1 2 3 4 5 6 [Insert address, phone number, fax number, and e-7 mail address] 8 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 **COUNTY OF LOS ANGELES** 11 12 ANTELOPE VALLEY Judicial Council Coordination No. 4408 **GROUNDWATER CASES** 13 For filing purposes only: Santa Clara County Case No. 1-05-CV-049053 **Included Actions:** 14 Los Angeles County Waterworks District Assigned to The Honorable Jack Komar 15 No. 40 v. Diamond Farming Co. Los Angeles County Superior Court 16 MODEL ANSWER TO COMPLAINT AND Case No. BC 325201 **ALL CROSS-COMPLAINTS** 17 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. 18 Kern County Superior Court Case No. S-1500-CV-254-348 19 Wm. Bolthouse Farms, Inc. v. City of 20 Lancaster, Diamond Farming Co. v. City of Lancaster, Diamond Farming Co. v. 21 Palmdale Water Dist. **Riverside County Superior Court** 22 Consolidated actions Case Nos. RIC 353 840, RIC 344 436, RIC 23 344 668 24 25 26 27 28

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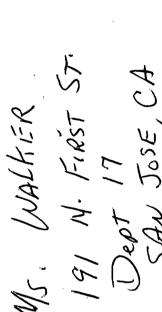
ANSWER TO COMPLAINT AND ALL CROSS-COMPLAINTS (MODEL APPROVED BY THE COURT)

1	Complaint.
2	Ninth Affirmative Defense
3	10. The prescriptive claims asserted by governmental entity Cross-Complainants are
4	ultra vires and exceed the statutory authority by which each entity may acquire property as set
5	forth in Water Code sections 22456, 31040 and 55370.
6	Tenth Affirmative Defense
7	11. The prescriptive claims asserted by governmental entity Cross-Complainants are
8	barred by the provisions of Article 1 Section 19 of the California Constitution.
9	Eleventh Affirmative Defense
10	12. The prescriptive claims asserted by governmental entity Cross-Complainants are
11	barred by the provisions of the 5 th Amendment to the United States Constitution as applied to the
12	states under the 14 th Amendment of the United States Constitution.
13	Twelfth Affirmative Defense
14	13. Cross-Complainants' prescriptive claims are barred due to their failure to take
15	affirmative steps that were reasonably calculated and intended to inform each overlying
16	landowner of cross-complainants' adverse and hostile claim as required by the due process clause
17	of the 5 th and 14 th Amendments of the United States Constitution.
18	Thirteenth Affirmative Defense
19	14. The prescriptive claims asserted by governmental entity Cross-Complainants are
20	barred by the provisions of Article 1 Section 7 of the California Constitution.
21	Fourteenth Affirmative Defense
22	15. The prescriptive claims asserted by governmental entity Cross-Complainants are
23	barred by the provisions of the 14 th Amendment to the United States Constitution.
24	Fifteenth Affirmative Defense
25	16. The governmental entity Cross-Complainants were permissively pumping at all
26	times.
27	Sixteenth Affirmative Defense
28	17. The request for the court to use its injunctive powers to impose a physical solution 4

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