

EXHIBIT 1

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14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

17 ANTELOPE VALLEY GROUNDWATER
18 CASES
19 Included Actions:
Los Angeles County Waterworks District No.
20 40 v. Diamond Farming Co., Superior Court of
California, County of Los Angeles, Case No.
21 BC 325201;
22 Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court of
23 California, County of Kern, Case No. S-1500-
CV-254-348;
24 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
25 Lancaster, Diamond Farming Co. v. Palmdale
Water Dist., Superior Court of California,
26 County of Riverside, Case Nos. RIC 353 840,
RIC 344 436, RIC 344 668
27

Judicial Council Coordination No. 4408

CLASS ACTION

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

AMENDED [PROPOSED]
STATEMENT OF PARTIAL DECISION
FOR PHASE IV TRIAL WITH PARTY
NAME CORRECTIONS

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE SECTION
6103

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

JUL 19 2013

John A. Clarke, Executive Officer/Clerk
By Amber Hayes, Deputy

28
AMENDED [PROPOSED] STATEMENT OF PARTIAL DECISION FOR PHASE IV TRIAL WITH PARTY NAME
CORRECTIONS

1 The Phase IV trial began on May 28, 2013, in Department 322 of this Court. Over the
 2 course of three days, the parties who participated in the Phase IV trial, with the exception of the
 3 Wood Class, presented evidence of their respective groundwater pumping during 2011 and 2012.
 4 The matter having been submitted, the court now renders its finding of facts in this Phase IV
 5 statement of decision.

6 **FINDING OF FACTS**

7 Based on the evidence submitted by the parties who participated in Phase IV, the court
 8 finds that the following amounts of groundwater were pumped from the Antelope Valley
 9 Groundwater Adjudication Area during 2011 and 2012 by the following parties:

| CLAIMANT | 2011 Pumping (acre-feet) | 2012 Pumping (acre-feet) |
|--|-----------------------------|-----------------------------|
| Adams Bennett Investments, LLC | 0 | 0 |
| Antelope Park Mutual Water Company | 244.7 | 172.8 |
| Antelope Valley Joint Union High School District | 65.94 | 71.74 |
| Antelope Valley Water Storage LLC | 1198 | 2281 |
| Aqua J Mutual Water Company | 42.5 | 47.3 |
| AV Solar Ranch 1, LLC | 129 | 147 |
| AVEK | 11463 | 2792 |
| Averydale Mutual Water Company | 247.9 | 268 |
| Baxter Mutual Water Company | 44.9 | 44.6 |
| Big Rock Mutual Water Company | 0 | 0 |
| Billie and Randall Dickey | 0 | 0 |
| Bleich Flat Mutual Water Company | 21.9 | 24.8 |
| Blum Trust | 0 | 0 |
| Bolthouse Properties LLC/Farms | 16720.22 | 16891.55 |
| Boron Community Service District | 228 | 233 |
| Burrows/300 A40 H LLC | 100 | 100 |
| California Water Service Co. | 623 | 640 |
| City of Lancaster | 489.68 | 523 |
| City of Los Angeles, Department of Airports | 5156 | 4531 |
| Colorado Mutual Water Company | 24.1 | 27.7 |
| Copa De Oro Land Company | 0 | 0 |
| County Sanitation Districts of Los Angeles #14 and 20 | 575 | 551 |

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| Craig Van Dam | 55 | 57 |
| Crystal Organic LLC | 1591.769 | 1986.096 |
| Del Sur Ranch LLC | 0 | 0 |
| Desert Lake Community Services District | 58 | 27.49 |
| Diamond Farming Co. LLC | 1641.285 | 1491.989 |
| Donna and Lee Wilson | 10 | 10 |
| Efren Chavez | 25.7 | 25.7 |
| Eldorado Mutual Water Company | 272 | 280.1 |
| eSolar Inc.; Red Dawn Suntower LLC | 0 | 0 |
| eSolar Inc.; Tumbleweed Suntower LLC | 0 | 0 |
| eSolar, Inc.; Sierra Sun Tower, LLC | 5.76 | 5.76 |
| Evergreen Mutual Water Company | 66.4 | 72.6 |
| Frank and Yvonne Lane 1993 Family Trust, Little Rock Sand and Gravel, Inc., George and Charlene Lane Family Trust [Does not include water pumped on land leased to Granite Construction] | 1356 | 948 |
| Gailen and Julie Kyle, R & M Ranch | 9108 | 9442 |
| Gary Van Dam, Gertrude Van Dam, Delmar Van Dam | 9840 | 10023 |
| Gene Bahlman | 5.25 | 5.25 |
| Gorrindo Resourceful LLC | 624 | 0 |
| Granite Construction Company (Little Rock Sand and Gravel, Inc.) | 400 | 400 |
| Grimmway Enterprises, Inc. | 0 | 0 |
| H & N Development Co. West Inc. | 1695.25 | 1904.25 |
| Jane Healy and Healy Enterprises Inc. | 0 | 0 |
| Jeffrey and Nancee Siebert | 200 | 200 |
| John and Adrienne Reca | 519.5 | 483.4 |
| John Calandri, B.J. Calandri, Sunrise Farms | 4091 | 3515 |
| Jose Maritorena, Marie Maritorena, Jean Maritorena, Maritorena Farms, the Jose Maritorena Living Trust | 3624.8 | 3976.3 |
| Juniper Hills Water Group | 18 | 18 |
| Los Angeles County Waterworks District 40 | 16583.24 | 20618.99 |
| Land Projects Mutual Water Company | 621 | 624 |
| Landale Mutual Water Company | 139.7 | 175.8 |
| Landinv Inc | 1212 | 862.14 |
| Lapis Land Co., LLC | 0 | 0 |
| Laura Griffin | 1170 | 1170 |
| Lawrence J. Schilling and the L&M Schilling 1992 Family Trust | 3.4 | 3.8 |

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| Littlerock Creek Irrigation District | 1367 | 1473.37 |
| Littlerock Aggregate Co., Inc., Holliday Rock Co., Inc. | 145 | 166 |
| Llano Del Rio Water Company | 598.2 | 547.1 |
| Llano Mutual Water Company | 0 | 0 |
| Mabel Selak | 0 | 0 |
| Miracle Improvement Corp. (Golden Sands Mobile Home Park) | 46.7 | 44.1 |
| Nebeker Ranch | 63 | 111 |
| North Edwards Water District | 104.52 | 101.32 |
| Northrop Grumman Systems Corporation | 1.5 | 1 |
| NRG Solar Alpine, LLC | 1.49 | 126.92 |
| Palm Ranch Irrigation District | 916 | 1545 |
| Palmdale Water District | 7024.67 | 7542.85 |
| Phelan Pinon Hills Community Services District | 1053.14 | 1035.26 |
| Quartz Hill Water District | 1433.8 | 1524.9 |
| Richard Miner | 930.8 | 1248 |
| Richard Nelson, Willow Springs Co. | 168.2 | 193.1 |
| Rosamond Community Services District | 2994 | 2987.56 |
| Rosamond Ranch LLP | 1 | 1 |
| Sahara Nursery | 25.37 | 18.98 |
| Sal and Connie Cardile | 0.712 | 0.712 |
| Service Rock Products, L.P. | 561 | 445 |
| SGS Antelope Valley Development, LLC | 0 | 0 |
| Shadow Acres Mutual Water Company | 55.7 | 49.5 |
| Sheep Creek Water Co. | 0 | 0 |
| Southern California Edison Company | 30.49 | 5 |
| St. Andrews Abbey | 149 | 201 |
| State of California – Department of Military California Highway Patrol 50th District Agricultural Association Department of Veteran Affairs Department of Corrections and Rehabilitation State Lands Commission | 0 | 0 |
| State of California Department of Transportation | 15.47 | 15.64 |
| State of California Department of Water Resources | 54.05 | 54.05 |
| State of California Department of Parks and Recreation | 1.58 | 1.3 |
| Steve Godde and Forrest G. Godde 1998 Trust | 1299 | 1624 |

| | | | |
|----|---|-------------------|-------------------|
| 1 | Sundale Mutual Water Company | 430.7 | 457.8 |
| 2 | Sunnyside Mutual Water Company | 73.5 | 77.3 |
| 3 | Tejon Ranchcorp and Tejon Ranch Company | 1603 | 2770 |
| 4 | Terry Munz | 5 | 5 |
| 5 | Thomas Bookman | 236.6 | 308.4 |
| 6 | Tierra Bonita Mutual Water Company | 43 | 38.5 |
| 7 | Tierra Bonita Ranch | 607 | 403 |
| 8 | Triple M Property Co. | 1 | 1 |
| 9 | U.S. Borax | 924 | 1146 |
| 10 | United States: Edwards AFB and Plant 42 | 1246.09 | 1450.59 |
| 11 | Vulcan Materials Co., Vulcan Lands Inc., Consolidated Rock Products Co., Calmat Land Co., and Allied Concrete & Materials | 634.91 | 403.29 |
| 12 | WAGAS Land Company LLC | 951.5 | 1016.8 |
| 13 | WDS California II, LLC | 2244 | 2550 |
| 14 | West Side Park Mutual Water Company | 294 | 267.5 |
| 15 | White Fence Farms Mutual Water Company | 782.8 | 783.3 |
| 16 | Totals | 121,429.39 | 120,415.30 |

17 All parties who participated in the Phase IV trial, with the exception of the Wood Class,
 18 have also stipulated to the above amounts of groundwater pumped. A copy of the stipulation is
 19 attached hereto as Exhibit "A". Notwithstanding the stipulation, the court finds that the evidence
 20 presented during the Phase IV trial supports each party's 2011 and 2012 groundwater production
 21 amount as stated herein.

22 **GRANITE CONSTRUCTION COMPANY**

23 During the Phase IV trial, the Public Water Suppliers indicated that they dispute the
 24 amount of groundwater pumped by Granite Construction Company ("Granite") at its Littlerock
 25 Quarry. In response, Granite agreed to install a meter for each of its wells at its Littlerock Quarry
 26 within 30 days after the Phase IV trial to measure groundwater pumping for a period of one year.
 27 At the conclusion of the one year period Granite and the Public Water Suppliers will compare the
 28 meter readings against Granite's 2011 and 2012 product volumes to estimate Granite's
 groundwater use in 2011 and 2012, and report the findings to the court if such findings differ
 materially from 400 acre-feet per year. For that reason, the court reserves jurisdiction to amend
 this decision based on the meter readings as to the amount of groundwater pumped by Granite in

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2011 and 2012. In the meantime, the agreement of the parties and the finding of the court is that Granite Construction is deemed to have pumped 400 acre feet of groundwater in 2011 and 2012, respectively.

THE WOOD CLASS

During the Phase IV trial, the Court-appointed expert had not completed its analysis of groundwater pumping by the Wood Class. It did not present any evidence in the Phase IV trial. Consequently, the Court defers the determination of the Wood Class groundwater pumping in 2011 and 2012 to a later time to be determined.

Dated: 6-29-13



JUDGE OF THE SUPERIOR COURT