

Michael Duane Davis, SBN 093678
Marlene L. Allen-Hammarlund, SBN 126418
Derek R. Hoffman, SBN 285784
GRESHAM SAVAGE NOLAN & TILDEN, PC
3750 University Avenue, Suite 250
Riverside, CA 92501-3335
Telephone: (951) 684-2171
Facsimile: (951) 684-2150

Attorneys for Cross-Defendant/Cross-Complainant,
A.V. UNITED MUTUALS GROUP; and Cross-
Defendants, ADAMS BENNETT INVESTMENTS,
LLC; MIRACLE IMPROVEMENT CORPORATION
dba GOLDEN SANDS MOBILE HOME PARK, aka
GOLDEN SANDS TRAILER PARK, named as ROE
1121; ST. ANDREW'S ABBEY, INC., named as ROE
623; WHITE FENCE FARMS PRODUCTS, L.P.; and
SHEEP CREEK WATER COMPANY, INC.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES**

Coordination Proceeding
Special Title (Rule 1550(b))

Judicial Council Coordination
Proceeding No. 4408

**ANTELOPE VALLEY GROUNDWATER
CASES**

Santa Clara Case No. 1-05-CV-049053
Assigned to the Honorable Jack Komar
Department 17C

Including Consolidated Actions:

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

**REQUEST FOR JUDICIAL NOTICE BY
CROSS-DEFENDANT/CROSS-
COMPLAINANT ANTELOPE VALLEY
UNITED MUTUALS GROUP FOR
PHASE 5 TRIAL**

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

Phase 5 Trial Date: February 10, 2014
Time: 9:00 A.M.
Dept.: Dept. 1
Judge: Hon. Jack Komar

**Wm. Bolthouse Farms, Inc. v. City of
Lancaster**
Diamond Farming Co. v. City of Lancaster
**Diamond Farming Co. v. Palmdale Water
Dist.**
Superior Court of California, County of
Riverside, consolidated actions, Case Nos. RIC
353 840, RIC 344 436, RIC 344 668

AND RELATED ACTIONS.

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 Cross-Defendants / Cross-Complainants, El Dorado Mutual Water Co. ("El Dorado"),
3 Landale Mutual Water Co. ("Landale"), Shadow Acres Mutual Water Co. ("Shadow Acres"),
4 Sunnyside Farms Mutual Water Co. ("Sunnyside Farms"), West Side Park Mutual Water Co.
5 ("Westside Park"), and White Fence Farms Mutual Water Co., Inc. ("White Fence Farms")
6 [which are six of the 16 mutual water companies that comprise the **A. V. UNITED MUTUALS**
7 **GROUP**], by and through their attorneys of record, Gresham Savage Nolan & Tilden, PC, by
8 Michael Duane Davis, Marlene L. Allen-Hammarlund, and Derek R. Hoffman hereby request,
9 pursuant to California *Evidence Code* §§ 452 and 453, that the Court take judicial notice of the
10 following documents listed below. Under § 453 of the *Evidence Code*, this Request for Judicial
11 Notice is conditionally mandatory and must be granted if sufficient notice is given to the adverse
12 parties and if the Court is furnished with sufficient information to enable it to take notice of the
13 matter.

14 By this Request, the A.V. United Mutuals Group gives the Court and all parties sufficient
15 notice and information to enable them to take judicial notice of the documents attached hereto
16 and referred to by their trial exhibit number.

17
18 **TRIAL EXHIBIT NO.**

DESCRIPTION

19 5-AVUMG-1	Order After Hearing on January 27, 2014, 1. Motion by Cross 20 Complainant Antelope Valley-East Kern Water Agency ("AVEK") 21 for Summary Judgment/Summary Adjudication," which was posted to the Santa Clara County Superior Court website on January 30, 22 2014.
23 5-AVUMG-2	Opposition to AVEK's Motion for Summary Adjudication which 24 was filed by Los Angeles County Waterworks District No. 40, which was posted to the Santa Clara County Superior Court website on 25 December 27, 2013.
26 5-AVUMG-3	AVEK 2008 Urban Water Management Plan, dated January 13, 27 2009, pages 14-15 of 39.

5-AVUMG-4	Court's Transcript from Phase 3 Trial proceedings on October 16, 2013, which is attached as Exhibit LL to Los Angeles County Waterworks District No. 40's Supplemental Request for Judicial Notice of Phase Three Trial Testimonies and Exhibits, Pages 17-18 and 24-26, which was posted to the Santa Clara County Superior Court website on January 24, 2014. ¹
5-AVUMG-5	"City of Palmdale's Proposition 1E Stormwater Flood Management Grant Proposal for the Upper Amargosa Creek Flood Control, Recharge and Habitat Restoration Project", dated April 15, 2011.
5-AVUMG-6	Department of Water Resources, Bulletin No. 91-12 "Water Wells in the Eastern Part of the Antelope Valley Area Los Angeles County, California" prepared by the U.S. Department of the Interior Geological Survey, Dec. 1966, pp. D-44-D-46, D-49-D-50, D-116.
5-AVUMG-7	AVEK 2010 Urban Water Management Plan, dated June 20, 2011, pages 3-1 and 3-2.
5-AVUMG-8	"Study of Potential Recharge Sites in the Antelope Valley, prepared for Antelope Valley State Water Contractors Association" by Stetson Engineers, Inc., dated September 2002.
5-AVUMG-9	Antelope Valley Integrated Regional Water Management Plan, 2007, with highlights for emphasis.

Dated: February 7, 2014.

GRESHAM SAVAGE NOLAN & TILDEN, PC

By:



Michael Duane Davis, Esq.

Marlene L. Allen-Hammarlund, Esq.

Derek R. Hoffman, Esq.

Attorneys for CROSS-DEFENDANT / CROSS-COMPLAINANT, A. V. UNITED MUTUALS GROUP; and CROSS-DEFENDANTS, ADAMS BENNETT INVESTMENTS, LLC, MIRACLE IMPROVEMENT CORPORATION dba GOLDEN SANDS MOBILE HOME PARK, aka GOLDEN SANDS TRAILER PARK [ROE 1121], ST. ANDREW'S ABBEY, INC. [ROE 623], WHITE FENCE FARMS PRODUCTS, L.P., and SHEEP CREEK WATER COMPANY, INC.

¹ A. V. United Mutuals Group has also filed a Joinder to Los Angeles County Waterworks District No. 40's Supplemental Request for Judicial Notice of Phase Three Trial Testimonies and Exhibits, which includes the transcript as Exhibit "LL".

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

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: 550 East Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205.

On February 7, 2014 I served the foregoing document(s) described as **REQUEST FOR JUDICIAL NOTICE BY CROSS-DEFENDANT/CROSS-COMPLAINANT ANTELOPE VALLEY UNITED MUTUALS GROUP FOR PHASE 5 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 February 7, 2014, at San Bernardino, California.


DINA M. SNIDER