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8

9 Attorney for: CALIFORNIA WATER SERVICE COMPANY  
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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT  
14  
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16 ANTELOPE VALLEY GROUNDWATER )  
17 CASES )  
18 )  
19 Included Actions: )  
20 )  
21 Los Angeles County Waterworks District No. )  
22 40 v. Diamond Farming Company )  
23 Superior Court of California, County of Los )  
24 Angeles, Case No. BC325201 )  
25 )  
26 Los Angeles County Waterworks District )  
27 No. 40 v. Diamond Farming Co. )  
28 Superior Court of California )  
29 County of Kern, Case No. S-1500-CV-254-348 )  
30 )  
31 Wm. Bolthouse Farms, Inc. v. City of Lancaster )  
32 Diamond Farming Co. v. City of Lancaster )  
33 Diamond Farming Co. v. Palmdale Water District )  
34 Superior Court of California )  
35 County of Riverside, Consolidated Actions )  
36 Case Nos. RIC 353840, RIC 344436, RIC 344668 )  
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**JUDICIAL COUNCIL  
COORDINATED PROCEEDING  
NO. 4408**

**Santa Clara Case No. 1-05-CV-049053  
Assigned to the Honorable Jack Komar  
Department I**

**CALIFORNIA WATER SERVICE  
COMPANY'S RESPONSE TO  
SPECIAL INTERROGATORIES BY  
UNITED STATES**

Trial Date: February 10, 2014  
Time: 9:00 a.m.  
Dept: TBD

1 California Water Service Company (Cal Water, Company or Responding Party), an investor-  
2 owned public water utility, regulated by the California Public Utilities Commission (Commission),  
3 responses to United States (Propounding Party) Special Interrogatories Set One, propounded on the Public  
4 Water Suppliers (PWS). The Company does not intend to challenge United States' Federal Reserve  
5 Water Right claim in Phase V of the Antelope Valley Adjudication. As such, it is the Company's  
6 understanding that United States has narrowed its discovery to Request for Admissions (RFA) 3-9, Form  
7 Interrogatory 17.1, Non-Form Interrogatories 15-18, 27-30, and 33 and Request for Production of  
8 Documents 1-3.

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10  
11 PRELIMINARY STATEMENT

12 The Company is in the process of conducting its investigation and discovery in this matter. At this  
13 time, the Company has not completed its own investigation or discovery. The Company responds to the  
14 best of its knowledge to United States' Special Interrogatories Set One, but in doing so, reserves all its  
15 rights to amend its responses at a future date if necessary. Furthermore, the Company reserves the right to  
16 offer, at the time of trial, facts, testimony or other evidence discovered subsequent to and not included in  
17 these responses.

18 By these responses, the Company makes no admission concerning the relevance or admissibility  
19 of any of the evidence cited, and reserves the right to make all pertinent evidentiary objections at trial or  
20 at any other stage of the proceedings. Furthermore, the fact that the Company has responded to any  
21 special interrogatory should not be taken as an acceptance or admission that the Company accepts or  
22 admits the existence of any facts set forth or assumed by such interrogatory.

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25 GENERAL OBJECTIONS

26 The Company objects to each and every Special Interrogatory to the extent that it seeks to discover  
27 information that is protected by the attorney-client, work product, legislative thought process and/or  
28 official information privilege, or any other applicable privilege. Furthermore, the Company's response  
29 shall not constitute or be deemed a waiver, either expressed or implied, of any applicable privilege.

30 The Company also objects to each and every Special Interrogatory to the extent that it seeks to  
31 discover information or materials not presently in the Company's possession or is in the public domain,  
32 equally available to all parties to this litigation. The following responses are provided without prejudice  
33 to the Company's right to produce or rely on any evidence subsequently discovered.

34 The Company further objects to Special Interrogatories because all interrogatories, as stated, are  
35 overly broad, lack specificity and do not conform to statutes.

36  
37 Special Interrogatory No. 15:

38 Do YOU contend that the ANTELOPE VALLEY GROUNDWATER BASIN was in a condition  
39 of OVERDRAFT in 1934?

1 Response to Special Interrogatory No. 15:

2 The Company incorporates its Preliminary Statement and General Objections. Furthermore, the  
3 Interrogatory is ambiguous, states fact not in evidence, and seeks an expert opinion on an issue of law and  
4 is therefore improper, *Summers v. A.L. Gilbert Company* (1999) 69 Cal.App.4<sup>th</sup> 115, 1178.  
5

6 Special Interrogatory No. 16:

7 If YOUR response to Interrogatory No. 15 is anything other than an unqualified no, state all facts  
8 upon which YOU base YOUR contention.  
9

10 Response to Special Interrogatory No. 16:

11 The Company incorporates its Preliminary Statement and General Objections. Furthermore, the  
12 Interrogatory is ambiguous, states fact not in evidence, and seeks an expert opinion on an issue of law and  
13 is therefore improper, *Summers v. A.L. Gilbert Company* (1999) 69 Cal.App.4<sup>th</sup> 115, 1178.  
14

15 Special Interrogatory No. 17:

16 Do YOU contend that the ANTELOPE VALLEY GROUNDWATER BASIN was in a condition  
17 of OVERDRAFT in 1955?  
18

19 Response to Special Interrogatory No. 17:

20 The Company incorporates its Preliminary Statement and General Objections. Furthermore, the  
21 Interrogatory is ambiguous, states fact not in evidence, and seeks an expert opinion on an issue of law and  
22 is therefore improper, *Summers v. A.L. Gilbert Company* (1999) 69 Cal.App.4<sup>th</sup> 115, 1178. In Phase III,  
23 the Court found in 1955 the Antelope Valley Groundwater Basin was in overdraft.  
24

25 Special Interrogatory No. 18:

26 If your response to Interrogatory No. 17 is anything other than an unqualified no, state all facts  
27 upon which you base your contention.  
28

29 Response to Special Interrogatory No. 18:

30 The Company incorporates its Preliminary Statement and General Objections. Furthermore, the  
31 Interrogatory is ambiguous, states fact not in evidence, and seeks an expert opinion on an issue of law and  
32 is therefore improper, *Summers v. A.L. Gilbert Company* (1999) 69 Cal.App.4<sup>th</sup> 115, 1178. In Phase III,  
33 the Court found in 1955 the Antelope Valley Groundwater Basin in overdraft.  
34

35 Special Interrogatory No. 27:

36 What is the amount of groundwater YOU pumped during calendar year 1934 within the  
37 ANTELOPE VALLEY GROUNDWATER BASIN?  
38

39 Response to Special Interrogatory No. 27:

1 The Company incorporates its Preliminary Statement and General Objections. The Company  
2 acquired its water system within the Antelope Valley Groundwater Basin Boundary (Adjudicated  
3 Boundary) from mutual water companies (Predecessors). At this time, the Company cannot state what  
4 amount of groundwater was pumped in 1934 by Predecessors, and the Company objects to this  
5 Interrogatory as irrelevant, burdensome and not likely to lead to discovery of relevant, admissible  
6 evidence.

7  
8 Special Interrogatory No. 28:

9 What is the amount of groundwater YOU pumped during calendar year 1955 within the  
10 ANTELOPE VALLEY GROUNDWATER BASIN?  
11

12 Response to Special Interrogatory No. 28:

13 The Company incorporates its Preliminary Statement and General Objections. See Phase IV  
14 Discovery responses, and the Company objects to this Interrogatory as irrelevant, burdensome and not  
15 likely to lead to discovery of relevant, admissible evidence.  
16

17 Special Interrogatory No. 29:

18 What land PARCELS did YOU own within the ANTELOPE VALLEY GROUNDWATER  
19 BASIN in calendar year 1934?  
20

21 Response to Special Interrogatory No. 29:

22 The Company incorporates its Preliminary Statement and General Objections. The Company  
23 acquired its water system within the Antelope Valley Groundwater Basin Boundary (Adjudicated  
24 Boundary) from mutual water companies (Predecessors). At this time, the Company cannot state location  
25 of wells, and the Company objects to this Interrogatory as irrelevant, burdensome and not likely to lead to  
26 discovery of relevant, admissible evidence.  
27

28 Special Interrogatory No. 30:

29 What land PARCELS did YOU own within the ANTELOPE VALLEY GROUNDWATER  
30 BASIN in calendar year 1955?  
31

32 Response to Special Interrogatory No. 30:

33 The Company incorporates its Preliminary Statement and General Objections. See Phase IV  
34 Discovery responses, and the Company objects to this Interrogatory as irrelevant, burdensome and not  
35 likely to lead to discovery of relevant, admissible evidence.  
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37 Special Interrogatory No. 33:

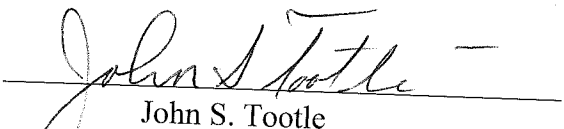
38 For each of the interrogatories above, please identify the persons most qualified to testify on  
39 behalf of the facts alleged and materials produced.

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2 Response to Special Interrogatory No. 33:

3 The Company incorporates its Preliminary Statement and General Objections. Furthermore, the  
4 Interrogatory is ambiguous, states fact not in evidence, and seeks an expert opinion on an issue of law and  
5 is therefore improper, *Summers v. A.L. Gilbert Company* (1999) 69 Cal.App.4<sup>th</sup> 115, 1178. In Phase III,  
6 the Court found the Antelope Valley Groundwater Basin in overdraft in 1955. See Company's discovery  
7 filing designation of percipient witness.  
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12 DATED: November 12, 2013

CALIFORNIA WATER SERVICE COMPANY

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15 By:   
16 John S. Tootle  
17 Attorney for California Water Service Company  
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3 **PROOF OF SERVICE**

4 I am employed in Los Angeles County, State of California; I am over eighteen years of age and  
5 not a party to the ANTELOPE VALLEY GROUNDWATER BASIN ADJUDICATION. My business  
6 address is 2632 West 237<sup>th</sup> Street, Torrance, California 90505.

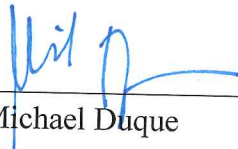
7 On November 12, 2013 at my place of business at 2632 West 237<sup>th</sup> Street, Torrance, California  
8 90505, a copy of the following documents(s):  
9

10 CALIFORNIA WATER SERVICE COMPANY'S RESPONSE TO SPECIAL  
11 INTERROGATORIES BY UNITED STATES  
12

13 By posting the documents listed above to the Santa Clara Superior Court website in regard to the  
14 Antelope Valley Groundwater Adjudication matter;  
15

16 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
17 true and correct.  
18

19 Executed on November 12, 2013  
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24 Michael Duque  
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