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11 SOUTHERN CALIFORNIA EDISON  
12 COMPANY

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **FOR THE COUNTY OF LOS ANGELES**

15 ANTELOPE VALLEY  
16 GROUNDWATER CASES

17 INCLUDED ACTIONS:

18 LOS ANGELES COUNTY  
19 WATERWORKS DISTRICT NO. 40 v.  
20 DIAMOND FARMING COMPANY, et  
21 al., Los Angeles Superior Court Case No.  
22 BC325201;

23 LOS ANGELES COUNTY  
24 WATERWORKS DISTRICT NO. 40 v.  
25 DIAMOND FARMING COMPANY, et  
26 al., Kern County Superior Court Case  
27 No. S-1500-CV-254-348;

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

Judicial Council Coordination No. 4408

**SOUTHERN CALIFORNIA EDISON  
COMPANY'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

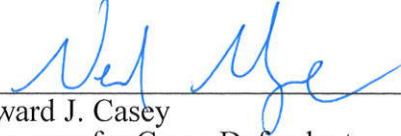
Trial Date: May 28, 2013

Time: 9:00 a.m.

1 Pursuant to the Court's March 1, 2013 Minute Order, Southern California Edison  
2 Company submits this Application for Approval of Stipulation Concerning Land Ownership and  
3 Prior Groundwater Production. The proposed Stipulation is attached to this application.  
4

5 DATED: April 30, 2013

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



9 Edward J. Casey  
10 Attorneys for Cross-Defendant  
11 SOUTHERN CALIFORNIA EDISON  
12 COMPANY  
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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 Southern California Edison Company ("Landowner") (collectively, the "Stipulating Parties")  
5 enter into this Stipulation Between Certain Public Water Agencies And Southern California  
6 Edison Company Concerning Land Ownership, Prior Groundwater Production And Proposed  
7 Allocation Of Groundwater Rights ("Stipulation") through their respective counsel of record.  
8 This 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  
12 (the "AV Basin"). (For purposes of this Stipulation, the term "AV Basin" shall mean the  
13 Antelope Valley Groundwater Basin as determined and defined by the Honorable Jack Komar in  
14 his March 12, 2007 Revised Order After Hearing on Jurisdictional Boundaries.)

15 B. Landowner served its (i) Response To December 12, 2012 Discovery  
16 Order for Phase 4 Trial and the Non-Expert Witness Designation ("Discovery Response") and  
17 (ii) Stipulation In Lieu Of Deposition Testimony For Phase 4 Trial ("Declarations") on all parties  
18 in the instant action.

19 **II.**

20 **TERMS OF THE STIPULATION**

21 A. Based on the Landowner's Discovery Response and Declarations, the  
22 PWAs have no objection to the Court making the following findings of fact:

23 (1) Landowner currently owns land overlying the AV Basin, which land is  
24 comprised of Assessor Parcel Numbers ("APN") identified in Exhibit A to this Stipulation (the  
25 "Subject Property").

26 (2) As of January 1, 2013, Landowner currently uses the Subject Property as  
27 follows: for the operation of the Antelope Substation, the Whirlwind Substation, 28 other  
28 substations, and numerous transmission corridors in the AV Basin.

1 (3) Landowner used the Subject Property during calendar years 2011 and  
2 2012 as follows: for the construction and operation of the Antelope and Whirlwind Substations,  
3 as well as well as 28 other substations and numerous transmission corridors in the AV Basin that  
4 do not currently have groundwater wells.

5 (4) Landowner produced the following quantities of groundwater from the  
6 AV Basin during calendar years 2011 and 2012:

7 a. The Whirlwind Substation property identified in Exhibit A  
8 produced approximately 24.2 acre-feet per year (“AFY”) in 2011 and 3 AFY in 2012.

9 b. The Antelope Substation property identified in Exhibit A produced  
10 approximately 6.29 AFY in 2011 and 2 AFY in 2012. The Antelope Substation property  
11 produced approximately 80.17 AFY in 2010.

12 (5) Landowner or its predecessor in interest to the Subject Property produced  
13 the following quantities of groundwater from the AV Basin during the period from January 1,  
14 2000 through December 31, 2004 (the “2000-04 Time Period”):

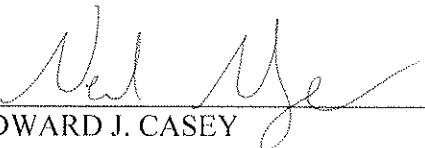
15 a. Landowner did not own the land that comprises the Whirlwind  
16 Substation in the 2000-04 Time Period, and the substation did not exist at that time. Thus, the  
17 Whirlwind Substation property did not produce groundwater in the 2000-04 Time Period.

18 b. The Antelope Substation property produced approximately 2 AFY  
19 in the 2000-04 Time Period.

20 (6) Landowner or its predecessor used the groundwater described in this  
21 Section II-A for “reasonable and beneficial” uses on the Subject Property. For purposes of this  
22 Stipulation, the term “reasonable and beneficial” shall have the meaning as understood in Article  
23 X, Section 2 of the California Constitution.

24  
25 April 30, 2013

ALSTON & BIRD, LLP

26  
27 By:   
28 EDWARD J. CASEY  
Attorneys for Southern California Edison Company

1 April 17, 2013

BEST BEST & KRIEGER LLP

2  
3 By: Jeffrey V. Dunn  
4 JEFFREY V. DUNN  
5 Attorneys for Los Angeles County Waterworks District No. 40

6 April \_\_\_\_\_, 2013

CHARLTON WEEKS LLP

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8 By: \_\_\_\_\_  
9 BRADLEY T. WEEKS  
Attorneys for Quartz Hill Water District

10 April \_\_\_\_\_, 2013

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12 By: \_\_\_\_\_  
13 WAYNE K. LEMIEUX  
14 Attorneys for Littlerock Creek Irrigation District and Palm Ranch  
Irrigation District

15 April \_\_\_\_\_, 2013

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17 By: \_\_\_\_\_  
18 THOMAS BUNN III  
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19 April \_\_\_\_\_, 2013

RICHARDS, WATSON & GERSHON

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21 By: \_\_\_\_\_  
22 STEVEN R. ORR  
23 Attorneys for City of Palmdale

24 April \_\_\_\_\_, 2013

MURPHY & EVERTZ LLP

25  
26 By: \_\_\_\_\_  
27 DOUGLAS J. EVERTZ  
28 Attorneys for City of Lancaster and Rosamond Community Services  
District

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April \_\_\_\_\_, 2013

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RICHARDS, WATSON & GERSHON

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

Attorneys for City of Palmdale

April <sup>20</sup>\_\_\_\_\_, 2013

MURPHY & EVERTZ LLP

By:   
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond Community Services  
District

1 **EXHIBIT A**

2  
3 Southern California Edison owns, occupies, or otherwise controls property for its  
4 Antelope Substation that is in Los Angeles County and identified by the following Assessor  
5 Parcel Number(s): 3203034806, 3203034811, 3203034810, 3203034815, 3203034814,  
6 3203034809, 3203034813, 3203034808, 3203034816, 3203034812, and 3203034807.

7 Edison owns, occupies, or otherwise controls property for its Whirlwind Substation in  
8 Kern County identified by the following Assessor Parcel Numbers: APN 26113204, 26113417,  
9 26113203, 26113202, 26113201, 26113205, 26113216, 26113215, 26113214, 26113209,  
10 26113210, 26113211, 26113109, 26113321, 26113401, 26113403, 26113407, 26113404,  
11 26113405, 26113420, 26113416, 26113417, 26113412, 26113413, 26113408, 26113409,  
12 26113410, 26113414, 26113415, 26113418, 26113419, 26135022, and 26135015.

13 Edison otherwise owns, in fee, 28 other substations as well as transmission corridors in  
14 the AV Basin. These other substations and corridors comprise approximately 584.87 acres and  
15 include the following 149 separate parcels, identified by their Assessor Parcel Numbers:  
16 3203021803, 3203034021, 3203034800, 3203034801, 3203034802, 3203034804, 3203034805,  
17 3204017801, 3204017802, 3204017803, 3204017804, 3204017804, 3204017805, 3204023800,  
18 3204023801, 3205002800, 3205002801, 3218005804, 3218005807, 3218005808, 3218005813,  
19 3218005814, 3218005815, 3218005816, 3218006800, 3218006800, 3218006801, 3218006802,  
20 3218006803, 3218006809, 3218006810, 3218006812, 3218006813, 3218006814, 3218006815,  
21 3218006816, 3218006819, 3218006820, 3218006821, 3218006822, 3218006823, 3218007800,  
22 3218013801, 3218013802, 3218013804, 3218013811, 3218013813, 3218013814, 3218013815,  
23 3218013818, 3218013819, 3218013822, 3218013823, 3218013824, 3218013825, 3218013827,  
24 3218013828, 3248010800, 3248010801, 3248010802, 3248010803, 3248010804, 3248015800,  
25 3248015801, 3248015802, 3248015803, 3248015804, 3248015807, 3248021801, 3248021803,  
26 3248021805, 3248021806, 3258011801, 3258011802, 3263001806, 3263001807, 3263001810,  
27 3263001811, 3263001822, 3263001823, 3263001824, 3263001829, 3263012802, 3263012803,  
28 3263012804, 3263012805, 3263012806, 3263013043, 3263013049, 3263013806, 3263013807,

1 3263013810, 3263013811, 3263013814, 3263013815, 3263017800, 3263017803, 3263017804,  
2 3263017805, 3265011008, 3265011805, 3265014802, 3265014803, 3265014804, 3265015804,  
3 3265015805, 3265015807, 3265020802, 3265020803, 3265020804, 3265023814, 3265023815,  
4 3265023816, 3265023817, 3265023819, 3265023820, 3265023821, 3265023822, 3265023823,  
5 3265023824, 3265023826, 3265023827, 3265023828, 3265023829, 3265023833, 3265023834,  
6 3265023835, 3265023836, 3265023838, 3265023839, 3266002803, 3266002804, 3266002807,  
7 3266002808, 3266003803, 3266003806, 3266004800, 3266004802, 3266005800, 3266006800,  
8 3266006801, 3267005800, 3267005801, 3267005802, 3267005806, 3267005807, 3267005808,  
9 3267005809, and 3267008029.

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1 **[PROPOSED] ORDER**

2 On May  1 , 2013, Southern California Edison Company 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.

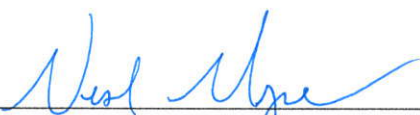
8  
9 **IT IS SO ORDERED.**

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

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

12  
13  
14 Respectfully submitted by:

15 NEAL MAGUIRE  
16 ALSTON & BIRD LLP

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18 \_\_\_\_\_  
Attorneys for Cross-Defendant  
19 Southern California Edison Company

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**PROOF OF SERVICE**

I, Yolanda S. Ramos, declare:

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

On May 1, 2013, I served the document(s) described as SOUTHERN CALIFORNIA EDISON COMPANY'S APPLICATION FOR APPROVAL OF STIPULATION CONCERNING LAND OWNERSHIP AND PRIOR GROUNDWATER PRODUCTION; [PROPOSED] ORDER on the interested parties in this action by enclosing the document(s) in a sealed envelope addressed as follows:

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

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

BY FEDERAL EXPRESS  UPS NEXT DAY AIR  OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by  FEDERAL EXPRESS  UPS  Overnight Delivery [specify name of service: ] with delivery fees fully provided for or delivered the envelope to a courier or driver of  FEDERAL EXPRESS  UPS  OVERNIGHT DELIVERY [specify name of service:] 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 May 1, 2013, at Los Angeles, California.

  
YOLANDA S. RAMOS