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Attorneys for Cross-Defendant, ADAMS  
BENNETT INVESTMENTS, LLC; Cross-  
Defendants and Cross-Complainants, ANTELOPE  
VALLEY UNITED MUTUALS GROUP  
[comprised of Antelope Park Mutual Water Co.,  
Aqua-J Mutual Water Co., Averydale Mutual Water  
Co., Baxter Mutual Water Co., Bleich Flat Mutual  
Water Co., Colorado Mutual Water Co., Eldorado  
Mutual Water Co., Evergreen Mutual Water Co.,  
Land Projects Mutual Water Co., Landale Mutual  
Water Co., Shadow Acres Mutual Water Co.,  
Sundale Mutual Water Co., Sunnyside Farms  
Mutual Water Co., Tierra Bonita Mutual Water Co.,  
Westside Park Mutual Water Co. and White Fence  
Farms Mutual Water Co.]; and Cross-Defendants,  
MIRACLE IMPROVEMENT CORPORATION  
DBA GOLDEN SANDS MOBILE HOME PARK,  
AKA GOLDEN SANDS TRAILER PARK,  
NAMED AS ROE 1121; SAINT ANDREW'S  
ABBAY, INC., NAMED AS ROE 623; SERVICE  
ROCK PRODUCTS, L.P.; and SHEEP CREEK  
WATER COMPANY

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

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

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

**CAPTION CONTINUED ON NEXT PAGE**

Judicial Council Coordination  
Proceeding No. 4408

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

**DECLARATION OF CROSS-  
DEFENDANT, SHEEP CREEK WATER  
COMPANY IN SUPPORT OF PROVE-  
UP 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

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.

PROVE-UP

Trial Date: September 28, 2015  
Time: 10:00 A.M.  
Dept.: Dept. 1, Los Angeles  
Judge: Hon. Jack Komar

1. This declaration is made in support of the [Proposed] Judgment and Physical Solution filed with the court on March 4, 2015 on behalf of Cross-Defendant **SHEEP CREEK WATER COMPANY** ("Declarant").

2. The signatory to this Declaration has personal knowledge of each fact herein and would testify competently thereto under oath. The signatory to this Declaration is Declarant's General Manager.

3. Declarant is an active California mutual benefit non-profit corporation, with an entity address of Post Office Box 291820 Phelan, CA 92329. It was formed on January 7, 1914. Its membership is comprised of the owners of the lots that are situated within its service area. [From Declarant's Responses to December 12, 2012 Discovery Order for Phase 4 Trial, Responses I.1.b. and I.3.c.; and supporting documents at Attachments I.3.b.i. and I.3.c.i. thereto].

4. Declarant is the record owner of certain parcels of real property that overlie the Antelope Valley Area of Adjudication. The real property is located in Los Angeles County and is identified by Assessor's Parcel Numbers 3089-012-004 and 3089-012-008. [From Declarant's Responses to December 12, 2012 Discovery Order for Phase 4 Trial, Responses I.1.a., I.3.b. and I.3.c.; and supporting documents at Attachments I.3.b.i. and I.3.c.i. thereto; Master

1 **Stipulation Regarding Pumping During Calendar Years 2011 and 2012 [for Phase 4 Trial];**  
2 **Exhibit 4 to [Proposed] Judgment and Physical Solution].**

3 5. Based on Los Angeles County Assessor's Map information, Declarant's service  
4 area is comprised of approximately two point three six (2.36) acres; specifically as to Assessor's  
5 Parcel Numbers 3089-012-004 [1.10 acres] and 3089-012-008 [1.26 acres]. **[From Declarant's**  
6 **Responses to December 12, 2012 Discovery Order for Phase 4 Trial, Responses I.1.a. and**  
7 **I.3.b. and supporting documents at Attachment I.3.b.i. thereto].**

8 6. Declarant claims the unexercised right to produce and use groundwater with  
9 regard to the parcels of real property described in Paragraph 5, above. Declarant also claims the  
10 right to import, inject or percolate, store, extract and export water produced from its wells in San  
11 Bernardino County pursuant to its State of California, Division of Water Rights, Department of  
12 Public Works Decision No. 3883 D-119, Decision dated August 24, 1926 and 1931 Stipulated  
13 Judgment in Riverside County Superior Court Case No. 15585, subject to the provisions for such  
14 that are set forth in the [Proposed] Judgment and Physical Solution. **[From Declarant's**  
15 **Responses to December 12, 2012 Discovery Order for Phase 4 Trial, Responses I.1.a., I.1.c.,**  
16 **I.1.h., I.1.j., I.3.a. and I.3.b.; and supporting documents at Attachments I.3.a.i. and I.3.b.i.**  
17 **thereto].**

18 7. Though Declarant drilled a well on APN 3089-012-004 in April 2007, it has not  
19 produced any groundwater from that well for any purpose other than testing and planning for the  
20 eventual exercise of its claimed rights as described in Paragraph 6, above. Declarant has  
21 produced no groundwater from, nor used any produced groundwater on the parcels of real  
22 property described in Paragraph 5, above, during the years 2000 through 2004 or 2011 through  
23 2012. **[From Declarant's Responses to December 12, 2012 Discovery Order for Phase 4**  
24 **Trial, Responses I.1.c., I.1.d., I.1.e., I.1.h., I.1.j., I.3.a. and I.3.b.; and supporting documents**  
25 **at Attachments I.3.a.i. and I.3.b.i.; Master Stipulation Regarding Pumping During**  
26 **Calendar Years 2011 and 2012 [for Phase 4 Trial]; Exhibit 4 to [Proposed] Judgment and**  
27 **Physical Solution].**  
28

1           8.       Declarant put no groundwater produced from the Property within the Area of  
2 Adjudication to use on the parcels of real property described in Paragraph 5, above, for any  
3 purpose during the years 2000 through 2004 or 2011 through 2012. **[From Declarant's**  
4 **Responses to December 12, 2012 Discovery Order for Phase 4 Trial, Responses I.1.c., I.1.d.,**  
5 **I.1.e., I.1.f., I.1.g. and I.1.h.; Master Stipulation Regarding Pumping During Calendar**  
6 **Years 2011 and 2012 [for Phase 4 Trial]; Exhibit 4 to [Proposed] Judgment and Physical**  
7 **Solution].**

8           9.       All the information contained in the evidence introduced at the Phase 4 Trial is  
9 expressly incorporated herein and made a part of this Declaration for the benefit of the Declarant,  
10 as if stated verbatim as follows:

11               a.       Declarant's Responses to December 12, 2012 Discovery Order for Phase 4  
12 Trial, dated December 21, 2012, which was marked for identification and admitted into evidence  
13 as 4-SHEEPCREEK-1.

14           The undersigned declare under penalty of perjury under the laws of the State of  
15 California that the foregoing is true and correct.

16           Executed this 2<sup>nd</sup> of April, 2015, at Phelan, California.

17  
18                               By:   
19                               CHRIS CUMMINGS  
20                               ITS: General Manager  
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**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 San Bernardino, 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 Sept. 16, 2015, I served the foregoing document(s) described as **DECLARATION OF CROSS-DEFENDANT, SHEEP CREEK WATER COMPANY IN SUPPORT OF PROVE-UP 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 Sept. 16, 2015, at San Bernardino, California.



DINA M. SNIDER