of  
24 paragraph 41. The State defendants affirmatively allege that California Civil Code section 1007  
25 provides that there can be no prescription against water rights owned by the state or any public  
26 entity.

27 42. The allegations of paragraph 42 are not alleged against the State  
28 defendants, and thus no answer is required.



1                   43.     The allegations of paragraph 43 are not alleged against the State  
2 defendants, as this cause of action is "Against All Cross-Defendants Except the United States and  
3 Other Public Entity Cross-Defendants," and thus no answer is required. State defendants further  
4 allege that paragraph 43 is Cross-complainants' contention to which no answer is required.

5   **SECOND CAUSE OF ACTION**

6                   44.     State defendants incorporate by reference their answers to the  
7 allegations in each and all of the preceding paragraphs as though fully set forth herein.

8                   45.     Paragraph 45 of the cross-complaint contains legal conclusions to  
9 which no answer is required. State defendants specifically deny that Public Water Suppliers have  
10 any prescriptive rights against State defendants.

11                  46.     Paragraph 46 of the cross-complaint contains legal conclusions to  
12 which no answer is required.

13                  47.     Paragraph 47 of the cross-complaint contains legal conclusions to  
14 which no answer is required.

15                  48.     Paragraph 48 of the cross-complaint contains legal conclusions to  
16 which no answer is required.

17                  49.     State defendants admit that an actual controversy has arisen. Except  
18 as expressly admitted, State defendants deny each and every allegation of paragraph 49.

19                  50.     Paragraph 50 contains Cross-complainants' characterization of the  
20 relief they seek, and does not require an answer.

21   **THIRD CAUSE OF ACTION**

22                  51.     State defendants incorporate by reference their answers to the  
23 allegations in each and all of the preceding paragraphs as though fully set forth herein.

24                  52.     Answering paragraph 52, State defendants admit that they claim an  
25 interest or right to Basin water and further claim that they can increase their pumping and State  
26 defendants affirmatively allege that their rights are paramount and superior to those of the Public  
27 Water Suppliers. Except as admitted, State defendants deny each and every factual allegation of  
28 paragraph 52.

1                   53.     State defendants deny each and every factual allegation of paragraph  
2 53 as they relate to State defendants. To the extent the allegations relate to other defendants, State  
3 defendants lack information or belief sufficient to answer the allegations of paragraph 53, and  
4 basing their denial on this ground, deny each and every allegation thereof.

5                   54.     Paragraph 54 contains legal conclusions, to which no answer is  
6 required.

7                   55.     Paragraph 55 presents cross-complainants' legal conclusions, to  
8 which no answer is required. To the extent an answer is required, State defendants deny each and  
9 every factual allegation of paragraph 55.

10   **FOURTH CAUSE OF ACTION**

11                   56.     State defendants incorporate by reference their answers to the  
12 allegations in each and all of the preceding paragraphs as though fully set forth herein.

13                   57.     State defendants admit that Water Code section 106 is correctly  
14 quoted. Except as expressly admitted, State defendants deny each and every one of the remaining  
15 factual allegations of paragraph 46. State defendants affirmatively allege that some of their own  
16 uses are for domestic purposes.

17                   58.     Water Code section 106.5 speaks for itself and is a legal provision  
18 and no answer to paragraph 58 is required. State defendants deny that the quoted sentence is  
19 complete.

20                   59.     State defendants deny each and every allegation of paragraph 59.

21                   60.     State defendants admit that an actual controversy has arisen  
22 between the Public Water Suppliers and cross-defendants. Answering the second sentence of  
23 paragraph 60, State defendants admit that they dispute many of the factual contentions in  
24 Paragraphs 1 through 43 to the extent shown in the answers to those paragraphs. With regard to  
25 legal contentions, no answer is required. Except as admitted, State defendants lack information or  
26 belief sufficient to answer the allegations of paragraph 49, and basing their denial on this ground,  
27 deny each and every allegation thereof.

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1                     61. Paragraph 61 is cross-complainants' characterization of the relief  
2 they seek, and no answer is required. State defendants specifically deny that cross-complainants'  
3 rights are prior and paramount to the rights of State defendants to the use of Basin water for  
4 irrigation purposes, or any other purpose.

5   **FIFTH CAUSE OF ACTION**

6                     62. State defendants incorporate by reference their answers to the  
7 allegations in each and all of the preceding paragraphs as though fully set forth herein.

8                     63. State defendants admit that cross-complainants Littlerock Creek  
9 Irrigation District and Palmdale Water District are State Water Contractors, and as such, have a  
10 contract with the State of California, Department of Water Resources, to purchase water from the  
11 State Water Project and State defendants admit that State Water Project water is not native to the  
12 Antelope Valley Basin. Except as expressly admitted, State defendants lack information or belief  
13 sufficient to answer the remaining allegations of paragraph 63, and basing their denial on this  
14 ground, deny each and every remaining allegation of paragraph 63.

15                     64. State defendants lack information or belief sufficient to answer the  
16 allegations of paragraph 64, and basing their denial on this ground, deny each and every allegation  
17 of paragraph 64.

18                     65. Paragraph 65 contains legal conclusions, to which no answer is  
19 required.

20                     66. Answering paragraph 66, State defendants admit that an actual  
21 controversy has arisen between the Public Water Suppliers and cross-defendants. State  
22 defendants admit that they dispute many of the factual contentions in Paragraphs 1 through 39 to  
23 the extent shown in the answers to those paragraphs. With regard to legal contentions, no answer  
24 is required.

25                     67. Paragraph 67 contains cross-complainants' characterization of the  
26 relief they seek, to which no answer is required. To the extent an answer is required, State  
27 defendants deny that Public Water Suppliers are entitled to the relief they seek.

1 **SIXTH CAUSE OF ACTION**

2 68. State defendants incorporate by reference their answers to the  
3 allegations in each and all of the preceding paragraphs as though fully set forth herein.

4 69. State defendants lack information and belief sufficient to answer the  
5 allegations of paragraph 69, and basing their denial on this ground, deny each and every allegation  
6 of paragraph 69.

7 70. State defendants lack information and belief sufficient to answer the  
8 allegations of paragraph 70, and basing their denial on this ground, deny each and every allegation  
9 of paragraph 70.

10 71. Paragraph 71 consists of cross-complainants' legal contentions, to  
11 which no answer is required.

12 72. Answering paragraph 72, State defendants admit that an actual  
13 controversy has arisen between the Public Water Suppliers and cross-defendants. State  
14 defendants admit that they dispute many of the factual contentions in Paragraphs 1 through 43 to  
15 the extent shown in the answers to those paragraphs. With regard to legal contentions, no answer  
16 is required.

17 73. Paragraph 73 contains cross-complainants' characterization of the  
18 relief they seek, to which no answer is required.

19 **SEVENTH CAUSE OF ACTION**

20 74. State defendants incorporate by reference their answers to the  
21 allegations in each and all of the preceding paragraphs as though fully set forth herein.

22 75. Paragraph 75 contains only legal conclusions, to which no answer  
23 is required.

24 76. Paragraph 76 does not contain allegations against the State  
25 defendants because the seventh cause of action is "Against all Cross-Defendants except public  
26 Entity Cross-Defendants," and thus no answer by State defendants is required. To the extent that  
27 the allegations are addressed to the State defendants, State defendants deny each and every  
28 allegation of Paragraph 76.

1                   77. Paragraph 77 does not contain allegations against the State  
2 defendants because the seventh cause of action is "Against all Cross-Defendants except public  
3 Entity Cross-Defendants," and thus no answer by State defendants is required.

4                   78. Paragraph 78 does not contain allegations against the State  
5 defendants because the seventh cause of action is "Against all Cross-Defendants except public  
6 Entity Cross-Defendants," and thus no answer by State defendants is required.

7   **EIGHTH CAUSE OF ACTION**

8                   91. State defendants incorporate by reference their answers to the  
9 allegations in each and all of the preceding paragraphs as though fully set forth herein.

10                   92. State defendants admit that an actual controversy has arisen  
11 between the Public Water Suppliers and State defendants regarding the actual physical dimensions  
12 and description of the Basin for purposes of determining the parties' rights to water located  
13 therein. State defendants admit that they dispute many of the factual contentions in Paragraphs 1  
14 through 38 to the extent shown in the answers to those paragraphs. With regard to legal  
15 contentions, no answer is required.

16                   93. Paragraph 93 contains cross-complainants' characterization of the  
17 relief they seek, to which no answer is required.

18   **FIRST AFFIRMATIVE DEFENSE**

19   **(Failure to State a Cause of Action)**

20                   94. The cross-complaint, and each and every cause of action alleged  
21 therein, fails to state facts sufficient to state a cause of action against the State defendants, or any  
22 of them.

23   **SECOND AFFIRMATIVE DEFENSE**

24   **(Civil Code Section 1007)**

25                   95. The relief sought by cross-complainants against State defendants is  
26 barred Civil Code Section 1007. There can be no prescription against State defendants' water  
27 rights. Civil Code section 1007 also prevents Public Water Suppliers or other  
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1 parties from obtaining rights against the State or these State defendants by asserting intervention  
2 of public use.

3 **THIRD AFFIRMATIVE DEFENSE**

4 **(Uncertainty)**

5 96. The cross-complaint is uncertain and defective in that it has failed to  
6 describe with specificity the groundwater basin or aquifer or aquifers from which plaintiff and  
7 defendants are extracting, or claim the right extract, groundwater.

8 **FOURTH AFFIRMATIVE DEFENSE**

9 **(Failure to Join Necessary and Indispensable Parties)**

10 97. Cross-complainants have failed to join indispensable and necessary  
11 parties, namely other overlying landowners and parties extracting groundwater from the Antelope  
12 Valley Groundwater Basis.

13 **FIFTH AFFIRMATIVE DEFENSE**

14 **(Statute of Limitations)**

15 98. The cross-complaint is barred by applicable statutes of limitations,  
16 including but not limited to sections 318, 319, 321, 338, or 343 of the California Code of Civil  
17 Procedure.

18 **SIXTH AFFIRMATIVE DEFENSE**

19 **(Overlying Rights)**

20 99. State defendants, and each of them, are owners of property  
21 overlying the Antelope Valley Groundwater Basin and thus hold overlying rights to the native  
22 water of the Basin. These rights are prior and paramount to the rights claimed by Plaintiffs.

23 **SEVENTH AFFIRMATIVE DEFENSE**

24 **(Right to Recapture Imported Water)**

25 100. One or more of State defendants import water from outside the  
26 Basin. They have a prior and paramount right to such imported water and the return flows from it.

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**EIGHTH AFFIRMATIVE DEFENSE**

**(Dedication to Public Use)**

101. All the groundwater extracted from the Antelope Valley Groundwater Basin by State defendants is devoted to public use. Therefore, cross-complainants cannot obtain relief that would in any way restrain or interfere with State Defendant's rights to pump or extract such water.

**NINTH AFFIRMATIVE DEFENSE**

**(Water Code section 106)**

102. Part of the water extracted from the Antelope Valley Groundwater Basin by State defendants is used for domestic purposes. State defendants are entitled to any priority granted by Water Code section 106.

**TENTH AFFIRMATIVE DEFENSE**

**(Laches)**

103. The cross-complaint, and each and every cause of action therein, is barred by the doctrine of laches.

**ELEVENTH AFFIRMATIVE DEFENSE**

**(Public Trust)**

104. The State of California holds certain natural resources in trust for the benefit of the people pursuant to the Public Trust Doctrine.

**TWELFTH AFFIRMATIVE DEFENSE**

**(Additional Defenses Unknown at this Time)**

105. State defendants own multiple properties overlying the Antelope Valley Groundwater Basin and presently have insufficient knowledge or information upon which to form a belief as to whether they may have additional, as yet unstated, affirmative defenses. State defendants reserve the right to assert additional defenses in the event that the discovery indicates they would be appropriate.

WHEREFORE, State defendants pray that:

- 1. Cross-complainants take nothing by the cross-complaint;

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2. That the complaint be dismissed; or in the alternative that judgment be awarded declaring that State defendants' water rights are prior and paramount to those of cross-complaints and all other parties;
3. For State defendants' attorneys fees and expert witness fees;
4. For State defendants' costs of suit incurred herein; and
5. For such other relief as the court deems just and proper.

Dated: August 16, 2006

Respectfully submitted,

BILL LOCKYER  
Attorney General of the State of California

DANIEL L. SIEGEL  
Supervising Deputy Attorney General



VIRGINIA A. CAHILL  
Deputy Attorney General

Attorneys for State of California, Santa Monica Mountains Conservancy, and State of California 50<sup>th</sup> District Agricultural Association.



DECLARATION OF SERVICE

I, declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 1300 I Street, P.O. Box 944255, Sacramento, California 94244-2550.

On August 17, 2006, I served the **ANSWER OF STATE OF CALIFORNIA, SANTA MONICA MOUNTAINS CONSERVANCY AND STATE OF CALIFORNIA 50<sup>TH</sup> DISTRICT AGRICULTURAL ASSOCIATION TO CROSS-COMPLAINT OF MUNICIPAL PURVEYORS FOR DECLARATORY AND INJUNCTIVE RELIEF AND ADJUDICATION OF WATER RIGHTS**

X Posting the document(s) listed above to the Santa Clara County Superior Court web site in regard to the Antelope Valley Groundwater matter on August 17, 2006.

X by placing a true copy of the document(s) listed above in a sealed envelope with postage thereon fully prepaid using the overnight courier, Golden State Overnight Courier Service, addressed as follows:

**(served original to Presiding Judge on August 17, 2006)**

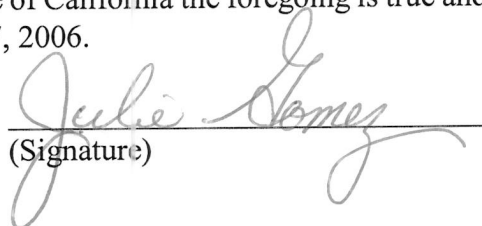
Presiding Judge of the Superior Court of California, County of Los Angeles  
County Courthouse  
111 North Hill Street  
Los Angeles, CA 90012-3014

Chair, Judicial Council of California  
Administrative office of the Courts  
Attn: Appellate and Trial Court Judicial Services (Civil Case Coordination)  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

Honorable Jack Komar  
Santa Clara County Superior Court  
191 North First Street, Department 17C  
San Jose, Ca 95113

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 17, 2006.

\_\_\_\_\_  
Declarant  
Julie Gomez

  
\_\_\_\_\_  
(Signature)