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10 **E-MAIL: rsb@bkslawfirm.com**

11 **Attorneys for Cross-Defendant**
12 **Copa De Oro Land Company**

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

15 **Coordination Proceeding Special Title**
16 **(Rule 1550(b))**

17 **ANTELOPE VALLEY GROUNDWATER**
18 **CASES**

19 **Included Actions:**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co., Superior**
22 **Court of California, County of Los Angeles,**
23 **Case No. BC 325 201;**

24 **Los Angeles County Waterworks District**
25 **No. 40 v. Diamond Farming Co., Superior**
26 **Court of California, County of Kern, Case**
27 **No. S-1500-CV-254-348;**

28 **Wm. Bolthouse Farms, Inc. v. City of**
Lancaster, Diamond Farming Co. v.
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
California, County of Riverside, Case No.
RIC 353 840, RIC 344 436, RIC 344 668

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Case No. BC 391869
Assigned to Hon. Jack Komar

(Santa Clara Case No. 01-05-CV-049053)

STIPULATION FOR PHASE IV TRIAL
REGARDING WATER USE ON COPA
DE ORO LAND COMPANY'S
PROPERTY

8792/P041213rsb Stipulation

STIPULATION REGARDING WATER USE ON COPA DE ORO PROPERTY FOR PHASE IV TRIAL

1 **STIPULATION**

2 Copa de Oro Land Company ("Copa de Oro") and the public water suppliers that have
3 signed this Stipulation stipulate as follows:

4 1. The 2000-2004 deliveries of surface water by Antelope Valley-East Kern Water
5 Agency ("AVEK") to Copa de Oro's property, which has Kern County Assessor's Parcel Nos.
6 359-032-01 and 359-032-17 (the "Property"), were as stated in Exhibit A to this Stipulation.

7 2. The following amounts of water were used for agricultural purposes on the
8 Property in the following years:

- 9 (A) 2000 – 708 acre-feet;
10 (B) 2001 – 829 acre-feet;
11 (C) 2002 – 842 acre-feet;
12 (D) 2003 – 867 acre-feet; and
13 (E) 2004 – 626 acre-feet.

14 3. Consistent with the Court's January 17, 2013 First Amendment to Case
15 Management Order for Phase Four Trial, Copa de Oro and the undersigned public water
16 suppliers reserve, for a future phase of this action, their rights concerning:

- 17 (A) The reasonableness of the 2000 and 2001 water use on the Property; and
18 (B) The requirements for the application of Water Code section 1005.4.

19 4. Subject to the reservations stated in paragraph 3 above, the parties to this
20 Stipulation agree that the facts stated in paragraphs 1 and 2 above are undisputed, may be
21 treated by the Court as facts proven in open court and shall be binding for all purposes in this
22 action on Copa de Oro and the public water suppliers who have signed below.

23 Dated: April 13, 2013

BARTKIEWICZ, KRONICK & SHANAHAN

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25 By: 

Ryan S. Bezerra

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27 Attorneys for Copa de Oro Land Company

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Dated: April 6, 2013

BEST, BEST & KRIEGER LLP

By: Jeffrey V. Dunn
Jeffrey V. Dunn

Attorneys for Los Angeles County Waterworks District No. 40

May
Dated: April 6, 2013

CHARLTON WEEKS LLP

By: Bradley T. Weeks
Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

LEMIEUX & O'NEILL

By: _____
Wayne K. Lemieux

Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District

Dated: April __, 2013

LAGERLOF, SENEAL, GOSNEY & KRUSE

By: _____
Thomas Bunn III

Attorneys for Palmdale Water District

Dated: April __, 2013

RICHARDS, WATSON & GERSHON

By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

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Dated: April 6, 2013

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District No. 40

Dated: April __, 2013

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Bradley T. Weeks

Attorneys for Quartz Hill Water District

Dated: April __, 2013

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Wayne K. Lemieux

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and Palm Ranch Irrigation District

Dated: April 16, 2013

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Dated: April __, 2013

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By: _____
STEVEN R. ORR

Attorneys for City of Palmdale

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Dated: April __, 2013

MURPHY & EVERTZ LLP

By: _____
DOUGLAS J. EVERTZ

Attorneys for City of Lancaster and Rosamond
Community Services District

Dated: April __, 2013

CALIFORNIA WATER SERVICE COMPANY

By: _____
JOHN TOOTLE

BOARD OF DIRECTORS

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Division 4
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A PUBLIC AGENCY

OFFICERS

DAN FLORY
General Manager

HOLLY H. HUGHES
Secretary-Treasurer

January 24, 2013

Ms. Katrina C. Gonzales
Bartkiewicz, Kronick & Shanahan
1011 22nd Street
Sacramento, CA 95616

Re: AVEK Monthly Surface Water Deliveries (2000-2004) to Copa de Oro Property
(Gaskell Road & 110th St. W – 120th St.)

Dear Ms. Gonzales:

This correspondence completes the Antelope Valley-East Kern Water Agency's ("AVEK") response to your Public Records Act request dated January 23, 2013. The following tables show the monthly deliveries of AVEK surface water to the two 11.6R turnout meters on the Copa de Oro Property from 2000 through 2004:

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2000	11.6R2	0.5	0.5	0.5	37.8	9.07	98.65	209.6	165.15	100.92	31.37	54.33	0	708.39
2001		0	0	0	127.47	91.12	144.9	192.42	103.16	9.94	75.71	0.5	0	745.22
2002		0	0	0	0	0	79.13	201.09	177.15	125.75	73.33	3.41	0	659.86
2003		0	11.97	39.2	69.06	51.86	212.33	214.53	169.41	66.84	32.28	0	0	867.48
2004		51.8	0	0	50.05	0	0	117.91	0	0	0	0	0	219.76

Year	Meter	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2001	11.6R3	0	0	0	29.28	54.17	0	0	0	0	0	0	0	83.45
2002		0	0	0	17.86	22.31	30.99	41.01	61.6	8.41	0	0	0	182.18
2003		0	0	0	0	0	0	0	0	0	0	0	0	0
2004		0	36.94	71.05	0	139.55	151.69	0	6.39	0.5	0	0	0	406.12

All usage in Acre Foot

Sincerely,

Dwayne Chisam
Assistant General Manager
Antelope Valley-East Kern Water Agency