| 1 2 3 4 5 6 7 | Michael Duane Davis, State Bar No. 93678 Marlene Allen-Hammarlund, State Bar No. 1264 GRESHAM SAVAGE NOLAN & TILDEN, A Professional Corporation 3750 University Avenue, Suite 250 Riverside, CA 92501-3335 Telephone: (951) 684-2171 Facsimile: (951) 684-2150 Attorneys for Cross-Defendant, SHEEP CREEK WATER COMPANY, INC. | |
|--|--|---|
| 8 | SUPERIOR COURT OF THI | |
| 9 | IN AND FOR THE COUN | NTY OF LOS ANGELES |
| 10 | | |
| 11 | Coordination Proceeding Special Title (Rule 1550(b)) |) Judicial Council Coordination) Proceeding No. 4408 |
| 12 | ANTELOPE VALLEY GROUNDWATER |) Santa Clara Case No. 1-05-CV-049053 |
| 13 | CASES | Assigned to the Honorable Jack Komar |
| 14 | Including Actions: |) STIPULATION TO CONTINUE) DECEMBER 18, 2008 HEARING ON |
| 15 | Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. |) SHEEP CREEK WATER COMPANY,) INC.'S MOTION TO BE EXCLUDED |
| 16 | Superior Court of California, County of Los Angeles, Case No. BC 325 201 |) FROM THE ANTELOPE VALLEY) GROUNDWATER ADJUDICATION, |
| 17 | Los Angeles County Waterworks District No. |) OR, IN THE ALTERNATIVE, FOR) RECOGNITION OF ITS PRIOR |
| 18 | 40 v. Diamond Farming Co. Superior Court of California, County of Kern, |) RIGHTS TO THE WATERS OF SHEEP) CREEK; AND [PROPOSED] ORDER |
| 19 | |) THEREON |
| 20 | Wm. Bolthouse Farms, Inc. v. City of Lancaster |) PRESENT DATE: December 18, 2008) TIME: 9:00 a.m. |
| 21 | Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. |) DEPT: 17 [San Jose] |
| 22 | Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC |) NEW DATE: , 2009) TIME: 9:00 a.m. |
| 23 | 353 840, RIC 344 436, RIC 344 668 |) DEPT: 17 [San Jose] |
| 24 | AND RELATED CROSS-ACTIONS. | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | -1 | |
| GRESHAM SAVAGE NOLAN & TILDEN PROFESSIONAL CORPORATION | | G ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO WATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR |

GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORPORTION 3750 UNIVERSITY AVE, SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

ľ

RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND |PROPOSED| ORDER THEREON S030-008 - 3J048J.3

This Stipulation to Continue December 18, 2008 Hearing on Sheep Creek Water 1 Company, Inc.'s Motion to be Excluded from the Antelope Valley Groundwater Adjudication, or, 2 3 in the alternative, For Recognition of its Prior Rights to the Waters of Sheep Creek; and [Proposed] Order Thereon ("Stipulation to Continue December 18th Hearing") is entered into 4 by and between Cross-Defendant SHEEP CREEK WATER COMPANY, INC. ("Sheep 5 Creek"); the "Public Water Suppliers" which are comprised of Plaintiffs LOS ANGELES 6 COUNTY WATERWORKS DISTRICT NO. 40 ("LACWD No. 40"), CITY OF 7 LANCASTER ("Lancaster"), CITY OF PALMDALE ("Palmdale"), CALIFORNIA WATER 8 SERVICE COMPANY successor to ANTELOPE VALLEY WATER COMPANY ("Cal 9 Water"), DESERT LAKES COMMUNITY SERVICES DISTRICT ("Desert Lakes CSD"), 10 LITTLEROCK CREEK IRRIGATION DISTRICT ("Littlerock Creek ID"), NORTH 11 EDWARDS WATER DISTRICT ("North Edwards WD"), PALM RANCH IRRIGATION 12 DISTRICT ("Palm Ranch ID"), PALMDALE WATER DISTRICT ("Palmdale WD"), 13 ROSAMOND COMMUNITY SERVICES DISTRICT ("Rosamond CSD"); Cross-Defendant 14 UNITED STATES OF AMERICA ("U.S."); STATE OF CALIFORNIA ("California"), 15 STATE OF CALIFORNIA 50th DISTRICT AGRICULTURAL ASSOCIATION ("50th 16 Ag. District"), SANTA MONICA MOUNTAINS CONSERVANCY (the "Conservancy"), 17 ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION ("AGWA"), 18 THE WOOD CLASS ("Wood Class"), and U. S. BORAX, INC. ("Borax"), in light of the 19 20 following: 21 Recitals 22

On September 10, 2008, Sheep Creek electronically filed and served its Motion to 23 Α. be Excluded from the Antelope Valley Groundwater Adjudication, or, in the Alternative, for 24 Recognition of its Prior Rights to the Waters of Sheep Creek (the "Motion"), which Motion was 25 initially set for hearing on October 3, 2008, at 9:00 a.m., in Department 17 [San Jose] of the 26 above-entitled Court. 27

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GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORPORATION 3750 UNIVERSITY AVE, SUITE 250 Riverside, CA 92501-3335 (951) 684-2171

-2-

B. On September 22, 2008, the Public Water Suppliers electronically filed and
served the Public Water Suppliers' Memorandum of Points and Authorities in Opposition to
Sheep Creek Water Company, Inc.'s Motion to be Excluded from the Antelope Valley
Groundwater Adjudication, Etc. (the "Public Water Suppliers' Opposition"); which, amongst
other things, requested additional time to conduct an investigation and discovery to determine
whether and, if so, how to substantively respond to the Motion.

7 C. Following the filing of the Public Water Suppliers' Opposition, the U.S. also
8 stated its intent to conduct an investigation and discovery to determine whether and, if so, how to
9 substantively respond to the Motion.

D. On September 25, 2008, Sheep Creek, the Public Water Suppliers, the U.S.,
California, the 50th Ag. District, the Conservancy, AGWA, the Wood Class, and Borax
submitted a Stipulation to Continue Hearing on Sheep Creek Water Company, Inc.'s Motion to
be Excluded from the Antelope Valley Groundwater Adjudication, or, in the alternative, For
Recognition of its Prior Rights to the Waters of Sheep Creek; and [Proposed] Order Thereon
("Stipulation to Continue October 3rd Hearing") to the Court.

16 E. The Court conducted a hearing on the Stipulation to Continue October 3rd
17 Hearing, in order to allow any party to express any opposition they might have to the proposed
18 continuance; however, none was expressed.

F. Thereafter, on October 1, 2008, the Court executed the [Proposed] Order
continuing the hearing to December 18, 2008, at 9:00 a.m., or as soon thereafter as the matter
may be heard in Department 17 of the above-entitled Court.

- G. The Public Water Suppliers, the U.S. and Sheep Creek have determined that it is their best interests and in furtherance of the action, that the parties have further time to negotiate a proposed resolution to the issues raised by Sheep Creek in the Motion; and, to request that the Court grant a further continuance of the Hearing on the Motion for a period of approximately sixty (60) days in order to afford the parties sufficient time to conduct those negotiations.
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GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORPORATION 3750 UNIVERSITY AVE, SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171 -3-

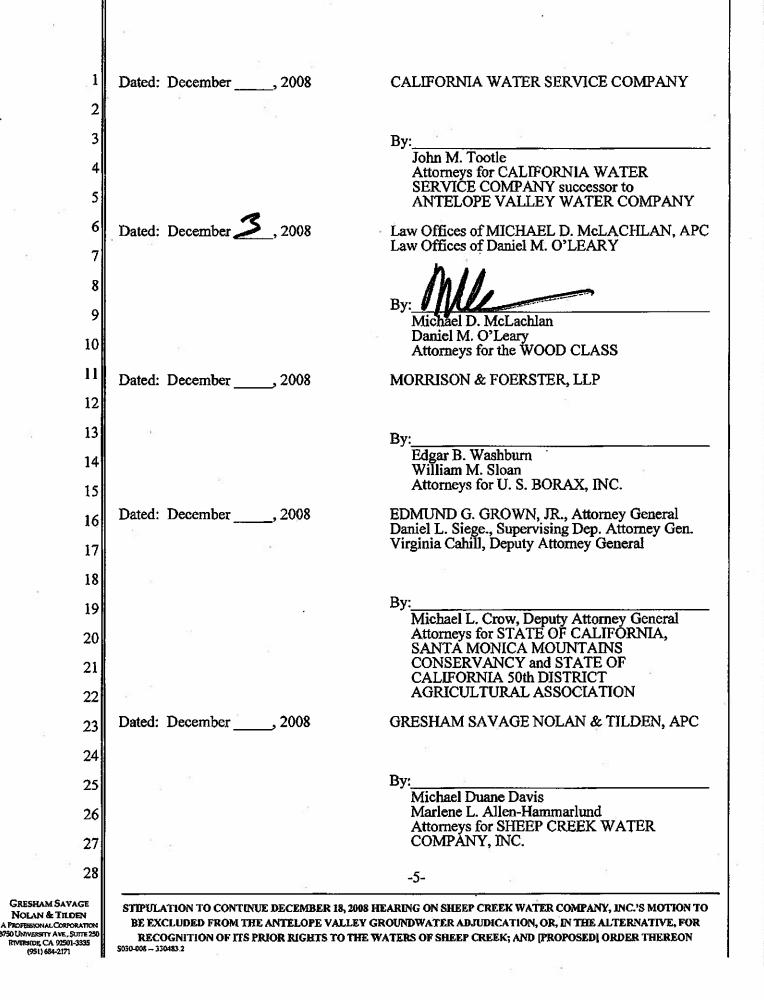
STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO BE EXCLUDED FROM THE ANTELOPE VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON S030-008 -- 330483.3

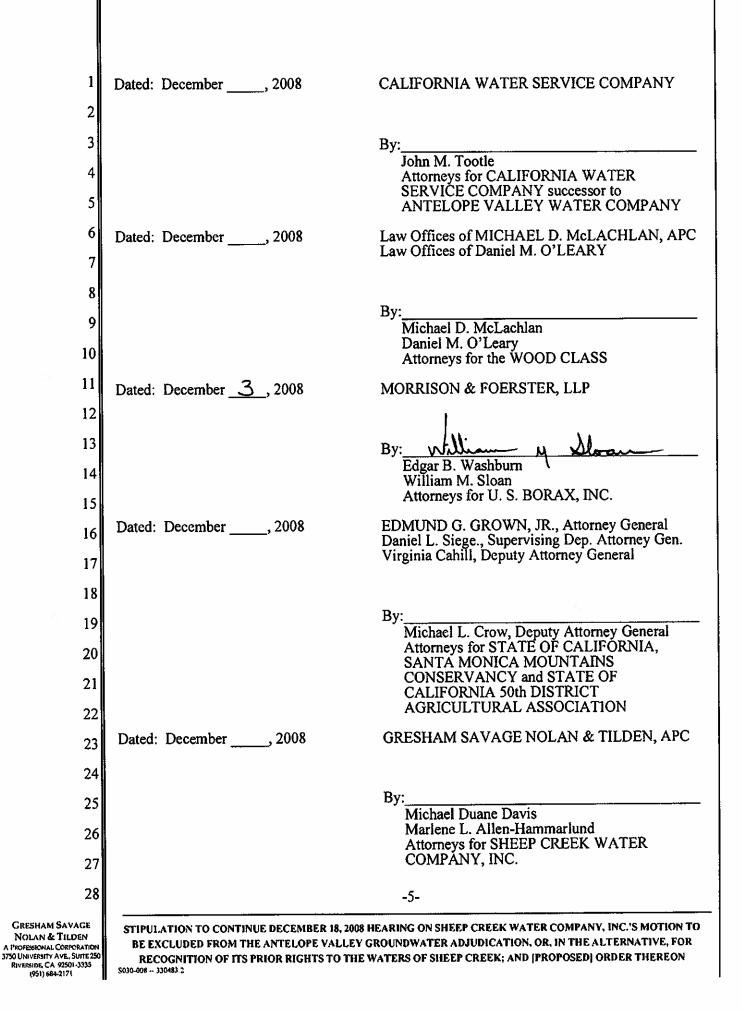
| 1 | H. The Public Water Suppliers, the U.S. and Sheep Creek have also determined that |
|--|---|
| 2 | it is their best interests and in furtherance of the action, that the parties continue the noticed |
| 3 | depositions of Dr. Ram Arora, Dr. June Oberdorfer and Joseph Scalmanini to dates mutually |
| 4 | agreeable to the parties, or to take them permanently off calendar if so agreed. |
| 5 | IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS: |
| 6 | Stipulation |
| 7 | 1. The parties hereto request that the hearing on the Motion be continued to |
| 8 | , 2009, at 9:00 a.m., or as soon thereafter as the matter may be heard |
| 9 | in Department 17 of the above-entitled Court. |
| 10 | 2. The parties agree to continue the noticed depositions of Dr. Ram Arora, Dr. June |
| 11 | Oberdorfer and Joseph Scalmanini to dates mutually agreeable to the parties, or to take them |
| 12 | permanently off calendar. |
| 13 | 3. This Stipulation shall be submitted to the Court and be the basis for an order |
| 14 | consistent herewith. |
| 15 | Dated: December 3_, 2008 BEST BEST/& KRIEGER, LLP |
| 16 | |
| 17 | By: |
| 18 | Jeffley M. Dunn Eric L. Darner |
| 19 | Attorneys for ROSAMOND COMMUNITY SERVICES DISTRICT and LOS ANGELES |
| 20 | COUNTY WATERWORKS DISTRICT NO. 40 |
| 21 | Dated: December, 2008 BROWNSTEIN HYATT FARBER SCHRECK, |
| 22 | LLP |
| 23 | _ |
| 24 | By: Michael T. Fife |
| 25 | Bradley J. Herrema Attorneys for ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSN. |
| 26 | GROUNDWATER AGREEMENT ASSN. |
| 27 | |
| 28 | -4- |
| GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORFORATION 750 UNIVERSITY AVE, SUITE 250 RUMESIDE, CA 92501-3335 (951) 684-2171 | STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO BE EXCLUDED FROM THE ANTELOPE VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON 5030-008 - 330483.2 |

| 1 | H. 7 | The Public Water Suppl | iers, the U.S. and Sheep Creek have also determined that |
|---|--------------------|--|--|
| 2 | it is their best | interests and in further | rance of the action, that the parties continue the noticed |
| 3 | depositions of I | depositions of Dr. Ram Arora, Dr. June Oberdorfer and Joseph Scalmanini to dates mutually | |
| 4 | agreeable to the | parties, or to take them | permanently off calendar if so agreed. |
| 5 | IT IS TH | IEREFORE STIPULA | TED AND AGREED AS FOLLOWS: |
| 6 | <u>Stipulation</u> | | |
| 7 | 1. 7 | The parties hereto req | uest that the hearing on the Motion be continued to |
| 8 | | , 2009, at 9 | :00 a.m., or as soon thereafter as the matter may be heard |
| 9 | in Department | in Department 17 of the above-entitled Court. | |
| 10 | 2. | The parties agree to cor | tinue the noticed depositions of Dr. Ram Arora, Dr. June |
| 11 | Oberdorfer and | Oberdorfer and Joseph Scalmanini to dates mutually agreeable to the parties, or to take them | |
| 12 | permanently of | f calendar. | |
| 13 | 3. | This Stipulation shall { | be submitted to the Court and be the basis for an order |
| 14 | consistent herev | with. | |
| 15 | Dated: Decem | ber, 2008 | BEST BEST & KRIEGER, LLP |
| 16 | | | |
| 17 | | | By: Jeffrey V. Dunn |
| 18 | | | Eric L. Garner Attorneys for ROSAMOND COMMUNITY |
| 19 | | | SERVICES DISTRICT and LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 |
| 20 | | | |
| 21 | Dated: Decem | ber <u>3</u> , 2008 | BROWNSTEIN HYATT FARBER SCHRECK, LLP |
| 22 | | | |
| 23 | | | By: Manel Not |
| 24 | | | Michael T. Fife Bradley J. Herrema |
| 25 | | | Attorneys for ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSN. |
| 26 | | | |
| 27 | | | |
| 28 | | | -4 |
| GRESHAM SAVAGE NOLAN & TILDEN Professional Corporation 50 University Ave., Suite 250 | BE EXCLUDED F | ROM THE ANTELOPE VALL | 008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO EY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR |

NOLAN & TILDEN A PROFESSIONAL CORPORATION 3750 UNIVERSITY AVE, SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

RECOGNITION OF ITS PRIOR RIGHTS WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON THE υ 5030-008 -- 330483 2





CALIFORNIA WATER SERVICE COMPANY Dated: December , 2008 2 3 By: John M. Tootle Attorneys for CALIFORNIA WATER SERVICE COMPANY successor to 5 ANTELOPE VALLEY WATER COMPANY 6 Dated: December , 2008 Law Offices of MICHAEL D. McLACHLAN, APC Law Offices of Daniel M. O'LEARY 7 8 By: 9 Michael D. McLachlan Daniel M. O'Leary 10 Attorneys for the WOOD CLASS 11 Dated: December , 2008 **MORRISON & FOERSTER, LLP** 12 13 By: Edgar B. Washburn 14 William M. Sloan Attorneys for U. S. BORAX, INC. 15 Dated: December <u>3</u> 2008 EDMUND G. GROWN, JR., Attorney General 16 Daniel L. Siege., Supervising Dep. Attorney Gen. Virginia Cahill, Deputy Attorney General 17 18 By: 19 Michael L. Crow, Deputy Attorney General Attorneys for STATE OF CALIFÓRNIA. 20 SANTA MONICA MOUNTAINS CONSERVANCY and STATE OF 21 CALIFORNIA 50th DISTRICT AGRICULTURAL ASSOCIATION 22 Dated: December , 2008 GRESHAM SAVAGE NOLAN & TILDEN, APC 23 24 By: 25 Michael Duane Davis Marlene L. Allen-Hammarlund 26 Attomeys for SHEEP CREEK WATER COMPÁNY, INC. 27 28 -5-GRESHAM SAVACE STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO NOLAN & TILDEN BE EXCLUDED FROM THE ANTELOPE VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR PROPERIONAL CORFORATION RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND (PROPOSED) ORDER THEREON

750 UNIVERSITY AVE, 50115 250 RIVERSIDE CA 92501-3335 (951) 684-2171

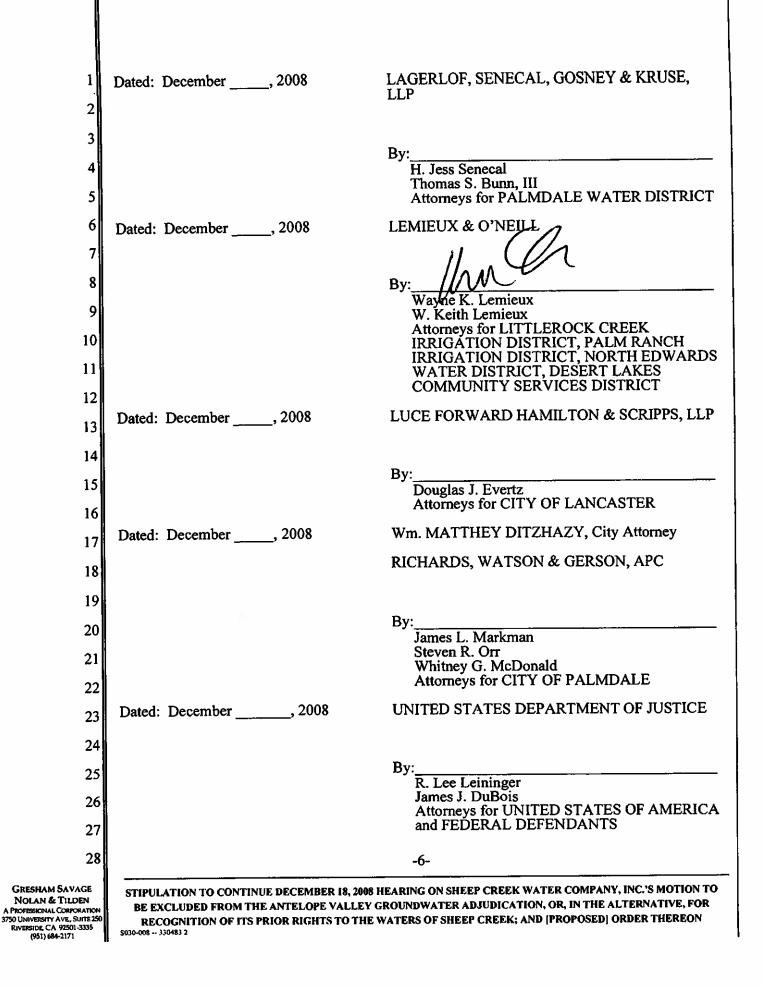
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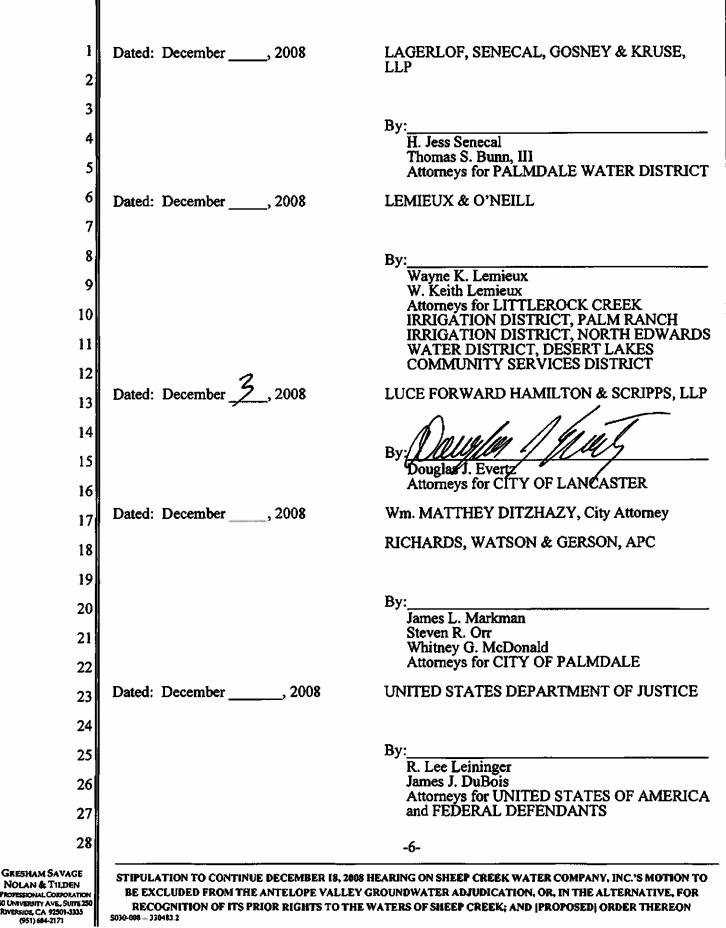
| 1 | Dated: December, 2008 | CALIFORNIA WATER SERVICE COMPANY |
|--|------------------------------------|---|
| 2 | , = | |
| 3 4 5 | | By: John M. Tootle Attorneys for CALIFORNIA WATER SERVICE COMPANY successor to ANTELOPE VALLEY WATER COMPANY |
| 6 7 | Dated: December, 2008 | Law Offices of MICHAEL D. McLACHLAN, APC Law Offices of Daniel M. O'LEARY |
| 8 9 10 | | By: Michael D. McLachlan Daniel M. O'Leary Attorneys for the WOOD CLASS |
| 11 | Dated: December, 2008 | MORRISON & FOERSTER, LLP |
| 12 | | |
| 13 | | By: |
| 14 | | Edgar B. Washburn William M. Sloan Attorneys for U. S. BORAX, INC. |
| 15 | Dated: December, 2008 | EDMUND G. GROWN, JR., Attorney General |
| 16 | , 2000 | Daniel L. Siege., Supervising Dep. Attorney Gen. Virginia Cahill, Deputy Attorney General |
| 17 18 | | |
| 19 | | By: |
| 20 | | Michael L. Crow, Deputy Attorney General Attorneys for STATE OF CALIFORNIA, |
| 21 | | SANTA MONICA MOUNTAINS CONSERVANCY and STATE OF CALIFORNIA 50th DISTRICT AGRICULTURAL ASSOCIATION |
| 22 | Dated: December 3, 2008 | GRESHAM SAVAGE NOLAN & TILDEN, APC |
| 23 24 | 2000 <u>-</u> , 2000 | |
| 24 25 | | By: Auchall hunder |
| 26 | | Michael Duane Davis Marlene L. Allen-Hammarlund |
| 27 | | Attorneys for SHEEP CREEK WATER COMPANY, INC. |
| 28 | | -5- |
| GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORFORATION 3750 UNIVERSITY AVE, SUITE 250 RIVERSIDE, CA 92501-3335 | BE EXCLUDED FROM THE ANTELOPE VALU | 008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO EY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR 'HE WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON |

A PROFESSIONAL CORPO 3750 UNIVERSITY AVE, 5 RIVERSIDE, CA 92501-(951) 684-2171

S030-008 -- 330483.3

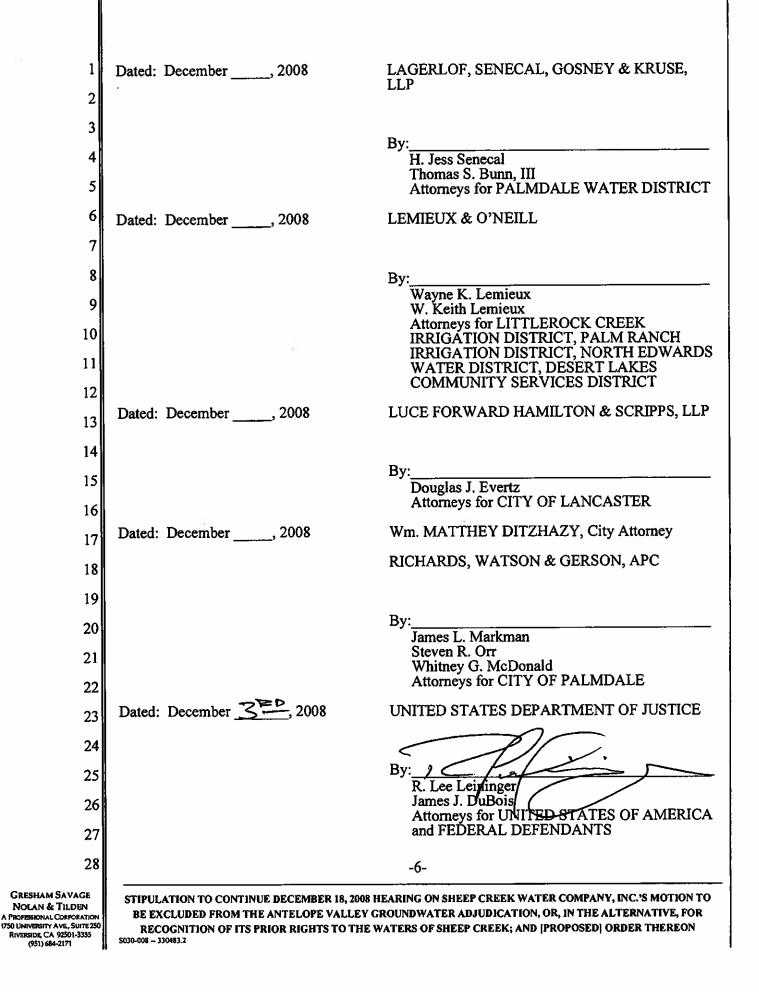
Dated: December 3, 2008 1 LAGERLOF, SENECAL, GOSNEY & KRUSE, LLP 2 3 Bv: H. Jess Senecal Thomas S. Bunn, III 5 Attorneys for PALMDALE WATER DISTRICT 6 Dated: December , 2008 **LEMIEUX & O'NEILL** 7 8 By: Wayne K. Lemieux 9 W. Keith Lemieux Attorneys for LITTLEROCK CREEK 10 IRRIGÁTION DISTRICT, PALM RANCH IRRIGATION DISTRICT, NORTH EDWARDS 11 WATER DISTRICT, DESERT LAKES COMMUNITY SERVICES DISTRICT 12 Dated: December ____, 2008 LUCE FORWARD HAMILTON & SCRIPPS, LLP 13 14 By: 15 Douglas J. Evertz Attorneys for CITY OF LANCASTER 16 Dated: December , 2008 Wm. MATTHEY DITZHAZY, City Attorney 17 RICHARDS, WATSON & GERSON, APC 18 19 By: 20 James L. Markman Steven R. Orr 21 Whitney G. McDonald Attorneys for CITY OF PALMDALE 22 Dated: December , 2008 UNITED STATES DEPARTMENT OF JUSTICE 23 24 By: 25 R. Lee Leininger James J. DuBois 26 Attorneys for UNITED STATES OF AMERICA and FEDERAL DEFENDANTS 27 28 -6-**GRESHAM SAVAGE** STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO NOLAN & TILDEN A PROFESSIONAL CORPORATION 750 UNIVERSITY AVE., SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171 BE EXCLUDED FROM THE ANTELOPE VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR **RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND (PROPOSED) ORDER THEREON** S030-008 - 330483,2





NOLAN & TILDEN A PROFESSIONIAL CORPORATION 750 UNIVERSITY AVE, SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171

| 1 | Dated: December, 2008 | LAGERLOF, SENECAL, GOSNEY & KRUSE, |
|---|-------------------------------------|--|
| 2 | | LLP |
| 3 | | |
| 4 | | By: H. Jess Senecal |
| 5 | | Thomas S. Bunn, III Attorneys for PALMDALE WATER DISTRICT |
| 6 | Dated: December , 2008 | LEMIEUX & O'NEILL |
| 7 | , | |
| 8 | | Ву: |
| 9 | | Wayne K. Lemieux W. Keith Lemieux |
| 10 | | Attorneys for LITTLEROCK CREEK |
| 11 | | Attorneys for LITTLEROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT, NORTH EDWARDS WATER DISTRICT, DESERT LAKES COMMUNITY SERVICES DISTRICT |
| 12 | | COMMUNITY SERVICES DISTRICT |
| 13 | Dated: December, 2008 | LUCE FORWARD HAMILTON & SCRIPPS, LLP |
| 14 | | |
| 15 | | By: Douglas J. Evertz |
| 16 | | Attorneys for CITY OF LANCASTER |
| 17 | Dated: December <u>3</u> , 2008 | Wm. MATTHEY DITZHAZY, City Attorney |
| 18 | | RICHARDS, WATSON & GERSON, APC |
| 19 | | Stolm |
| 20 | | By: James L. Markman |
| 21 | | Steven R. Orr Whitney G. McDonald |
| 22 | | Attorneys for CITY OF PALMDALE |
| 23 | Dated: December, 2008 | UNITED STATES DEPARTMENT OF JUSTICE |
| 24 | | |
| 25 | | By: R. Lee Leininger |
| 26 | | James J. DuBois |
| 27 | | Attorneys for UNITED STATES OF AMERICA and FEDERAL DEFENDANTS |
| 28 | | -6- |
| GRESHAM SAVAGE NOLAN & TILDEN 3 PROFESSIONAL CORPORATION 750 UNIVERSITY AVE, SUTTE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171 | BE EXCLUDED FROM THE ANTELOPE VALLE | 08 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO Y GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR IE WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON |



<u>Order</u>

| 2 | The Stipulation of the parties who have participated in the Public Water Suppliers' | |
|---|--|--|
| 3 | Opposition to the Motion, and who participated in the Stipulation to Continue October 3rd | |
| 4 | Hearing, being the parties who have participated in the Stipulation to Continue December 18th | |
| 5 | Hearing, is accepted, and good cause appearing therefore, | |
| 6 | IT IS HEREBY ORDERED THAT: | |
| 7 | The hearing on Sheep Creek Water Company, Inc.'s Motion to be Excluded from the | |
| 8 | Antelope Valley Groundwater Adjudication, or, in the Alternative, for Recognition of its Prior | |
| 9 | Rights to the Waters of Sheep Creek is continued to, 2009, at 9:00 a.m., or | |
| 10 | as soon thereafter as the matter may be heard in Department 17 of the above-entitled Court [San | |
| 11 | Jose]. | |
| 12 | | |
| 13 | Dated:, 2008 | |
| 14 | Honorable JACK KOMAR Judge of the Superior Court | |
| 15 | | |
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| GRESHAM SAVAGE NOLAN & TILDEN A PROFESSIONAL CORFORATION 3750 UNIVERSITY AVE., SUITE 250 RIVERSIDE, CA 92501-3335 (951) 684-2171 | STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO BE EXCLUDED FROM THE ANTELOPE VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; AND [PROPOSED] ORDER THEREON \$030-008 - 330483.3 | |

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| 1 | PROOF OF SERVICE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE |
|---|---|
| 2 | |
| 3 | Re: ANTELOPE VALLEY GROUNDWATER CASES Los Angeles County Superior Court Judicial Council Coordinated Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053 |
| 5 | I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 3750 University Avenue, Suite 250, Riverside, CA 92501-3335. |
| | |
| 7 8 | On December 3, 2008, I served the foregoing document(s) described as STIPULATION TO CONTINUE DECEMBER 18, 2008 HEARING ON SHEEP CREEK WATER COMPANY, INC.'S MOTION TO BE EXCLUDED FROM THE ANTELOPE |
| 9 | VALLEY GROUNDWATER ADJUDICATION, OR, IN THE ALTERNATIVE, FOR RECOGNITION OF ITS PRIOR RIGHTS TO THE WATERS OF SHEEP CREEK; |
| 10 | AND [PROPOSED] ORDER THEREON on the interested parties in this action in the following manner: |
| 11 | (X) BY ELECTRONIC SERVICE – I posted the document(s) listed above to the |
| 12 | Santa Clara County Superior Court website, <u>http://www.scefiling.org</u> , in the action of the Antelope Valley Groundwater Cases, |
| 13 | (X) BY EXPRESS MAIL/OVERNIGHT DELIVERY - I caused such envelope to be delivered by hand to the office of the addressee via overnight delivery pursuant to |
| 14 | C.C.P. §1013(c), with delivery fees fully prepaid or provided for, addressed as follows:. |
| 15 | Honorable Jack Komar |
| 16 | Santa Clara County Superior Court |
| 17 | 191 North First Street, Dept. 17C San Jose, CA 95113 |
| 18 | I declare under penalty of perjury under the laws of the State of California that the |
| 19 | foregoing is true and correct. |
| 20 | Executed on December 3, 2008, at Riverside, California. |
| 21 | Jesi Gallagher |
| 22 | TERI D. GALLAGHER |
| 23 | |
| 24 | |
| 25 | |
| 26 | |
| 27 | |
| 28 | |
| Gresham Savage | 1 |
| NOLAN & TILDEN A PROFESSIONAL CORPORATION 3750 UNIVERSITY AVE., SUITE 250 RIVERSIDE, CA 92501-3335 | -1- PROOF OF SERVICE |
| (951) 684-2171 | S030-008 - 330929.1 |