

5 Shadow Acres 8

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

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

17 Including Consolidated Actions:

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

) **CROSS-DEFENDANT/CROSS-**
) **COMPLAINANT, ANTELOPE VALLEY**
) **UNITED MUTUAL GROUP,**
) **SPECIFICALLY SHADOW ACRES**
) **MUTUAL WATER COMPANY'S,**
) **FIRST SUPPLEMENTAL RESPONSE**
) **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,
Case No. S-1500-CV-254-348

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

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

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

28 **AND RELATED ACTIONS.**

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

2 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
3 **GROUP** [comprised of Antelope Park Mutual Water Co., Aqua-J Mutual Water Co., Averydale
4 Mutual Water Co., Baxter Mutual Water Co., Bleich Flat Mutual Water Co., Colorado Mutual
5 Water Co., Eldorado Mutual Water Co., Evergreen Mutual Water Co., Land Projects Mutual
6 Water Co., Landale Mutual Water Co., Shadow Acres Mutual Water Co., Sundale Mutual Water
7 Co., Sunnyside Farms Mutual Water Co., Tierra Bonita Mutual Water Co., Westside Park
8 Mutual Water Co., and White Fence Farms Mutual Water Co., Inc.], by and through their
9 attorneys of record, Gresham Savage Nolan & Tilden, PC, by Michael Duane Davis, Marlene L.
10 Allen-Hammarlund and Derek R. Hoffman, submit the following supplemental information and
11 materials for **SHADOW ACRES MUTUAL WATER COMPANY**, under penalty of perjury,
12 in response to the December 12, 2012 Discovery Order for Phase 4 Trial (the "*Discovery*
13 *Order*"), issued by the Honorable Jack Komar, Trial Judge.

14 Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED MUTUAL**
15 **GROUP**, and specifically **SHADOW ACRES MUTUAL WATER COMPANY**, made a good
16 faith effort to fully and accurately respond to the categories of information required by the
17 *Discovery Order* in the Discovery Responses that it filed on December 21, 2012. However, due
18 to the shortness of time between the issuance of the order and the degree of detail required by the
19 *Discovery Order*, Cross-Defendant / Cross-Complainant, **ANTELOPE VALLEY UNITED**
20 **MUTUAL GROUP** hereby supplements its responses for **SHADOW ACRES MUTUAL**
21 **WATER COMPANY** to include information and documents responsive to the *Discovery Order*
22 which were obtained after the December 21, 2012 deadline, and reserves the right to further
23 supplement its responses pursuant to the *Code of Civil Procedure* and this Court's December 12,
24 2012 *Case Management Order for Phase Four Trial* and this Court's January 17th *First*
25 *Amendment to Case Management Order for Phase Four Trial*.

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1 Each supplemental response is identified by reference to specific responses and
2 documents provided in the **Shadow Acres Mutual Water Company** section of *Cross-*
3 *Defendant/Cross-Complainant, Antelope Valley United Mutual Group's Information and*
4 *Materials Responsive To December 12, 2012 Discovery Order For Phase 4 Trial* (the "*Original*
5 *Responses*").

6 These Supplemental Responses are verified by Jeanne Miller, whose name and title are
7 set forth in the Verification block at the end of these supplemental Responses. Ms. Miller is
8 authorized to make said verification on behalf of the Shadow Acres Mutual Water Company.
9 Ms. Miller has personal knowledge that the data and the documentation provided by these
10 Supplemental Responses were collected and are maintained by Shadow Acres Mutual Water
11 Company's employees, agents and vendors in the ordinary course of Shadow Acres Mutual
12 Water Company's business. Ms. Miller has obtained (or caused to be obtained) the data and
13 documentation provided by the Supplemental Responses from the business records of Shadow
14 Acres Mutual Water Company. Ms. Miller has reviewed these Supplemental Responses and
15 believes the data and documentation to be true and correct to the best of his knowledge and
16 belief.

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1 **Original Response III.1.b. Amount of Return Flows Pumped** is amended as follows:

- 2 • Shadow Acres Mutual Water Company – Morrison Well Maintenance Reports, 2011 and
- 3 2012
- 4 • Shadow Acres Mutual Water Company – AVEK Water Agency Purchase Log, 2011 and
- 5 2012
- 6 • Shadow Acres Mutual Water Company – AVEK Water Agency Sales Journal, 2011 and
- 7 2012

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9 **Original Response III.1.d. Amount of Water Imported** is amended as follows:

- 10 • Shadow Acres Mutual Water Company – Morrison Well Maintenance Reports, 2011 and
- 11 2012
- 12 • Shadow Acres Mutual Water Company – AVEK Water Agency Purchase Log, 2011 and
- 13 2012
- 14 • Shadow Acres Mutual Water Company – AVEK Water Agency Sales Journal, 2011 and
- 15 2012

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17 **Original Response III.1.g. Dates of Importation of Water** is supplemented to include the

18 following additional information:

- 19 • Shadow Acres Mutual Water Company – Morrison Well Maintenance Reports, 2011 and
- 20 2012
- 21 • Shadow Acres Mutual Water Company – AVEK Water Agency Purchase Log, 2011 and
- 22 2012
- 23 • Shadow Acres Mutual Water Company – AVEK Water Agency Sales Journal, 2011 and
- 24 2012

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26 **Original Response III.1. Specifically Requested Non-Overlying Information** is supplemented

27 to include references to the following materials provided with this *First Supplemental Response*

1 as Attachment III.1. in support of Shadow Acres Mutual Water Company's claims for return
2 flows and imported water.
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1 Verification by Authorized Individual:

2 I, Jeanne Miller am the Record Keeper and Office Manager of the Shadow Acres Mutual
3 Water Company and have personal knowledge of the facts set forth above.

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

7 Executed this 25 th day of January, 2013 at Lancaster, CA.

8 
9
10 JEANNE MILLER

11 Respectfully submitted,

12 GRESHAM SAVAGE NOLAN & TIDEN, PC

13 By: 

14 MICHAEL DEANE DAVIS, ESQ.
15 MARJENE L. ALLEN-HAMMAR LUND, ESQ.
16 DEREK R. HOFFMAN, ESQ.
17 Attorneys for CROSS-DEFENDANT CROSS-
18 COMPLAINANT, ANTELOPE VALLEY UNITED
19 MUTUAL GROUP; and CROSS-DEFENDANTS,
20 ADAMS BENNETT INVESTMENTS, LLC, MIRACLE
21 IMPROVEMENT CORPORATION dba GOLDEN
22 SANDS MOBILE HOME PARK, aka GOLDEN
23 SANDS TRAILER PARK [ROE 1121], ST
24 ANDREW'S ABBEY, INC. [ROE 623], SERVICE
25 ROCK PRODUCTS, L.P., and SHILOH CREEK WATER
26 COMPANY, INC.
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**PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

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

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.

On January 30, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY SHADOW ACRES MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012 DISCOVERY ORDER FOR PHASE 4 TRIAL** on the interested parties in this action in the following manner:

(X) **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 Antelope Valley Groundwater Cases,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 30, 2013, at Riverside, California.


DINA M. SNIDER