

Michael Duane Davis, SBN 093678  
Marlene Allen-Hammarlund, SBN 126418  
Derek R. Hoffman, SBN 285784  
**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 Miracle  
Improvement Corporation, a California  
corporation, dba Golden Sands Mobile Home  
Park, aka Golden Sands Trailer Park, named  
herein as ROE 1121

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

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

Including Actions:

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

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

**Wm. Bolthouse Farms, Inc. v. City of  
Lancaster**  
**Diamond Farming Co. v. City of Lancaster**  
**Diamond Farming Co. v. Palmdale Water  
Dist.**  
Superior Court of California, County of  
Riverside, consolidated actions, Case Nos. RIC  
353 840, RIC 344 436, RIC 344 668

AND RELATED ACTIONS.

Judicial Council Coordination  
Proceeding No. 4408

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

**[PROPOSED, REVISED] STIPULATION  
REGARDING THE DEPOSITION AND  
TRIAL TESTIMONY OF CROSS-  
DEFENDANT MIRACLE  
IMPROVEMENT CORPORATION, A  
CALIFORNIA CORPORATION, DBA  
GOLDEN SANDS MOBILE HOME  
PARK, AKA GOLDEN SANDS  
TRAILER PARK, NAMED HEREIN AS  
ROE 1121**

This *Stipulation Regarding the Deposition and Trial Testimony of Cross-Defendant **Miracle Improvement Corporation***, a California corporation, dba **Golden Sands Mobile Home Park**, aka **Golden Sands Trailer Park**, named herein as ROE 1121, (“Golden Sands”) is submitted pursuant to Paragraph 2 of the Court’s January 17, 2013 *First Amendment to Case Management Order for Phase Four Trial* and in connection with the Phase 4 Trial which is currently scheduled for Tuesday, May 28, 2013, in the above-encaptioned matter.

Golden Sands has provided, under penalty of perjury, the facts, information and documents submitted to the Court and posted on the Court's website on December 21, 2012 and on January 15, 2013, including, but not limited to, the following:

1. Miracle Improvement Corp. (dba Golden Sands), which was formed on February 7, 1958, consists of fifteen individuals who own undivided shares in the company. Golden Sands operates a mobile home park located at 2059 East Avenue I in Lancaster, California on an approximately 9.5-acre parcel of real property identified as Los Angeles County Assessor's Parcel Number ("APN") 3154-002-024.

Reference: *Cross-Defendant, Miracle Improvement Corporation, A California Corporation, dba Golden Sands Mobile Home Park, aka Golden Sands Trailer Park's* (verified) *Information and Materials Responsive to December 12, 2012 Discovery Order for Phase 4 Trial* (the “*Discovery Responses*”), Paragraphs (“¶”) I.1.a., I.1.b., I.3.a.iii.; I.3.b.i., I.3.b.ii., I.3.b.iii., I.3.c.i., I.3.c.ii., I.3.c.iii; “Historical Perspective” overview of Golden Sands; Articles of Incorporation of Miracle Improvement Corp., dated February 7, 1958 and amended on March 24, 2010; Golden Sands Mobile Home Park Unit Lot Locations Map (not to scale); California Secretary of State Business Entity Detail for Miracle Improvement Corp., dated December 14, 2012; “Landowners Group” list of names; *Cross-Defendant, Miracle Improvement Corporation, A California Corporation, dba Golden Sands Mobile Home Park, aka Golden Sands Trailer Park's* (verified) *First Supplemental Response to December 12, 2012 Discovery Order for Phase 4*

1 Trial (the "Supplemental Responses") ¶ I.3.b.; Chicago Title Insurance Company  
2 Property Profile Reports for Los Angeles County APN 3154-002-024.

3 2. The subject property is known as Golden Sands Mobile Home Park and Golden  
4 Sands Trailer Park. Golden Sands' currently active well pump, has been metered at the well  
5 head since August 2009, and serves 144 trailer lots within the Golden Sands mobile home park.

6 Reference: *Discovery Responses* ¶¶ I.1.b., I.1.c., I.1.l., I.3.a.iii; "Historical  
7 Perspective" overview of Golden Sands.

8 3. Golden Sands owned one active groundwater well ("Well #2") during the  
9 measurement period of 2000-2004 and 2011-2012, located at 11W/7N-7N2 which was  
10 completed in 1971 to replace the prior well ("Well #1") constructed in 1958, located at 11W/7N-  
11 7N1. Golden Sands has pumped groundwater consistently since its inception in 1958 for  
12 domestic use at the mobile home park.

13 Reference: *Discovery Responses* ¶¶ I.1.c., I.1.f.; "Historical Perspective"  
14 overview of Golden Sands.

15 4. Golden Sands groundwater production during the years 2000 to 2004 and 2011 to  
16 2012, which was determined from the meter readings taken on Well #2, as well as from current  
17 and historic occupancy data, is as follows:

- 18 a. 2000: 42.9 acre feet.
- 19 b. 2001: 43.1 acre feet.
- 20 c. 2002: 44.1 acre feet.
- 21 d. 2003: 46.1 acre feet.
- 22 e. 2004: 48.8 acre feet.
- 23 f. 2011: 46.7 acre feet
- 24 g. 2012: 44.1 acre feet

25 Reference: *Discovery Responses* ¶¶ I.1.c., I.1.d., I.1.e., I.1.k., I.1.l., I.3.a.i.,  
26 I.3.a.i.1., I.3.a.i.2., I.3.a.i.3., I.3.a.i.4., I.3.a.i.5., I.3.a.ii., I.3.a.iii., I.3.a.iv., I.3.a.v.,  
27 I.3.a.vi., I.3.a.vii., I.3.a.viii., I.3.a.ix.; Volume of Water Pumped During 2009

1 Golden Sands – Well #2 with Log of Water Pumped from Well #02; Volume of  
2 Water Pumped During 2010 Golden Sands – Well #2 with Log of Water Pumped  
3 from Well #02; Volume of Water Pumped During 2011 Golden Sands – Well #2  
4 with Log of Water Pumped from Well #02; Volume of Water Pumped During  
5 2012 Golden Sands – Well #2; Volume of Water Pumped Golden Sands – Well  
6 #2 for Years 2011, 2010, and annualized 2009; History of groundwater pumped  
7 by Golden Sands Mobile Home Park; “Historical Perspective” overview of  
8 Golden Sands; Determining Historical Usage; Conservation Gains Beginning with  
9 2006 and Water Pumped by Year Since 2000; 2011 First Notice of Extraction and  
10 Diversion of Water; Well #2 Record of Drilling and DWR Well Index; Golden  
11 Sands Occupancy Summary For Each Year (2000-2011); Monthly Occupancy  
12 Detail Reports (2000-2004, 2009-2011); *Supplemental Responses* ¶¶ I.1.a.;  
13 Volume of Water Pumped During 2012 Golden Sands – Well #2 (Entire 2012).

14 5. Golden Sands did not lease any property to anyone during the Base Period years  
15 of 2000 to 2004 or the recent years of 2011 to 2012 beyond the rental of individual mobile home  
16 trailers located on Golden Sands’ parcel, APN 3154-002-024.

17 Reference: *Discovery Responses* ¶ I.2.a.

18 6. Golden Sands did not import or acquire any imported water from the Antelope  
19 Valley – East Kern Water Agency, Palmdale Water District, Littlerock Creek Irrigation District  
20 or any other entity having rights to State Water Project water, during the Base Period years of  
21 2000 to 2004 or the recent years of 2011 to 2012.

22 Reference: *Discovery Responses* ¶ III.1.d.

23 7. The groundwater claimed by Golden Sands is an overlying water right. Golden  
24 Sands claims no other groundwater rights that are the subject of this Adjudication for purposes of  
25 the Phase 4 Trial, and claims no return flows.

26 Reference: *Discovery Responses* ¶¶ I.1.f., I.1.j., III.1.a.

27 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

IT IS SO STIPULATED.

GRESHAM SAVAGE NOLAN & TILDEN, PC

CHARLTON WEEKS LLP

-5-

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

Dated: March \_\_\_, 2013.

BEST BEST & KRIEGER LLP

By: \_\_\_\_\_  
Eric L. Garner  
Jeffrey V. Dunn  
Stefanie D. Hedlund  
Attorneys for Cross-Complainant, Los Angeles  
County Waterworks District No. 40

Dated: March \_\_\_, 2013.

RICHARDS, WATSON & GERSHON

By: \_\_\_\_\_  
Steven Orr  
James L. Markman  
Attorneys for Cross-Complainant, City of  
Palmdale

Dated: March \_\_\_, 2013.

MURPHY & EVERTZ

By: \_\_\_\_\_  
Douglas J. Evertz  
Attorneys for Cross-Complainant, City of  
Lancaster and Rosamond Community  
Services District

Dated: March \_\_\_, 2013.

By: \_\_\_\_\_  
John Tootle  
Attorneys for Cross-Complainant, California  
Water Service Company

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

Dated: March \_\_\_, 2013.

LEMIEUX & O'NEILL

By: \_\_\_\_\_  
Wayne Lemieux  
Attorneys for Cross-Complainant, Littlerock  
Creek Irrigation District, Palm Ranch Irrigation  
District, et al.

Dated: March \_\_\_, 2013.

LAGERLOF SENECALE GOSNEY & KRUSE

By: \_\_\_\_\_  
Thomas Bunn III  
Attorneys for Cross-Cross-Complainant,  
Palmdale Water District

- 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