

5 West Side Park 11

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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
Special Title (Rule 1550(b))

) Judicial Council Coordination
) Proceeding No. 4408

14 **ANTELOPE VALLEY GROUNDWATER**
15 **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**
No. 40 v. Diamond Farming Co.
18 Superior Court of California, County of Los
Angeles, Case No. BC 325 201

) **CROSS-DEFENDANT/CROSS-**
) **COMPLAINANT, ANTELOPE VALLEY**
) **UNITED MUTUAL GROUP,**
) **SPECIFICALLY WEST SIDE PARK**
) **MUTUAL WATER COMPANY'S,**
) **FIRST SUPPLEMENTAL RESPONSE**
) **TO DECEMBER 12, 2012 DISCOVERY**
) **ORDER FOR PHASE 4 TRIAL**

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

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

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

27 **AND RELATED ACTIONS.**

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CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY
WEST SIDE PARK MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012
DISCOVERY ORDER FOR PHASE 4 TRIAL

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

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- 2005: 304 acre feet
- 2006: 302.9 acre feet
- 2007: 326 acre feet
- 2008: 323.7 acre feet
- 2009: 307.4 acre feet
- 2010: 289 acre feet

Original Response I.3.a. *Prima Facie* Groundwater Production Materials included documents which were attached but not specifically referenced in the responses due to the necessary haste in which those responses were prepared in order to comply with the December 21, 2012 deadline.

- West Side Park Mutual Water Company – California Department of Public Health, Water Supply Permit
- West Side Park Mutual Water Company – Water Distribution Schematics
- West Side Park Mutual Water Company – Well Data Sheets for Well No. 2
- West Side Park Mutual Water Company – Well Completion Report for Well No. 2
- West Side Park Mutual Water Company – photographs of production, storage and distribution facilities and infrastructure.

- 1 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 2 Test Summary, Meter Reading Data, Edison Records, 2000
- 3 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 4 Test Summary, Meter Reading Data, Edison Records, 2001
- 5 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 6 Test Summary, Meter Reading Data, Edison Records, 2002
- 7 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 8 Test Summary, Meter Reading Data, Edison Records, 2003
- 9 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 10 Test Summary, Meter Reading Data, Edison Records, 2004
- 11 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 12 Test Summary, Meter Reading Data, Edison Records, 2005
- 13 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 14 Test Summary, Meter Reading Data, Edison Records, 2006
- 15 • West Side Park Mutual Water Company – Southern California Edison Multiple Point
- 16 Test Summary, Meter Reading Data, Edison Records, 2007
- 17 • West Side Park Mutual Water Company – Southern California Edison, Meter Reading
- 18 Data, Edison Records, 2008
- 19 • West Side Park Mutual Water Company – Southern California Edison, Meter Reading
- 20 Data, Edison Records, 2009
- 21 • West Side Park Mutual Water Company – Southern California Edison, Meter Reading
- 22 Data, Edison Records, 2010
- 23 • West Side Park Mutual Water Company – Southern California Edison, Hydraulic Test
- 24 Results, Meter Reading Data, Edison Records, Statement of Account, 2011
- 25 • West Side Park Mutual Water Company – Southern California Edison, Hydraulic Test
- 26 Results, Meter Reading Data, Edison Records, Statement of Account, 2012
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- West Side Park Mutual Water Co. "Report to DWR" summary spreadsheet of groundwater pumped and AVEK water purchased
- Annual Notices of Groundwater Extraction for WSP Well #1 and #2 for years 2008 - 2010

Original Response I.3.b. *Prima Facie* Property Uses Materials is supplemented to include references to the following additional documents:

- West Side Park Mutual Water Company – Annual Property Tax Bill, 2012

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

- West Side Park Mutual Water Company – Articles of Incorporation
- West Side Park Mutual Water Company – By-Laws (amended)
- West Side Park Mutual Water Company – Share Certificate (exemplar)

Original Response III.1.b. Amount of Return Flows Pumped is corrected and supplemented as follows:

- **2000:** 10.5 acre feet
- **2001:** 29.4 acre feet
- **2002:** 34.7 acre feet
- **2003:** 25.9 acre feet
- **2004:** 32.9 acre feet
- **2005:** 8.6 acre feet
- **2006:** 12.6 acre feet
- **2007:** 1.6 acre feet
- **2008:** 0.2 acre feet
- **2009:** 0 acre feet

- 1 • 2010: 0 acre feet
- 2 • 2011: 0 acre feet
- 3 • 2012: 0 acre feet
- 4 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 5 2000
- 6 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 7 2001
- 8 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 9 2002
- 10 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 11 2003
- 12 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 13 2004
- 14 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 15 2005
- 16 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 17 2006
- 18 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 19 2007
- 20 • West Side Park Mutual Water Co. “Report to DWR” summary spreadsheet of
- 21 groundwater pumped and AVEK water purchased
- 22 • Annual Notices of Groundwater Extraction for WSP Well #1 and #2 for years 2008 -
- 23 2010

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1 **Original Response III.1.d. Amount of Water Imported** is corrected and supplemented as
2 follows:

- 3 • **2000:** 23.4 acre feet
- 4 • **2001:** 65.4 acre feet
- 5 • **2002:** 77 acre feet
- 6 • **2003:** 57.6 acre feet
- 7 • **2004:** 73.1 acre feet
- 8 • **2005:** 19 acre feet
- 9 • **2006:** 28.1 acre feet
- 10 • **2007:** 3.6 acre feet
- 11 • **2008:** 0.5 acre feet
- 12 • **2009:** 0 acre feet
- 13 • **2010:** 0 acre feet
- 14 • **2011:** 0 acre feet
- 15 • **2012:** 0 acre feet
- 16 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
17 2000
- 18 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
19 2001
- 20 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
21 2002
- 22 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
23 2003
- 24 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
25 2004
- 26 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
27 2005

- West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices, 2006
- West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices, 2007
- West Side Park Mutual Water Co. “Report to DWR” summary spreadsheet of groundwater pumped and AVEK water purchased
- Annual Notices of Groundwater Extraction for WSP Well #1 and #2 for years 2008 - 2010

Original Response III.1.g. Dates of Importation of Water is corrected and supplemented to as follows:

- **2000:** 23.4 acre feet
- **2001:** 65.4 acre feet
- **2002:** 77 acre feet
- **2003:** 57.6 acre feet
- **2004:** 73.1 acre feet
- **2005:** 19 acre feet
- **2006:** 28.1 acre feet
- **2007:** 3.6 acre feet
- **2008:** 0.5 acre feet
- **2009:** 0 acre feet
- **2010:** 0 acre feet
- **2011:** 0 acre feet
- **2012:** 0 acre feet
- West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices, 2000

- 1 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 2 2001
- 3 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 4 2002
- 5 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 6 2003
- 7 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 8 2004
- 9 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 10 2005
- 11 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 12 2006
- 13 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 14 2007
- 15 • West Side Park Mutual Water Co. “Report to DWR” summary spreadsheet of
- 16 groundwater pumped and AVEK water purchased
- 17 • Annual Notices of Groundwater Extraction for WSP Well #1 and #2 for years 2008 -
- 18 2010

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20 **Original Response III.1. Specifically Requested Non-Overlying Information is supplemented**
21 to include references to the following materials provided with this *First Supplemental Response*
22 as Attachment III.1. in support of West Side Park Mutual Water Company’s claims for return
23 flows and imported water:

- 24 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 25 2000
- 26 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
- 27 2001

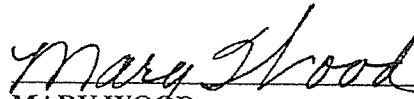
- 1 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
2 2002
- 3 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
4 2003
- 5 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
6 2004
- 7 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
8 2005
- 9 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
10 2006
- 11 • West Side Park Mutual Water Company – AVEK Water Agency, Purchase Invoices,
12 2007
- 13 • West Side Park Mutual Water Co. “Report to DWR” summary spreadsheet of
14 groundwater pumped and AVEK water purchased
- 15 • Annual Notices of Groundwater Extraction for WSP Well #1 and #2 for years 2008 -
16 2010

1 Verification by Authorized Individual:

2 I, Mary Wood am a Board Member of the West Side Park Mutual Water Company and
3 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 26 th day of January, 2013 at Lancaster, CA.

8
9 
10 MARY WOOD

11 Respectfully submitted,

12 GRESHAM SAVAGE NOLAN & TIDEN, PC

13 By: 

14 MICHAEL DUANE DAVIS, ESQ.

15 MARLENE L. ALLEN-HAMMARLUND, 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 SHEEP CREEK WATER

26 COMPANY, INC.

27
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CROSS-DEFENDANT/CROSS-COMPLAINANT, ANTELOPE VALLEY UNITED MUTUAL GROUP, SPECIFICALLY
WEST SIDE PARK MUTUAL WATER COMPANY'S, FIRST SUPPLEMENTAL RESPONSE TO DECEMBER 12, 2012
DISCOVERY ORDER FOR PHASE 4 TRIAL

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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 WEST SIDE PARK 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