

1 Edward J. Casey (SBN 119571)
Neal Maguire (SBN 234531)
2 ALSTON & BIRD LLP
333 South Hope Street, 16th Floor
3 Los Angeles, CA 90071-1410
Telephone: 213-576-1000
4 Facsimile: 213-576-1100
ed.casey@alston.com
5 neal.maguire@alston.com

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**

11 ANTELOPE VALLEY
GROUNDWATER CASES

12 INCLUDED ACTIONS:

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

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

19 DIAMOND FARMING COMPANY,
20 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**

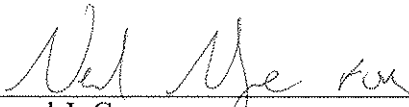
Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

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: April 30, 2013

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

10 
11 _____
12 Edward J. Casey
13 Attorneys for Cross-Defendant
14 SGS ANTELOPE VALLEY DEVELOPMENT,
15 LLC

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 April 30, 2013

ALSTON & BIRD, LLP

26
27 By: 

EDWARD J. CASEY

Attorneys for SGS Antelope Valley Development, LLC

1 April 24, 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

7
8 By: _____
9 BRADLEY T. WEEKS
Attorneys for Quartz Hill Water District

10 April _____, 2013

LEMIEUX & O'NEILL

11
12 By: _____
13 WAYNE K. LEMIEUX
14 Attorneys for Littlerock Creek Irrigation District and Palm Ranch
Irrigation District

15 April _____, 2013

LAGERLOF, SENECAL, GOSNEY & KRUSE

16
17 By: _____
18 THOMAS BUNN III
Attorneys for Palmdale Water District

19 April _____, 2013

RICHARDS, WATSON & GERSHON

20
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

BEST BEST & KRIEGER LLP

By: _____
JEFFREY V. DUNN

Attorneys for Los Angeles County Waterworks District No. 40

April _____, 2013

CHARLTON WEEKS LLP

By: _____
BRADLEY T. WEEKS

Attorneys for Quartz Hill Water District

April _____, 2013

LEMIEUX & O'NEILL

By: _____
WAYNE K. LEMIEUX

Attorneys for Littlerock Creek Irrigation District and Palm Ranch
Irrigation District

April _____, 2013

LAGERLOF, SENECAL, GOSNEY & KRUSE

By: _____
THOMAS BUNN III

Attorneys for Palmdale Water District

April _____, 2013

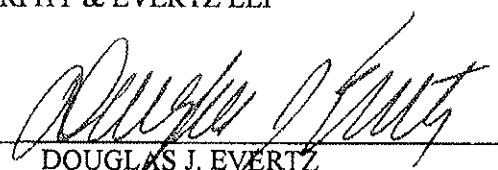
RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

April 30, 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 May / , 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: _____

12 Honorable Jack Komar
13 Judge of the Santa Clara County Superior
Court

14 Respectfully submitted by:

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

18 

19 Edward J. Casey
20 Attorneys for Cross-Defendant
SGS Antelope Valley Development, LLC

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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 SGS ANTELOPE VALLEY DEVELOPMENT, LLC'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.scefilings.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