Michael Duane Davis, SBN 093678 1 Marlene Allen-Hammarlund, SBN 126418 Derek R. Hoffman, SBN 285784 2 GRESHAM SAVAGE NOLAN & 3 TILDEN, A Professional Corporation 3750 University Avenue, Suite 250 Riverside, CA 92501-3335 4 Telephone: (951) 684-2171 Facsimile: (951) 684-2150 5 Attorneys for Cross-Defendant Miracle 6 Improvement Corporation, a California corporation, dba Golden Sands Mobile Home 7 Park, aka Golden Sands Trailer Park, named herein as ROE 1121 8 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 IN AND FOR THE COUNTY OF LOS ANGELES 11 12 Judicial Council Coordination 13 Coordination Proceeding Proceeding No. 4408 Special Title (Rule 1550(b)) 14 ANTELOPE VALLEY GROUNDWATER Santa Clara Case No. 1-05-CV-049053 Assigned to the Honorable Jack Komar 15 **CASES** Department 17 16 Including Actions: [PROPOSED, REVISED] STIPULATION REGARDING THE DEPOSITION AND 17 Los Angeles County Waterworks District TRIAL TESTIMONY OF CROSS-No. 40 v. Diamond Farming Co. DEFENDANT MIRACLE 18 Superior Court of California, County of Los IMPROVEMENT CORPORATION, A Angeles, Case No. BC 325 201 CALIFORNIA CORPORATION, DBA 19 GOLDEN SANDS MOBILE HOME Los Angeles County Waterworks District 20 No. 40 v. Diamond Farming Co. PARK, AKA GOLDEN SANDS Superior Court of California, County of Kern, TRAILER PARK, NAMED HEREIN AS **ROE 1121** Case No. S-1500-CV-254-348 21 22 Wm. Bolthouse Farms, Inc. v. City of Lancaster 23 Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water 24 Dist. Superior Court of California, County of Riverside, consolidated actions, Case Nos. RIC 25 353 840, RIC 344 436, RIC 344 668 26 AND RELATED ACTIONS. 27 -1-28

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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.ii., 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

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

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

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

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

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

- 4. Golden Sands groundwater production during the years 2000 to 2004 and 2011 to 2012, which was determined from the meter readings taken on Well #2, as well as from current and historic occupancy data, is as follows:
 - **a. 2000:** 42.9 acre feet.
 - **b. 2001:** 43.1 acre feet.
 - **c. 2002:** 44.1 acre feet.
 - **d. 2003:** 46.1 acre feet.
 - e. 2004: 48.8 acre feet.
 - **f. 2011:** 46.7 acre feet
 - **g. 2012:** 44.1 acre feet

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

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

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

Reference: Discovery Responses ¶ I.2.a.

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

Reference: Discovery Responses ¶ III.1.d.

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

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

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STIPULATION

The parties hereto stipulate and agree that the facts, information and documents provided herein and in Golden Sands' verified *Discovery Responses* that were posted on the Court's website on December 21, 2012, and in Golden Sands' verified *Supplemental Responses* that were posted on the Court's website on January 15, 2013, will not be contested, and are therefore deemed accepted, for purposes of the Phase 4 Trial which is currently scheduled for May 28, 2013; and that the Notice of Taking the Deposition of Golden Sands, which was posted by Quartz Hill Water District on the behalf of the Public Water Suppliers on January 7, 2013, has been since withdrawn.

The parties hereto further stipulate and agree that neither deposition testimony nor trial testimony will be required of Golden Sands or any of its designated witnesses for purposes of the Phase 4 Trial.

IT IS SO STIPULATED.

Dated: March 15, 2013.

Dated: March _____, 2013.

GRESHAM SAVAGE NOLAN & TILDEN, PC

By:

Michael Duane Davis

Marlene L. Allen-Hammarlund

Derek R. Hoffman

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

CHARLTON WEEKS LLP

By:

Bradley T. Weeks

Attorneys for Cross-Complainant, Quartz Hill

Water District

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3	Dated: March, 2013.	BEST BEST & KRIEGER LLP
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5		By: Eric L. Garner
6		Jeffrey V. Dunn Stefanie D. Hedlund
7		Attorneys for Cross-Complainant, Los Angeles County Waterworks District No. 40
8	Data de Manala 2012	DICIIADDS WATSON & CEDSION
9	Dated: March, 2013.	RICHARDS, WATSON & GERSHON
10		R_{V^*}
11		By: Steven Orr James L. Markman
12		Attorneys for Cross-Complainant, City of Palmdale
13		1 annuale
14		
15	Dated: March, 2013.	MURPHY & EVERTZ
16		
17		By:
18 19		Douglas J. Evertz Attorneys for Cross-Complainant, City of Lancaster and Rosamond Community
20		Lancaster and Rosamond Community Services District
21		
22	Dated: March, 2013.	
23		D.
24		By: John Tootle
25		Attorneys for Cross-Complainant, California Water Service Company
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Gresham Savage Nolan & Tilden, A Professional Corroration 3750 University Ave., Ste 250 Riverside, CA 92501-3335 (951) 684-2171 [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

1	Dated: March, 2013.	LEMIEUX & O'NEILL
2		$\mathbf{R}_{\mathbf{V}}$
3		By: Wayne Lemieux Attorneys for Cross-Complainant, Littlerock Creek Irrigation District, Palm Ranch Irrigation
4		District, et al.
5		
6	Dated: March, 2013.	LAGERLOF SENECAL GOSNEY & KRUSE
7		
8		By:Thomas Bunn III
9		Attorneys for Cross-Cross-Complainant, Palmdale Water District
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Gresham Savage Nolan & Tilden, A Professional Corroration 3750 University Ave., 5tr 250 Riverside, CA 92501-3335 (951) 684-2171 [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

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 4 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. 6 On March 15, 2013, I served the foregoing document(s) described as [PROPOSED, 7 REVISED STIPULATION REGARDING THE DEPOSITION AND TRIAL TESTIMONY OF CROSS-DEFENDANT MIRACLE IMPROVEMENT 8 CORPORATION, A CALIFORNIA CORPORATION, DBA GOLDEN SANDS MOBILE HOME PARK, AKA GOLDEN SANDS TRAILER PARK, NAMED HEREIN AS ROE 9 1121 10 on the interested parties in this action in the following manner: 11 BY ELECTRONIC SERVICE – I posted the document(s) listed above to the Santa Clara County Superior Court website, http://www.scefiling.org, in the action of the 12 Antelope Valley Groundwater Cases, 13 I declare under penalty of perjury under the laws of the State of California that the 14 foregoing is true and correct. 15 Executed on March 15, 2013 at Riverside, California. 16 17 18 19 20 21 22 23 24 25 26 27

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

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