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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))

) 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

) **PROVE-UP TRIAL BRIEF OF CROSS-  
DEFENDANT, MIRACLE  
IMPROVEMENT CORPORATION, DBA  
GOLDEN SANDS MOBILE HOME  
PARK, AKA GOLDEN SANDS  
TRAILER PARK [ROE 1121]**

**CAPTION CONTINUED ON NEXT PAGE**

1 Los Angeles County Waterworks District No. )  
2 40 v. Diamond Farming Co. )  
3 Superior Court of California, County of )  
4 Kern, Case No. S-1500-CV-254-348 )

5 Wm. Bolthouse Farms, Inc. v. City of )  
6 Lancaster )  
7 Diamond Farming Co. v. City of Lancaster )  
8 Diamond Farming Co. v. Palmdale Water )  
9 Dist. )

10 Superior Court of California, County of )  
11 Riverside, consolidated actions, Case Nos. RIC )  
12 353 840, RIC 344 436, RIC 344 668 )

13 AND RELATED ACTIONS )

PROVE-UP

Trial Date: September 28, 2015

Time: 10:00 A.M.

Dept.: Dept. 1, Los Angeles

Judge: Hon. Jack Komar

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

15 Cross-Defendant, **CROSS-DEFENDANT, MIRACLE IMPROVEMENT**  
16 **CORPORATION, DBA GOLDEN SANDS MOBILE HOME PARK, AKA GOLDEN**  
17 **SANDS TRAILER PARK [ROE 1121]** ("Golden Sands") by and through its attorneys of  
18 record, Michael Duane Davis, Esq., Marlene L. Allen-Hammarlund, Esq. and Derek R. Hoffman,  
19 Esq. of Gresham Savage Nolan & Tilden, PC, hereby submits the following Trial Brief for the  
20 Phase 6 [Prove-Up] Trial proceedings. Golden Sands' Witness List, Exhibit List and Declaration  
21 in Support of Phase 6 [Prove-Up] Trial have been separately submitted.

22 **1. PARTY:** Golden Sands is an active California corporation, with an entity  
23 address of 7620 Bradley Road, Somis, CA 93066. It was formed on February 7, 1958.

24 **2. PROPERTY:** Golden Sands' property, which is comprised of approximately  
25 nine point five (9.5) acres and includes the production, storage and distribution facilities thereto  
26 appertaining, is located in the County of Los, and is comprised of APN 3154-002-024  
27 ("Property").

28 **3. CLAIMS TO GROUNDWATER PRODUCTION WITHIN THE**  
**ADJUDICATION AREA:** Golden Sands claims the right to produce and use groundwater to  
serve its shareholders / customers within its Property. The maximum amount of groundwater  
produced from the Property, measured in acre feet, for the following calendar years is as follows:

- a. 2000: 42.9
- b. 2001: 43.1
- c. 2002: 44.1
- d. 2003: 46.1
- e. 2004: 48.8
- f. 2011: 46.7
- g. 2012: 44.12

**4. DETERMINATION OF PRODUCTION:** Golden Sands determined the amount of groundwater produced from the Property from well logs and meter records.

**5. USE:** The use(s) to which the groundwater produced from the Property for the calendar years listed above was for the provision of domestic water service to its trailer park residents. As such, the domestic purposes to which Golden Sands puts its water is the highest use under *Water Code* § 106.

**6. SUPPORTING INFORMATION AND DATA:**

- a. Responses to December 12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury, and filed by posting on December 21, 2012 [Court Website, Document No. 5495];
- b. First Supplemental Responses to December 12, 2012 Discovery Order for Phase 4 Trial, submitted under penalty of perjury, and filed by posting on January 15, 2013 [Court Website, Document No. 5817]; and
- c. Stipulation regarding the Deposition and Trial Testimony for Phase 4 Trial of Cross-Defendant Miracle Improvement Corporation, filed by posting on May 15, 2013 [Court Website, Document No. 6595].

**7. OFFER OF PROOF:** On September 16, 2015, Golden Sands posted its *Declaration of Golden Sands in Support of Prove-Up Trial* [Court Website, Document No. 10476] which details its existence as a California corporation; describes its Property; states the [above-stated] amount of groundwater that it produced from 2000 through 2004 and 2011 through 2012 [the 2011 and 2012 production having been established by the Court in the Phase 4

1 Trial] and how it was determined; and describes the use to which the produced and imported  
2 SWP water has been put.

3 Golden Sands will offer the *Declaration of Golden Sands in Support of Prove-Up Trial* to  
4 establish the facts declared therein and ask the Court, subject to proper objection(s) and cross-  
5 examination(s), to admit the facts therein declared into evidence to establish Golden Sands'  
6 claims and rights under the [Proposed] Judgment and Physical Solution.

7 Should the Court require Golden Sands to call its designated witness(es), it requests that  
8 the Court give it time to arrange for the designated witness(es) to appear in Court and submit  
9 their testimony, to the extent required.

10 Dated: September 22, 2015

GRESHAM SAVAGE NOLAN & TILDEN, PC

11  
12 By: 

13 MICHAEL DUANE DAVIS, ESQ.  
14 MARLENE L. ALLEN-HAMMARLUND, ESQ.  
15 DEREK R. HOFFMAN, ESQ.  
16 Attorneys for CROSS-DEFENDANT / CROSS-  
17 COMPLAINANT, A. V. UNITED MUTUAL  
18 GROUP [comprised of Antelope Park Mutual  
19 Water Co., Aqua-J Mutual Water Co., Averydale  
20 Mutual Water Co., Baxter Mutual Water Co.,  
21 Bleich Flat Mutual Water Co., Colorado Mutual  
22 Water Co., Eldorado Mutual Water Co.,  
23 Evergreen Mutual Water Co., Land Projects  
24 Mutual Water Co., Landale Mutual Water Co.,  
25 Shadow Acres Mutual Water Co., Sundale  
26 Mutual Water Co., Sunnyside Farms Mutual  
27 Water Co., Tierra Bonita Mutual Water Co.,  
28 Westside Park Mutual Water Co. and White  
Fence Farms Mutual Water Co.]; and CROSS-  
DEFENDANTS, ADAMS BENNETT  
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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.

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