

Attorneys for Cross-Defendant  
SHEEP CREEK WATER COMPANY, INC.

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| Coordination Proceeding<br>Special Title (Rule 1550(b))  | ) | Judicial Council Coordination<br>Proceeding No. 4408  |
| <b>ANTELOPE VALLEY<br/>GROUNDWATER CASES</b>   | ) | Santa Clara Case No. 1-05-CV-049053<br>Assigned to the Honorable Jack Komar<br>Department 17C                                     |
| Including <u><b>Consolidated</b></u> Actions:  | ) |   |
| <b>Los Angeles County Waterworks District<br/>No. 40 v. Diamond Farming Co.</b><br>Superior Court of California, County of Los<br>Angeles, Case No. BC 325 201   | ) | <b>CROSS-DEFENDANT SHEEP CREEK<br/>WATER COMPANY, INC.'S NOTICE OF<br/>INTENTION REGARDING<br/>PARTICIPATION IN PHASE 5 TRIAL</b> |
| <b>Los Angeles County Waterworks District<br/>No. 40 v. Diamond Farming Co.</b><br>Superior Court of California, County of<br>Kern, Case No. S-1500-CV-254-348   | ) | Date of Trial: February 10, 2014<br>Time: 9:00 A.M.   |
| <b>Wm. Bolthouse Farms, Inc. v. City of<br/>Lancaster</b><br><b>Diamond Farming Co. v. City of<br/>Lancaster</b><br><b>Diamond Farming Co. v. Palmdale<br/>Water Dist.</b><br>Superior Court of California, County of<br>Riverside, consolidated actions, Case Nos.<br>RIC 353 840, RIC 344 436, RIC 344 668 | ) | For Court's Use Only:<br>Santa Clara County<br>Case No. 1-05-CV-049053<br>(For E-Posting/E-Service Purposes Only)                 |
| <b>AND RELATED ACTIONS.</b>  | ) |   |

AND RELATED ACTIONS.

CROSS-DEFENDANT SHEEP CREEK WATER COMPANY, INC.'S NOTICE OF  
INTENTION REGARDING PARTICIPATION IN PHASE 5 TRIAL

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 Cross-Defendant SHEEP CREEK WATER COMPANY INC., by and through their  
3 attorneys of record, Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis and Marlene  
4 L. Allen-Hammarlund, hereby submits its NOTICE OF INTENTION REGARDING  
5 PARTICIPATION IN PHASE 5 TRIAL ("Notice") as follows:

6 1. **Federal Reserve Right:** SHEEP CREEK WATER COMPANY, INC. does not  
7 intend to participate in the Phase 5 Trial on the issue of the federal reserved right, unless an issue  
8 arises through discovery or otherwise that would affect its rights or place it at risk. To that  
9 extent, SHEEP CREEK WATER COMPANY, INC. reserves its right to participate in the Phase  
10 5 Trial on this issue.

11 2. **Return Flows:** SHEEP CREEK WATER COMPANY, INC. does not intend to  
12 participate in the Phase 5 Trial on the issue of return flows, unless an issue arises through  
13 discovery or otherwise that would affect its rights or place it at risk. To that extent, SHEEP  
14 CREEK WATER COMPANY, INC. reserves its right to participate in the Phase 5 Trial on this  
15 issue.

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17 DATED: October 15, 2013

Respectfully submitted,

18 GRESHAM SAVAGE NOLAN & TIDEN, PC

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21 By: 

22 MICHAEL DUANE DAVIS, ESQ.  
23 MARLENE L. ALLEN-HAMMARLUND, ESQ.  
24 DEREK R. HOFFMAN, ESQ.  
25 Attorneys for CROSS-DEFENDANT  
26 SHEEP CREEK WATER COMPANY, INC.  
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