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5 Attorneys for Cross-Defendant/Cross-Complainant,
6 A.V. UNITED MUTUAL GROUP; and Cross-
Defendants, ADAMS BENNETT INVESTMENTS,
7 LLC; MIRACLE IMPROVEMENT CORPORATION
dba GOLDEN SANDS MOBILE HOME PARK, aka
8 GOLDEN SANDS TRAILER PARK, named as ROE
1121; ST. ANDREW'S ABBEY, INC., named as ROE
9 623; SERVICE ROCK PRODUCTS, L.P.; and
SHEEP CREEK WATER COMPANY, INC.

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **IN AND FOR THE COUNTY OF LOS ANGELES**

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

) Judicial Council Coordination
) Proceeding No. 4408

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

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar
) Department 17C

16 Including Consolidated Actions:

17 **Los Angeles County Waterworks District**
18 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Los
19 Angeles, Case No. BC 325 201

) **CROSS-DEFENDANT, ADAMS**
) **BENNETT INVESTMENTS, LLC'S**
) **INFORMATION AND MATERIALS**
) **RESPONSIVE TO DECEMBER 12, 2012**
) **DISCOVERY ORDER FOR PHASE 4**
) **TRIAL**

20 **Los Angeles County Waterworks District**
21 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Kern,
22 Case No. S-1500-CV-254-348

) For Court's Use Only:
) Santa Clara County
) Case No. 1-05-CV-049053
) (For E-Posting/E-Service Purposes Only)

23 **Wm. Bolthouse Farms, Inc. v. City of**
24 **Lancaster**
25 **Diamond Farming Co. v. City of Lancaster**
26 **Diamond Farming Co. v. Palmdale Water**
27 **Dist.**

Superior Court of California, County of
28 Riverside, consolidated actions, Case Nos. RIC
353 840, RIC 344 436, RIC 344 668

AND RELATED ACTIONS.

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

Cross-Defendant, **ADAMS BENNETT INVESTMENTS, LLC** ("Adams Bennett") by and through its attorneys of record, Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis and Marlene L. Allen-Hammarlund, submits the following information and materials, under penalty of perjury, in response to the December 12, 2012 Discovery Order for Phase 4 Trial, issued by the Honorable Jack Komar, Trial Judge.

Adams Bennett has made a good faith effort to fully and accurately respond to the categories of information required by the *Discovery Order*. However, due to the shortness of time between the issuance of the order and the degree of detail required by the *Discovery Order*, Adams Bennett reserves the right to supplement its responses to the extent it requires, in as timely a manner as possible.

I. CLAIMS OF OVERLYING GROUNDWATER RIGHTS:

1. Property Owned By Adams Bennett Investments, LLC:

a. Location of Property: Adams Bennett holds fee title to the following parcels of real property situated within the Area of Adjudication:

Assessor's Parcel Number: 3024 – 015 – 044;
Assessor's Parcel Number: 3024 – 015 – 009;
Assessor's Parcel Number: 3027 – 013 – 009;
Assessor's Parcel Number: 3027 – 013 – 011;
Assessor's Parcel Number: 3027 – 013 – 017;
Assessor's Parcel Number: 3027 – 013 – 051;
Assessor's Parcel Number: 3042 – 021 – 002;
Assessor's Parcel Number: 3042 – 021 – 003;
Assessor's Parcel Number: 3042 – 021 – 006;
Assessor's Parcel Number: 3042 – 021 – 008;
Assessor's Parcel Number: 3042 – 021 – 009;
Assessor's Parcel Number: 3042 – 021 – 019;
Assessor's Parcel Number: 3042 – 021 – 020;
Assessor's Parcel Number: 3042 – 021 – 023;
Assessor's Parcel Number: 3042 – 021 – 024;
Assessor's Parcel Number: 3042 – 021 – 026;
Assessor's Parcel Number: 3042 – 021 – 027;
Assessor's Parcel Number: 3042 – 023 – 001;
Assessor's Parcel Number: 3042 – 023 – 008;
Assessor's Parcel Number: 3042 – 023 – 009;
Assessor's Parcel Number: 3042 – 023 – 011; and
Assessor's Parcel Number: 3042 – 023 – 012.

1 **b. Ownership Information:** Adams Bennett is a California limited
2 liability company, with an entity address of 200 S. Main St. Ste. 200, Corona, CA 92882. It was
3 formed on October 22, 2010. Its Agent for Service of Process is Roger Hortick at 200 S. Main
4 St., Ste. 200, Corona, CA 92882.

5 **c. Existence of Groundwater wells (2000 to 2004 and 2011 to 2012):**
6 Adams Bennett did not own the properties during the years 2000 through 2004 and knows of no
7 wells owned by the former owners during the years 2000 to 2004. Adams Bennett has
8 constructed no wells on any of these properties since acquiring title.

9 **d. Operation of Groundwater wells (2000 to 2004 and 2011 to 2012):**
10 Adams Bennett operated no wells on these properties during the years 2000 to 2004 and 2011 to
11 2012.

12 **e. Amount of Groundwater Produced:** Adams Bennett produced no
13 groundwater during the years 2000 to 2004 and 2011 – 2012.

14 **f. Uses of Groundwater Produced:** N/A

15 **g. Places of Groundwater Use:** N/A

16 **h. Uses of Parcels within Service Area:** These properties have not yet
17 been put to use; however, plans are to hold the properties for future use as sites for the
18 production and operation of aggregates operations. Awaiting receipt of evidence of title.

19 **i. Crop Types:** None.

20 **j. Basis for Claim of Groundwater Rights:** N/A

21 **k. Amount of Groundwater Claim:** N/A

22 **l. Other Facts Supporting Claim:** Little Rock Creek Wash flows
23 adjacent and through the Adams Bennett properties. Though not the subject of this general
24 groundwater adjudication, Adams Bennett asserts that it has riparian rights to the seasonal and
25 underflow of the Little Rock Creek Wash.

26 **2. Property Lease Information:**

27 **a. Lease of Property:** Adams Bennett leased no property during the years
28 2000 to 2004 and 2011 to 2012

b. Name of Lessee: N/A.

c. ATN/APNs: N/A.

d. Written Agreements Allocating Credits: N/A.

e. Lessee Delivery of Water: N/A.

f. Uses of Groundwater by Lessee: N/A.

3. Additional Requested Information and Materials:

a. Prima Facie Groundwater Production Materials: N/A

b. Prima Facie Property Uses Materials: Pending receipt of additional data and information.

c. Additional Materials:

i. California Secretary of State Business Entity Detail (December 14, 2012)

ii. Pending receipt of additional data and information.

II. CLAIMS OF NON-OVERLYING GROUNDWATER RIGHTS:

1. Specifically Requested Non-Overlying Information:

a. Amount of Production: None.

b. ATN/APNs: N/A.

c. Well Information: N/A.

d. Amount of Water Produced: N/A.

e. Methodology Used to Quantify Claim: N/A.

f. Reports to State Water Resources Control Board (2000 to 2004): N/A.

g. Uses other than Municipal Supply (2000 to 2004 and 2011 to 2012):
N/A.

h. Water for Outdoor Irrigation: N/A.

III. CLAIMS OF RETURN FLOW CREDITS:

1. Specifically Requested Non-Overlying Information:

a. Amount of Pumping of Return Flows from Imported Water: None.

b. Amount of Return Flows Pumped:

- i. 2000: N/A.
- ii. 2001: N/A.
- iii. 2002: N/A.
- iv. 2003: N/A.
- v. 2004: N/A.
- vi. 2011: N/A.
- vii. 2012 [1/1 – 11/30]: N/A.
- c. Methodology Used to Quantify Claim: N/A.
- d. Amount of Water Imported: None.
- e. Water Quality Information: N/A.
- f. Uses of Imported Water: N/A.
- g. Dates of Importation of Water: N/A.
- h. Geological Conditions Beneath Properties: N/A.
- i. Depth of Aquifer and Soil Type Beneath Surface: N/A.
- j. Time for Percolation to Aquifer: N/A.
- k. Physical Evidence that Return Flows Augment Basin: N/A.
- l. Geological Locations that Return Flows Augment Basin: N/A.
- m. Return Flows Entering Municipal Sewer System: N/A.
- n. Locations of Return Flows Wastewater Augmenting Basin: N/A.

IV. FOR THE FEDERAL PARTIES: N/A.

V. FOR ALL RESPONDING PARTIES:

1. Person most qualified to testify to the facts and materials above:

- a. Non-Expert Witness(es): Roger Hortick
- b. Expert Witness(es): Not determined at this time.

2. Verification by Authorized Individual:

Declaration under Penalty of Perjury:

I, Roger Hortick, am an authorized agent for Adams Bennett Investments, LLC and have personal knowledge of the facts set forth above.

1 If called to do so, I could and would competently testify to these facts under oath. I
2 declare under penalty of perjury under the laws of the State of California that the foregoing is
3 true and correct.

4 Executed this 21 day of December, 2012 at Corona, CA.

5
6 

7 **ROGER HORTICK**

8
9
10 DATED: December 21, 2012

11
12 Respectfully submitted,

13 GRESHAM SAVAGE NOLAN & TIDEN, PC

14
15 By: 

16 MICHAEL DUANE DAVIS, ESQ.
17 MARLENE L. ALLEN-HAMMARLUND, ESQ.
18 Attorneys for CROSS-DEFENDANT / CROSS-
19 COMPLAINANT, A. V. UNITED MUTUAL GROUP;
20 and CROSS-DEFENDANTS, ADAMS BENNETT
21 INVESTMENTS, LLC, MIRACLE IMPROVEMENT
22 CORPORATION dba GOLDEN SANDS MOBILE
23 HOME PARK, aka GOLDEN SANDS TRAILER PARK
24 [ROE 1121], ST. ANDREW'S ABBEY, INC. [ROE
25 623], SERVICE ROCK PRODUCTS, L.P., and SHEEP
26 CREEK WATER COMPANY, INC.
27
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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

DINA M. SNIDER