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6 Attorneys for Cross-Defendant  
SGS ANTELOPE VALLEY  
7 DEVELOPMENT, LLC

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

10  
11 ANTELOPE VALLEY  
GROUNDWATER CASES

12 INCLUDED ACTIONS:

13  
14 LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40 v.  
DIAMOND FARMING COMPANY, et  
15 al., Los Angeles Superior Court Case No.  
BC325201;

16  
17 LOS ANGELES COUNTY  
WATERWORKS DISTRICT NO. 40 v.  
DIAMOND FARMING COMPANY, et  
18 al., Kern County Superior Court Case  
No. S-1500-CV-254-348;

19  
20 DIAMOND FARMING COMPANY,  
and W.M. BOLTHOUSE FARMS, INC.,  
v. CITY OF LANCASTER, et al.,  
21 Riverside Superior Court Case No. RIC  
344436 [c/w case no. RIC 344668 and  
22 355840]

Judicial Council Coordination No. 4408

**SGS ANTELOPE VALLEY DEVELOPMENT  
LLC'S APPLICATION FOR APPROVAL OF  
STIPULATION CONCERNING LAND  
OWNERSHIP AND PRIOR GROUNDWATER  
PRODUCTION; [PROPOSED] ORDER**

Case No. 1-05-CV-049053

Assigned to The Honorable Jack Komar


Trial Date: May 28, 2013

Time: 9:00 a.m.

1 Pursuant to the Court's March 1, 2013 Minute Order, SGS Antelope Valley  
2 Development, LLC submits this Application for Approval of Stipulation Concerning Land  
3 Ownership and Prior Groundwater Production. The proposed Stipulation is attached to this  
4 application.

5  
6 DATED: March 20, 2013

7 EDWARD J. CASEY  
8 NEAL MAGUIRE  
9 **ALSTON & BIRD LLP**

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12 Edward J. Casey  
13 Attorneys for Cross-Defendant  
14 SGS ANTELOPE VALLEY DEVELOPMENT,  
15 LLC  
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1 Los Angeles County Waterworks District No. 40, Quartz Hill Water District, Littlerock  
2 Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, the City of  
3 Palmdale, the City of Lancaster, and Rosamond Community Services District (the "PWAs") and  
4 SGS Antelope Valley Development LLC ("Landowner") (collectively, the "Stipulating Parties")  
5 enter into this Stipulation Between Certain Public Water Agencies And Landowner Concerning  
6 Land Ownership, Prior Groundwater Production And Proposed Allocation Of Groundwater  
7 Rights; And Order Thereon ("Stipulation") through their respective counsel of record. This  
8 Stipulation is based on the matters set forth in Section I, below.

9 **I.**

10 **RECITALS**

11 A. Landowner owns land overlying the Antelope Valley Groundwater Basin (the  
12 "AV Basin"). (For purposes of this Stipulation, the term "AV Basin" shall mean the Antelope  
13 Valley Groundwater Basin as determined and defined by the Honorable Jack Komar in his  
14 March 12, 2007 Revised Order After Hearing on Jurisdictional Boundaries.)

15 B. Landowner served its Response To December 12, 2012 Discovery Order for  
16 Phase 4 Trial and the Non-Expert Witness Designation ("Discovery Response") on all parties in  
17 the instant action.

18 **II.**

19 **TERMS OF THE STIPULATION**

20 A. Based on the Landowner's Discovery Response, the PWAs have no objection to  
21 the Court making the following findings of fact: Landowner currently owns approximately land  
22 overlying the AV Basin, which land is comprised of Assessor Parcel Nos. ("APN") identified in  
23 Exhibit A to this Stipulation.

24  
25 March \_\_\_\_\_, 2013 ALSTON & BIRD, LLP

26  
27 By: \_\_\_\_\_  
28 EDWARD J. CASEY  
Attorneys for SGS Antelope Valley Development, LLC

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March \_\_\_\_\_, 2013

BEST BEST & KRIEGER LLP

By: \_\_\_\_\_  
JEFFREY V. DUNN

Attorneys for Los Angeles County Waterworks District No. 40

March \_\_\_\_\_, 2013

CHARLTON WEEKS LLP

By: \_\_\_\_\_  
BRADLEY T. WEEKS

Attorneys for Quartz Hill Water District

March \_\_\_\_\_, 2013

LEMIEUX & O'NEILL

By: \_\_\_\_\_  
WAYNE K. LEMIEUX

Attorneys for Littlerock Creek Irrigation District and Palm Ranch  
Irrigation District

March \_\_\_\_\_, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: \_\_\_\_\_  
THOMAS BUNN III

Attorneys for Palmdale Water District

March \_\_\_\_\_, 2013

RICHARDS, WATSON & GERSHON

By: \_\_\_\_\_  
STEVEN R. ORR

Attorneys for City of Palmdale

March \_\_\_\_\_, 2013

MURPHY & EVERTZ LLP

By: \_\_\_\_\_  
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond Community Services  
District

**EXHIBIT A**

SGS Antelope Valley Development, LLC owns, occupies, or otherwise controls property

identified by the following Assessor Parcel Number(s):

- 359-121-02-00-3
- 359-121-03-00-6
- 359-121-04-00-9
- 359-121-05-00-2
- 359-121-11-00-9
- 359-121-13-00-5
- 359-121-17-00-7
- 359-121-19-00-3
- 359-121-20-00-5
- 359-121-24-00-7
- 359-121-40-00-3
- 359-121-41-00-6
- 359-121-45-00-8
- 359-121-46-00-1
- 359-121-47-00-4
- 359-121-48-00-7
- 359-121-49-00-0
- 359-121-50-00-2
- 359-350-20-00-5
- 359-121-14-00-8
- 359-121-21-00-8
- 359-121-22-00-1
- 359-121-23-00-4
- 359-121-39-00-1
- 359-121-42-00-9
- 359-121-43-00-2
- 359-020-07-00-2
- 359-110-04-00-9
- 359-110-07-00-8
- 359-110-08-00-1
- 359-110-09
- 359-110-12-00-2
- 359-110-13-00-5
- 359-110-14-00-8
- 359-110-15-00-1
- 359-110-16-00-4
- 359-110-17-00
- 359-110-19-00-3
- 359-110-20-00-5
- 359-110-21-00-8
- 359-110-22
- 359-350-19
- 359-162-11-00-8.

1 **[PROPOSED] ORDER**

2 On March 20, 2013, SGS Antelope Valley Development, LLC filed its Application for  
3 Approval of Stipulation Concerning Land Ownership and Prior Groundwater Production (the  
4 "Application"). Having read and considered all papers filed in connection with the Stipulation  
5 attached to the Application, and having received no objections thereto,

6 **IT IS HEREBY ORDERED THAT:** the facts set forth in Section II of the Stipulation  
7 are deemed admitted.

8  
9 **IT IS SO ORDERED.**

10  
11 DATED: \_\_\_\_\_

\_\_\_\_\_   
Honorable Jack Komar  
Judge of the Santa Clara County Superior  
Court

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13  
14 Respectfully submitted by:

15 EDWARD J. Casey  
16 NEAL MAGUIRE  
17 ALSTON & BIRD LLP

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\_\_\_\_\_   
19 Edward J. Casey  
20 Attorneys for Cross-Defendant  
21 SGS Antelope Valley Development, LLC  
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1 **PROOF OF SERVICE**

2 I, Yolanda S. Ramos, declare:

3 I am employed in the County of Los Angeles, State of California. I am over the  
4 age of 18 and not a party to the within action. My business address is Alston & Bird LLP, 333  
5 South Hope Street, Sixteenth Floor, Los Angeles, CA 90071. I am over the age of eighteen years  
6 and not a party to the action in which this service is made.

7 On March 20, 2013, I served the document(s) described as SGS ANTELOPE  
8 VALLEY DEVELOPMENT, LLC'S APPLICATION FOR APPROVAL OF STIPULATION  
9 CONCERNING LAND OWNERSHIP AND PRIOR GROUNDWATER PRODUCTION;  
10 [PROPOSED] ORDER on the interested parties in this action by enclosing the document(s) in a  
11 sealed envelope addressed as follows:

12  BY MAIL: I am "readily familiar" with this firm's practice for the collection and the  
13 processing of correspondence for mailing with the United States Postal Service. In the  
14 ordinary course of business, the correspondence would be deposited with the United  
15 States Postal Service at 333 South Hope Street, Los Angeles, California 90071 with  
16 postage thereon fully prepaid the same day on which the correspondence was placed for  
17 collection and mailing at the firm. Following ordinary business practices, I placed for  
18 collection and mailing with the United States Postal Service such envelope at Alston &  
19 Bird LLP, 333 South Hope Street, Los Angeles, California 90071.

20  BY ELECTRONIC MAIL: By posting the document listed above to the Santa Clara  
21 Superior Court website: [www.scefiling.org](http://www.scefiling.org) regarding the ANTELOPE VALLEY  
22 GROUNDWATER matter.

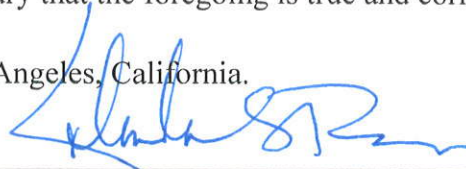
23  BY FEDERAL EXPRESS  UPS NEXT DAY AIR  OVERNIGHT DELIVERY:  
24 I deposited such envelope in a facility regularly maintained by  FEDERAL EXPRESS  
25  UPS  Overnight Delivery [specify name of service: ] with delivery fees fully  
26 provided for or delivered the envelope to a courier or driver of  FEDERAL  
27 EXPRESS  UPS  OVERNIGHT DELIVERY [specify name of service:]  
28 authorized to receive documents at Alston & Bird LLP, 333 South Hope Street, Los  
Angeles, California 90071 with delivery fees fully provided for.

BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s)  
at the following number(s) in accordance with the written confirmation of counsel in this  
action.

[State] I declare under penalty of perjury under the laws of the State of California that  
the above is true and correct.

[Federal] I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 20, 2013, at Los Angeles, California.

  
\_\_\_\_\_  
YOLANDA S. RAMOS