

1 William J. Brunick, Esq. [SB No. 46289]
Leland P. McElhaney, Esq. [SB No. 39257]
2 **BRUNICK, McELHANEY & KENNEDY PLC**
1839 Commercenter West
3 San Bernardino, California 92408-3303

*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

4 MAILING:
P.O. Box 13130
5 San Bernardino, California 92423-3130

6 Telephone: (909) 889-8301
Facsimile: (909) 388-1889
7 E-Mail: bbrunick@bmblawoffice.com

8 Attorneys for Cross-Complainant,
ANTELOPE VALLEY-EAST KERN WATER AGENCY
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**
12

13 Coordination Proceeding
14 Special Title (Rule 1550(b))

Judicial Council Coordination Proceeding
No. 4408

15 **ANTELOPE VALLEY**
16 **GROUNDWATER CASES**

Santa Clara Case No.
1-05-CV-049053
The Honorable Jack Komar, Dept.17

17 **Included Actions:**

**ANTELOPE VALLEY-EAST KERN
WATER AGENCY'S EXHIBIT LIST
FOR PHASE V TRIAL**

18 Los Angeles County Waterworks District
19 No. 40 vs. Diamond Farming Company, a
20 corporation, Superior Court of California,
County of Los Angeles, Case No.
BC325201;

Trial Date: February 10, 2014
Time: 9:00 a.m.
Room: 1 (Los Angeles Superior Court)

21 Los Angeles County Waterworks District
22 No. 40 vs. Diamond Farming Company, a
23 corporation., Superior Court of California,
County of Kern, Case No. S-1500-CV-254-
348;

24 Wm. Bolthouse Farms, Inc. vs. City of
25 Lancaster, Diamond Farming Company, a
26 corporation, vs. City of Lancaster, Diamond
27 Farming Company, a corporation vs.
Palmdale Water District, Superior Court of
California, County of Riverside, Case Nos.
RIC 353840, RIC 344436, RIC 344668.
28

1 The following is the exhibit list for trial for the Antelope Valley-East Kern Water
2 Agency (AVEK):

3 <u>Exhibit</u>	<u>Description</u>
4 5-AVEK-1	5 Findings of Fact and Conclusions of Law in <i>City of Los Angeles v. City of San Fernando</i> , dated January 26, 1979.
6 5-AVEK-2	7 MWD's "History and First Annual Report, Commemorative Edition," June 2011, pages 311-312.
8 5-AVEK-3	9 Metropolitan Water District Act, Sections 133 and 135.
9 5-AVEK-4	10 January 26, 1979 Judgment in <i>City of Los Angeles v. City of San Fernando</i> .
10 5-AVEK-5	11 City of Santa Maria Resolution No. 820509.
11 5-AVEK-6	12 City of Santa Maria's Resolution No. 90-31, dated March 20, 1990.
12 5-AVEK-7	13 City of Santa Maria's January 15, 1991, Resolution No. 91-12.
13 5-AVEK-8	14 Santa Maria's September 3, 1991, Resolution No. 91-151.
14 5-AVEK-9	15 Judgment After Trial entered on January 25, 2008, in <i>Santa Maria Valley Water Conservation District v. City of Santa Maria, et al.</i> , Santa Clara Superior Court Lead Case No. 1-97-CV-770214.
17 5-AVEK-10	18 ULARA Watermaster Report for Water Year 1978-1979.
18 5-AVEK-11	19 July, 1962, Report of Referee in <i>City of San Fernando</i> , Vol. I.
19 5-AVEK-12	20 July, 1962, Report of Referee in <i>City of San Fernando</i> , Vol. II.
20 5-AVEK-13	21 DWR Bulletin No. 181-69, Watermaster Service in ULARA for October 1, 1968 through September 30, 1969.
22 5-AVEK-14	22 March 18, 1977, Remand Procedure Order No. 1 in <i>City of San Fernando</i> .
23 5-AVEK-15	23 AVEK's 1962 Water Supply Contract with the State.
24 5-AVEK-16	24 AVEK's water supply contract with District #40.
25 5-AVEK-17	25 Form(s) of District #40's water supply contracts with its customers, to be produced at trial.
27 5-AVEK-18	26 Form(s) of Palmdale Water District's water supply contracts with its customers, to be produced at trial.

- 1 5-AVEK-19 Form(s) of Littlerock Creek Irrigation District's water supply contracts
2 with its customers, to be produced at trial.
- 3 5-AVEK-20 Form(s) of Quartz Hill Water District's water supply contracts with its
4 customers, to be produced at trial.
- 5 5-AVEK-21 Form(s) of Rosamond Community Services District water supply
6 contracts with its customers, to be produced at trial.
- 7 5-AVEK-22 Form(s) of Palm Ranch Irrigation District's water supply contracts with
8 its customers, to be produced at trial.
- 9 5-AVEK-23 Form(s) of California Water Service Company water supply contracts
10 with its customers, to be produced at trial.
- 11 5-AVEK-24 Maps depicting AVEK's facilities.
- 12 5-AVEK-25 Robert Wagner exhibits.
- 13 5-AVEK-26 California Water Code Appendix 98-1, et seq.
- 14 5-AVEK-27 AVEK financial records.
- 15 5-AVEK-28 AVEK Resolution No. R-91-12, dated February 13, 1991.
- 16 5-AVEK-29 AVEK Notice of Exemption.
- 17 5-AVEK-30 AVEK's Initial Study Review and Negative Declaration, dated February
18 25, 1992.
- 19 5-AVEK-31 AVEK Agreement with Tejon Ranch for Purchase of Water, dated
20 February 26, 1992.
- 21 5-AVEK-32 AVEK list of agreements for purchase of water.
- 22 5-AVEK-33 AVEK's cross-complaint filed in this action.
- 23 5-AVEK-34 Deeds whereby AVEK acquired title to Calandri and Godde properties.
- 24 5-AVEK-35 AVEK's Resolution No. R-08-14, dated June 24, 2008.
- 25 5-AVEK-36 AVEK's Notice of Preparation of an Environment Impact Report for
26 Emergency Water Supply Project.
- 27 5-AVEK-37 List of parcels comprising Godde and Calandri properties, together with
28 maps depicting those parcels.

- 1 5-AVEK-38 Documents recording water usage on Godde and Calandri properties
2 during years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.
- 3 5-AVEK-39 List of extraction wells constructed by AVEK on the Godde property.
- 4 5-AVEK-40 AVEK's water banking records.
- 5 5-AVEK-41 AVEK's Customer Water Use Reports for 2011 and 2012.
- 6 5-AVEK-42 Trial exhibits of other expert witnesses, to be produced at trial.
- 7 5-AVEK-43 Map depicting DAWN facilities.
- 8 5-AVEK-44 AVEK 1972 - present historical water allocations and deliveries.
- 9 5-AVEK-45 List of AVEK retail customers, both M&I and agricultural.
- 10 5-AVEK-46 Exhibits of David Peterson.
- 11 5-AVEK-47 AVEK's notice to appear and produce records at trial directed to District
12 #40.
- 13 5-AVEK-48 AVEK's notice to appear and produce records at trial directed to
14 California Water Service Company.
- 15 5-AVEK-49 AVEK's notice to appear and produce records at trial directed to Palmdale
16 Water District.
- 17 5-AVEK-50 AVEK's notice to appear and produce records at trial directed to
18 Rosamond Community Service District.
- 19 5-AVEK-51 AVEK's notice to appear and produce records at trial directed to Palm
20 Ranch Irrigation District.
- 21 5-AVEK-52 AVEK's notice to appear and produce records at trial directed to
22 Littlerock Creek Irrigation District.
- 23 5-AVEK-53 AVEK's notice to appear and produce records at trial directed to Quartz
24 Hill Water District.
- 25 \\\
- 26 \\\
- 27 \\\
- 28 \\\

1 5-AVEK-54 AVEK Water Agency Customer Water Delivery Report: 1962 thru 2012.

2 5-AVEK-55 AVEK Water Agency Taxes Collected from Inception through 06/30/12.

3 Dated: February 3, 2014

BRUNICK, McELHANEY & KENNEDY

4
5 By: _____

6 WILLIAM J. BRUNICK
7 LELAND P. McELHANEY
8 Attorneys for Cross-Complainant,
9 ANTELOPE VALLEY-EAST KERN
10 WATER AGENCY
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

**STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO}**

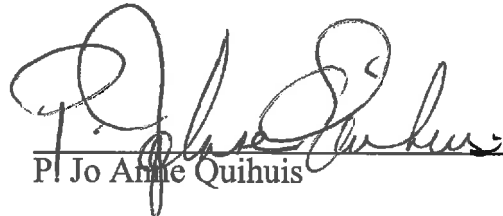
I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 1839 Commercenter West, San Bernardino, California.

On February 3, 2014, I served the foregoing document(s) described as: **ANTELOPE VALLEY-EAST KERN WATER AGENCY'S EXHIBIT LIST FOR PHASE V TRIAL** on the interested parties in this action served in the following manner:

XX **BY ELECTRONIC SERVICE AS FOLLOWS** by **POSTING** the document(s) listed above to the Santa Clara website in the action of the *Antelope Valley Groundwater Litigation*, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No. 1-05-CV-049053.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 3, 2014, at San Bernardino, California.



Pl Jo Anne Quihuis