

5 Sunnyside Farms 8

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6 Attorneys for Cross-Defendant/Cross-Complainant,
7 ANTELOPE VALLEY UNITED MUTUAL GROUP; and
8 Cross-Defendants, ADAMS BENNETT INVESTMENTS,
9 LLC; MIRACLE IMPROVEMENT CORPORATION dba
10 GOLDEN SANDS MOBILE HOME PARK, aka
11 GOLDEN SANDS TRAILER PARK, named as ROE
12 1121; ST. ANDREW'S ABBEY, INC., named as ROE
13 623; SERVICE ROCK PRODUCTS, L.P.; and SHEEP
14 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

16 Including Consolidated Actions:

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

) **CROSS-DEFENDANT/CROSS-**
) **COMPLAINANT, ANTELOPE VALLEY**
) **UNITED MUTUAL GROUP,**
) **SPECIFICALLY SUNNYSIDE FARMS**
) **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.**
22 Superior Court of California, County of Kern,
23 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)

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

27 **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 **SUNNYSIDE FARMS MUTUAL WATER COMPANY**, under penalty of
12 perjury, 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 **SUNNYSIDE FARMS MUTUAL WATER COMPANY**, made a
16 good 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 **SUNNYSIDE FARMS 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 **Sunnyside Farms 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 Sunnyside Farms 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 Sunnyside Farms Mutual Water
11 Company's employees, agents and vendors in the ordinary course of Sunnyside Farms 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 Sunnyside
14 Farms 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 Maintenance, Well Logs; Southern California Edison Past Billing History (January 1991
2 – January 2012).

- 3 • Sunnyside Farms Mutual Water Company – Google, Well Number 2, Multiple Point Test
4 Summary; Hydraulic Test Results (February 2003 – August 2012); Morrison Well
5 Maintenance, Well Logs; Southern California Edison Past Billing History (January 1991
6 – January 2012).
- 7 • Sunnyside Farms Mutual Water Company – Google, Tank Site and Well Number 3,
8 Multiple Point Test Summary; Hydraulic Test Results (February 2003 – August 2012);
9 Morrison Well Maintenance, Well Logs; Southern California Edison Past Billing History
10 (January 1991 – January 2012).
- 11 • Sunnyside Farms Mutual Water Company – Southern California Edison Electricity Usage
12 Data, 2012
- 13 • Sunnyside Farms Mutual Water Company – Southern California Edison Past Billing
14 History for Well #3 Booster Station, January 1988 to December 2012, and Multiple Point
15 Test Summaries.
- 16 • Sunnyside Farms Mutual Water Company – Southern California Edison Past Billing
17 History for Well #2, January 1988 to December 2012, and Multiple Point Test
18 Summaries.
- 19 • Sunnyside Farms Mutual Water Company – Southern California Edison Past Billing
20 History for Well #1, January 1988 to December 2012, and Multiple Point Test
21 Summaries.
- 22 • Sunnyside Farms Mutual Water Company – Southern California Edison Statement of
23 Account, January 18, 2013.

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25 **Original Response I.3.b. *Prima Facie* Property Uses Materials** included documents which
26 were attached but not specifically referenced in the responses due to the necessary haste in which
27 those responses were prepared in order to comply with the December 21, 2012 deadline.

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2 **Original Response I.3.c. Additional Materials** is supplemented to include references to the
3 following additional documents:

- 4 • Sunnyside Farms Mutual Water Company – Articles of Incorporation
- 5 • Sunnyside Farms Mutual Water Company – By-Laws (amended)
- 6 • Sunnyside Farms Mutual Water Company – Share Certificate (exemplar)

7
8 **Original Response III.1.b. Amount of Return Flows Pumped** is amended as follows:

- 9 • Sunnyside Farms Mutual Water Company – AVEK Water Agency, Sales Journal,
10 2012
- 11 • Sunnyside Farms Mutual Water Company – Morrison Well Maintenance, 2011 and
12 2012.

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

- 15 • Sunnyside Farms Mutual Water Company – AVEK Water Agency, Sales Journal,
16 2012
- 17 • Sunnyside Farms Mutual Water Company – Morrison Well Maintenance, 2011 and
18 2012.

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20 **Original Response III.1.g. Dates of Importation of Water** is supplemented to include the
21 following additional information:

- 22 • Sunnyside Farms Mutual Water Company – AVEK Water Agency, Sales Journal,
23 2012
- 24 • Sunnyside Farms Mutual Water Company – Morrison Well Maintenance, 2011 and
25 2012.

1 **Original Response III.1. Specifically Requested Non-Overlying Information is supplemented**
2 to include references to the following materials provided with this *First Supplemental Response*
3 as Attachment III.1. in support of Sunnyside Farms Mutual Water Company's claims for return
4 flows and imported water.

1 Verification by Authorized Individual:

2 I, Jeanne Miller am the Record Keeper and Office Manager of the Sunnyside Farms
3 Mutual 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 25th 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 MARLENE L. ALLEN-HAMMARLUND, ESQ.
16 DEREK R. HOFFMAN, ESQ.
17 Attorneys for CROSS-DEFENDANT 1, 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 SHEEP 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 31, 2013, I served the foregoing document(s) described as **CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY SUNNYSIDE FARMS 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.scefilings.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 31, 2013, at Riverside, California.


DINA M. SNIDER