

Case No. _____

IMMEDIATE STAY REQUESTED

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT

Defendant, Cross-Complainant and Petitioner,

v.

SUPERIOR COURT FOR THE STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

Respondent.

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40;
[Please see next page for additional Real Parties in Interest]

Real Parties in Interest

**NOTICE OF LODGING FEDERAL AUTHORITIES FOR VERIFIED PETITION
FOR WRIT OF MANDATE, WRIT OF PROHIBITION, OR OTHER
APPROPRIATE RELIEF AND REQUEST FOR IMMEDIATE STAY**

On Appeal From the Superior Court for the State of California,
County of Los Angeles, Case No. JCCP 4408, Hon. Jack Komar
(213) 633-0601 / (408) 882-2286

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Attorneys for Petitioner
PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT

Additional Real Parties in Interest:

BOLTHOUSE PROPERTIES, LLC; WM. BOLTHOUSE FARMS, INC.; ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION; CITY OF LANCASTER; ROSAMOND COMMUNITY SERVICES DISTRICT; CITY OF LOS ANGELES; LOS ANGELES WORLD AIRPORTS; COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY NOS. 14 AND 20; LANDINV, INC.; BRUCE BURROWS; 300 A 40 H, LLC; LITTLE ROCK SAND AND GRAVEL, INC.; THE GEORGE AND CHARLENE LANE FAMILY TRUST; THE FRANK AND YVONNE LANE 1993 FAMILY TRUST; MONTE VISTA BUILDING SITES, INC.; A.V. MATERIALS, INC.; LITTLEROCK CREEK IRRIGATION DISTRICT; PALM RANCH IRRIGATION DISTRICT; NORTH EDWARDS WATER DISTRICT; DESERT LAKE COMMUNITY SERVICES DISTRICT; LLANO DEL RIO WATER CO.; LLANO WATER CO.; BIG ROCK MUTUAL WATER CO.; PALMDALE WATER DISTRICT; STATE OF CALIFORNIA; STATE OF CALIFORNIA 50TH DISTRICT AGRICULTURAL ASSOCIATION; TEJON RANCHCORP; TEJON RANCH COMPANY; GRANITE CONSTRUCTION COMPANY; and, UNITED STATES OF AMERICA

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD
HEREIN:

PLEASE TAKE NOTICE that, pursuant to California Rules of Court, Rule 3.1113(i), Petitioner Phelan Piñon Hills Community Services District hereby lodges the following authorities in support of their Verified Petition for Writ of Mandate, Writ of Prohibition, or Other Appropriate Relief and Request for Immediate Stay:

Exhibit "A": *Ide v. United States* (1924) 263 U.S. 497

Exhibit "B": *Montana v. Wyoming* (2011) 131 S. Ct. 1765

Exhibit "C": *Mooney v. Holohan* (1935) 294 U.S. 103

Exhibit "D": *Strawberry Water Users Association v. United States*,
2006 U.S. Dist. LEXIS 19767

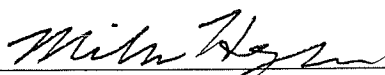
Exhibit "E": *United States v. Haga* (1921) 276 F. 41

Exhibit "F": *Department of Ecology v. U.S. Bureau of Reclamation*,
(1992) 118 Wash. 2d 761

DATED: March 23, 2015

Respectfully submitted,

ALESHIRE & WYNDER, LLP
Attorneys At Law
WESLEY A. MILIBAND
MILES P. HOGAN

By: 
WESLEY A. MILIBAND
MILES P. HOGAN
Attorneys for Petitioner PHELAN
PIÑON HILLS COMMUNITY
SERVICES DISTRICT

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612.

On March 24, 2015, I served true copies of the following document(s) described as **NOTICE OF LODGING FEDERAL AUTHORITIES FOR VERIFIED PETITION FOR WRIT OF MANDATE, WRIT OF PROHIBITION, OR OTHER APPROPRIATE RELIEF AND REQUEST FOR IMMEDIATE STAY** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY HAND DELIVERY: I am familiar with the office practice of Aleshire & Wynder, LLP for collecting and processing documents for hand delivery by a messenger courier service or a registered process server. Under that practice, documents are deposited to the Aleshire & Wynder, LLP personnel responsible for dispatching a messenger courier service or a registered process server for the delivery of documents by hand in accordance with the instructions provided to the messenger courier service or registered process server; such documents are delivered to a messenger courier service or registered process server on that same day in the ordinary course of business. I caused a sealed envelope or package containing the above-described document(s) and addressed as set forth on the Service List in accordance with the office practice of Aleshire & Wynder, LLP for collecting and processing documents for hand delivery by a messenger courier service or a registered process server.

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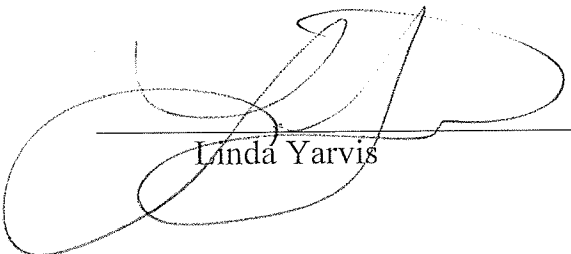
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BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the courier service or a registered process server. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents. Said envelope or package will be delivered to the courier service or a registered process server on March 25, 2015 early a.m. delivery. This envelope or package contains separate sealed envelope(s) or packages(s) inside which contain the above-described document(s) and are addressed as set forth on the Service List. Instructions were provided to the messenger courier service or registered process server to serve the sealed addressed envelope(s) or package(s) ***BY HAND ON MARCH 25, 2015.***

BY ELECTRONIC SERVICE: By posting the document(s) listed above to the Santa Clara County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service and electronic posting completed through www.scefiling.org.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 24, 2015, at Irvine, California.



Linda Yarvis

SERVICE LIST

Phelan Piñon Hills Community Services District v.
Superior Court for the State of California, County of Los Angeles
Case No. _____

<p>Superior Court for the State of California County of Los Angeles Hon. Jack Komar 111 N. Hill Street Los Angeles, CA 90012 Tel: (213) 633-0601</p>	<p>Trial Court, Respondent <i>(By Hand on 03/24/2015)</i></p>
<p>Hon. Jack Komar Santa Clara County Superior Court 161 N. First Street San Jose, CA 95113 Tel: (408) 882-2286</p>	<p>Presiding Judge <i>(By Electronic Service on 03/24/2015 completed through www.scefiling.org and By Hand on 03/25/2015)</i></p>
<p>Eric L. Garner (SBN 130665) Jeffrey V. Dunn (SBN 131926) Wendy Y. Wang (SBN 228923) Best, Best & Krieger LLP 18101 Von Karman Avenue, Suite 1000 Irvine, CA 92612 Tel: 949/263-2600 Fax: 949/260-0972 Email: eric.garner@bbklaw.com jvdunn@bbklaw.com</p>	<p><i>Attorneys for Real Party in Interest / Plaintiff,</i> Los Angeles County Waterworks District No. 40 <i>(By Hand on 03/24/2015 and By Electronic Service on 03/24/2015 completed through www.scefiling.org)</i></p>
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<p>Thomas S. Bunn III (SBN 89502) Lagerlof, Senecal, Gosney & Kruse, LLP 301 N. Lake Avenue, 10th Floor Pasadena, CA 91101-5123</p> <p>Tel: 626/793-9400 Fax: 626/793-5900 Email: tombunn@lagerlof.com</p>	<p><i>Attorneys for Real Party in Interest / Defendant / Cross-Complainant, Palmdale Water District</i></p> <p><i>(By Hand on 03/24/2015 and By Electronic Service on 03/24/2015 completed through www.scefiling.org)</i></p>

<p>Marilyn H. Leven (SBN 92800) Noah Golden-Krasner (217556) Deputy Attorney General 300 South Spring Street, Suite 1702 Los Angeles, CA 90013</p> <p>Tel: 213/897-2614 Fax: 213/897-2802 Email: Marilyn.Levin@doj.ca.gov Noah.Goldenkrasner@doj.ca.gov</p>	<p><i>Attorneys for Real Parties in Interest / Defendant, State of California and State of California 50th District Agricultural Association</i></p> <p><i>(By Hand on 03/24/2015 and By Electronic Service on 03/24/2015 completed through www.scefiling.org)</i></p>
<p>Robert G. Kuhs (SBN 160291) Bernard C. Barmann, Jr. (SBN 149890) Kuh & Parker 1200 Truxtun Avenue, Suite 200 Bakersfield, CA 93303</p> <p>Tel: 661/322-4004 Fax: 661/322-2906 Email: rgkuhs@kuhsparkerlaw.com bbarmann@kuhsparkerlaw.com</p>	<p><i>Attorneys for Real Parties in Interest / Defendant, Tejon Ranchcorp, Tejon Ranch Company, and Real Party in Interest / Cross- Defendant, Granite Construction Company</i></p> <p><i>(By Electronic Service on 03/24/2015 completed through www.scefiling.org and By Hand on 03/25/2015)</i></p>
<p>Lee Leininger James Dubois United States Department of Justice Environment & Natural Resources Div. 999 18th St., South Terrace, Suite 370 Denver, CO 80202</p> <p>Tel: 303/844-1364 Fax: 303/844-1350 Email: lee.leininger@usdoj.gov james.dubois@usdoj.gov</p>	<p><i>Attorneys for Real Party in Interest / Plaintiff / Defendant, United States of America</i></p> <p><i>(By Electronic Service on 03/24/2015 completed through www.scefiling.org and By Hand on 03/25/2015)</i></p>