

EXHIBIT A

COPY

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LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40

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COUNTY OF LOS ANGELES
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Attorneys for Cross-Complainant LOS ANGELES
COUNTY WATERWORKS DISTRICT NO. 40

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

ANTELOPE VALLEY GROUNDWATER
CASES

Included Actions:
Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court
of California, County of Los Angeles, Case
No. BC 325201;

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, Case Nos. RIC 353 840,
RIC 344 436, RIC 344 668

RICHARD WOOD, on behalf of himself and
all other similarly situated v. V. Materials,
Inc., et al. Case No. BC509546

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

SEP 09 2013

John A. Clarke, Executive Officer/ Clerk
By [Signature], Deputy

Judicial Council Coordination Proceeding
No. 4408

CLASS ACTION

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

~~PROPOSED~~ ORDER GRANTING LOS
ANGELES COUNTY WATERWORKS
DISTRICT NO. 40'S PETITION TO ADD-
ON CASE

26345.000008210118.1

[PROPOSED] ORDER GRANTING LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40'S PETITION TO ADD-
ON CASE

1 This matter having come before the court for hearing on July 29, 2013 on Cross-
2 Complainant Los Angeles County Waterworks District No. 40's Petition to Add-On Case; and the
3 Court having considered and reviewed the Petition, the responsive papers filed by other parties,
4 and having considered the file in this matter and the arguments presented at the hearing on the
5 motion, and good cause appearing thereon;

6 IT IS HEREBY ORDERED that the following case be an "add-on" case to the Antelope
7 Valley Groundwater Cases, Judicial Council Coordination Proceeding No. 4408: *Richard Wood,*
8 *on behalf of himself and all other similarly situated v. A.V. Materials, Inc., et al.,* Los Angeles
9 County Superior Court Case No. BC509546.

10
11 Dated: 9-6-2013

12 
13 HON. JACK KOMAR
14 JUDGE OF THE SUPERIOR COURT
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EXHIBIT B

1 WAYNE K. LEMIEUX (SBN 43501)
2 W. KEITH LEMIEUX (SBN 161850)
3 LEMIEUX & O'NEILL
4 4165 E. Thousand Oaks Blvd., Suite 350
5 Westlake Village, CA 91362
6 Telephone: (805) 495-4770
7 Facsimile: (805) 495-2787

8 Attorneys for Defendants and/or Cross-Complainants
9 LITTLEROCK CREEK IRRIGATION DISTRICT, PALM RANCH IRRIGATION DISTRICT,
10 NORTH EDWARDS WATER DISTRICT, DESERT LAKE COMMUNITY SERVICES DISTRICT,
11 LLANO DEL RIO WATER CO., LLANO MUTUAL WATER CO., BIG ROCK MUTUAL WATER
12 CO.

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

15 Coordinated Proceeding
16 Special Title (Rule 1550(b))

Judicial Council Coordination No. 4408

17 ANTELOPE VALLEY GROUNDWATER
18 CASES

Santa Clara Case No. 1-05-CV-049053
Assigned to the Honorable Jack Komar – Dept. 12

19 Included Actions:

STIPULATION AND ~~PROPOSED~~
AMENDED ORDER RE: MOTION FOR AN
ORDER AUTHORIZING COURT-
APPOINTED EXPERT WORK

20 Los Angeles County Waterworks District No. 40
21 v. Diamond Farming Co. Los Angeles County
22 Superior Court Case No. BC 325201;

23 Los Angeles County Waterworks District No. 40
24 v. Diamond Farming Co., Kern County Superior
25 Court, Case No. S-1500-CV-234348;

26 Wm. Bolthouse Farms, Inc. v. City of Lancaster
27 Diamond Farming Co. v. City of Lancaster v.
28 Palmdale Water District, Riverside County
Superior Court, Consolidated Actions, Case Nos.
RIC 353840, RIC 344436, RIC 344668

AND RELATED CROSS-ACTIONS

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Rosamond Community Services District, Los Angeles County Waterworks District No. 40,
3 Littlerock Creek Irrigation District, Palm Ranch Irrigation District, North Edwards Water District, Desert
4 Lake Community Services District, California Water Service Company, Quartz Hill Water District, the
5 Palmdale Water District, and Phelan Pinon Hills Community Services District (collectively "Stipulating
6 Parties") stipulate to amend the December 11, 2012, the court entered the Order Re: Motion for an Order
7 Authorizing Court Appointed Expert Work and therefore submit this stipulation and proposed order.
8 Stipulating parties stipulate to amend the court's above-referenced order to reallocate the court-appointed
9 expert costs by and among the Stipulating Parties as follows:

10 Los Angeles County Waterworks District 40: 53.61%

11 Palmdale Water District: 25.52%

12 Littlerock Creek Irrigation District: 1.15%

13 Phelan Pinon Hills CSD: 6.56%

14 Quartz Hill Water District: 5.40%

15 Rosamond Community Service District: 4.34%

16 Palm Ranch Irrigation District: 1.64%

17 Desert Lake Community Services Dist.: 0.23%

18 California Water Service Company: 1.33%

19 North Edwards Water District: 0.22%

20 The Stipulating Parties submit the attached [Proposed] Amended Order Re: Motion for an Order
21 Authorizing Court-appointed Expert Work for Court approval.

22 *So ORDERED*
23 *//*
24 *//* *J. Korman (JUDGE OF SUPERIOR COURT) (RET)*
25 *9-6-13*

1 DATED: August 23, 2013

LEMIEUX & O'NEILL

2 By: 

3 W. Keith Lemieux

4 Christine Carson ✓

5 Attorneys for Littlerock Creek Irrigation District, Palm Ranch
Irrigation District, North Edwards Water District And Desert Lake
Community Services District

6 DATED: August 23, 2013

LAGERLOF, SENECA, GOSNEY & KRUSE

7 By: 

8 Thomas S. Bunn III

9 Attorneys for Palmdale Water District

10 DATED: August __, 2013

BEST BEST & KRIEGER

11 By: _____

12 Jeffrey V. Dunn

13 Eric L. Garner

14 Stefanie D. Hedlund

Attorneys for Los Angeles County Waterworks District No. 40

15 DATED: August __, 2013

MURPHY & EVERTZ

16 By: _____

17 Douglas J. Evertz

18 Attorneys for City of Lancaster and Rosamond Community
Services District

19 DATED: August __, 2013

ALESHIRE & WYNDER

20 By: _____

21 Wesley Miliband

22 Attorneys for Phelan Pinon Hills Community Services District

1 DATED: August __, 2013

LEMIEUX & O'NEILL

2 By: _____
3 W. Keith Lemieux
4 Christine Carson
5 Attorneys for Littlerock Creek Irrigation District, Palm Ranch
6 Irrigation District, North Edwards Water District And Desert Lake
7 Community Services District

8 DATED: August __, 2013

LAGERLOF, SENEAL, BRADLEY, GOSNEY & KRUSE

9 By: _____
10 Thomas Bunn, III
11 Attorneys for Palmdale Water District

12 DATED: August __, 2013

BEST BEST & KRIEGER

13 By: Jeffrey Dunn /w.w.
14 Jeffrey N. Dunn
15 Eric L. Garner
16 Stefanie D. Hedlund
17 Attorneys for Los Angeles County Waterworks District No. 40

18 DATED: August __, 2013

MURPHY & EVERTZ

19 By: _____
20 Douglas J. Evertz
21 Attorneys for City of Lancaster and Rosamond Community
22 Services District

23 DATED: August __, 2013

ALESHIRE & WYNDER

24 By: _____
25 Wesley Miliband
26 Attorneys for Phelan Pinon Hills Community Services District

1 DATED: August __, 2013

LEMIEUX & O'NEILL

2 By: _____

3 W. Keith Lemieux

4 Christine Carson

5 Attorneys for Littlerock Creek Irrigation District, Palm Ranch
Irrigation District, North Edwards Water District And Desert Lake
Community Services District

6 DATED: August __, 2013

LAGERLOF, SENEAL, BRADLEY, GOSNEY & KRUSE

7 By: _____

8 Thomas Bunn, III

9 Attorneys for Palmdale Water District

10 DATED: August __, 2013

BEST BEST & KRIEGER

11 By: _____

12 Jeffrey V. Dunn

13 Eric L. Garner

14 Stefanie D. Hedlund

Attorneys for Los Angeles County Waterworks District No. 40

15 DATED: August 22, 2013

MURPHY & EVERTZ

16 By:  _____

17 Douglas J. Evertz

18 Attorneys for City of Lancaster and Rosamond Community
Services District

19 DATED: August __, 2013

ALESHIRE & WYNDER

20 By: _____

21 Wesley Miliband

22 Attorneys for Phelan Pinon Hills Community Services District

1 DATED: August __, 2013

LEMIEUX & O'NEILL

2 By: _____

3 W. Keith Lemieux

4 Christine Carson

5 Attorneys for Littlerock Creek Irrigation District, Palm Ranch
Irrigation District, North Edwards Water District And Desert Lake
Community Services District

6 DATED: August __, 2013

LAGERLOF, SENECA, BRADLEY, GOSNEY & KRUSE

7 By: _____

8 Thomas Bunn, III

9 Attorneys for Palmdale Water District

10 DATED: August __, 2013

BEST BEST & KRIEGER

11 By: _____

12 Jeffrey V. Dunn

13 Eric L. Garner

14 Stefanie D. Hedlund

Attorneys for Los Angeles County Waterworks District No. 40

15 DATED: August __, 2013

MURPHY & EVERTZ

16 By: _____

17 Douglas J. Evertz

18 Attorneys for City of Lancaster and Rosamond Community
Services District

19 DATED: August 28, 2013

ALESHIRE & WYNDER

20 By: /s/ Wesley Miliband

21 Wesley Miliband

22 Attorneys for Phelan Pinon Hills Community Services District

1 August 29, 2013

CHARLTON WEEKS

2
3 By 

4 BRADLEY T. WEEKS
Attorneys for Cross-Defendant
Quartz Hill Water District

5
6 August __, 2013

CALIFORNIA WATER SERVICE COMPANY

7
8 By _____

9 JOHN TOOTLE
Attorneys for Cross-Defendant
CALIFORNIA WATER SERVICE COMPANY

1 August __, 2013

CHARLTON WEEKS

2 By _____
3 BRADLEY T. WEEKS
4 Attorneys for Cross-Defendant
5 Quartz Hill Water District

6 August __, 2013

CALIFORNIA WATER SERVICE COMPANY


7
8 By  _____
9 JOHN TOOTLE
10 Attorneys for Cross-Defendant
11 CALIFORNIA WATER SERVICE COMPANY
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EXHIBIT C

ROBERT G. KUHS
BERNARD C. BARMANN, JR.
KERI L. BLAND

OF COUNSEL

JAMES R. PARKER, JR.
MICHAEL S. ABRIL

KUHS & PARKER
ATTORNEYS AT LAW
P. O. BOX 2205
BAKERSFIELD, CALIFORNIA 93303
(661) 322-4004

September 3, 2013

1200 TRUXTON AVENUE, SUITE 200
BAKERSFIELD, CALIFORNIA 93301

TELECOPIER NO.
(661) 322-2906

OUR FILE NO.

1291.01

VIA POSTING TO THE COURT'S WEBSITE

Re: *Antelope Valley Groundwater Adjudication*
Judicial Council Coordination No. 4408
Phase 5 Discovery Order

To All Parties and Their Counsel of Record:

During the July 29, 2013 Case Management Conference, Judge Komar directed counsel for Los Angeles County Waterworks District No. 40 (WD 40) to prepare and circulate to the landowners proposed questions relating to the purveyor's time frame for prescription, amount of claimed pumping, return flows and other pumping rights in the basin. WD 40 failed to do so. Accordingly, Tejon Ranch, Granite Construction Co., Diamond Farming Company, Crystal Organic Farms, Grimmway Enterprises, Inc. and Lapis Land Company are posting their proposed Discovery Order for Phase 5 Trial.

The landowners regret that, due to the press of time, they are unable to circulate this draft in advance of posting.

Very truly yours,


Robert G. Kuhs

RGK/lel

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

**ANTELOPE VALLEY GROUNDWATER
CASES**

Included Actions:

Los Angeles County Waterworks District No.
40 v. Diamond Farming Co., Superior Court
of California, County of Los Angeles, Case
No. BC 325201;

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.
Lancaster, Diamond Farming Co. v. Palmdale
Water Dist., Superior Court of California,
County of Riverside, Case No. RIC 353 840,
RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

Santa Clara Case No. 1-05-CV-049053
Assigned to Hon. Jack Komar

**[Proposed] DISCOVERY ORDER FOR
PHASE 5 TRIAL**

Hearing Date(s):

Time:

Location:

Judge: Honorable Jack Komar

All parties claiming prescriptive rights in the Antelope Valley Adjudication Area (AVAA) are hereby ordered to provide the following information and materials on or before September __, 2013, by posting the same to the Court's website (www.scefiling.org).

I. DEFINITIONS

- A. "DOCUMENT" has the same meaning as the word "writing" as defined in Evidence Code section 250.
- B. "PERSON" means "person as defined in Evidence Code section 175.
- C. "YOU" or "YOUR" means the responding party, its representatives, directors, officers, agents and employees or any other PERSON acting on its behalf.

- 1 D. "AVAA" means the Antelope Valley Area of Adjudication as defined by court
2 ordered dated March 12, 2007.
- 3 E. "BOUNDARY" means jurisdictional boundary in the case of a public agency, and
4 service area in the case of a non-public or quasi-public agency.

5 **II. GENERAL**

- 6 A. State the total number of acres of real property currently within YOUR
7 BOUNDARY.
- 8 B. State the total number of acres of real property currently within YOUR
9 BOUNDARY that are within the AVAA.
- 10 C. State the total number of legal parcels currently within YOUR BOUNDARY.
- 11 D. State the number of active groundwater wells currently within YOUR
12 BOUNDARY within the AVAA.
- 13 E. Produce the most current map or maps of YOUR BOUNDARY on file with the
14 Local Agency Formation Commission.
- 15 F. State the total quantity of water that YOU contend has been pumped from within
16 YOUR BOUNDARY and within the AVAA for each year commencing with
1946.
- 17 1. Identify all DOCUMENTS that support YOUR response to the preceding
18 interrogatory.
- 19 2. Produce all DOCUMENTS that YOU identified in response to the
20 preceding interrogatory.
- 21 G. Identify, by name, address, telephone number and Assessor Parcel Number (APN)
22 each PERSON that has operated a well within YOUR BOUNDARY since 1946.
- 23 H. Identify by name, address, telephone number and Assessor Parcel Number (APN)
24 each PERSON operating a well within YOUR BOUNDARY that has not filed an
appearance as a cross-defendant to YOUR cross-complaint.
- 25 1. For each PERSON identified in the preceding interrogatory, state the year
26 that the well began production, and the quantity of water produced from
each well each year during YOUR claimed prescriptive period.
- 27 2. Identify all DOCUMENTS that mention, discuss or refer to each well
28 within YOUR BOUNDARY.

1 3. Produce all DOCUMENTS that YOU identified in response to the
2 preceding interrogatory.

3 I. State what YOU contend to be the safe yield of the AVAA for each year YOU
4 claim the right to pump and use water from the AVAA.

5 J. State the total quantity of water that YOU contend has been pumped from the
6 AVAA in exercise of overlying rights for each year since 1946.

7 III. **PRESCRIPTION**

8 A. State the date that YOU first began pumping groundwater within the AVAA.

9 B. State the quantity of water that YOU contend YOU pumped from within the
10 AVAA for each year since YOU began pumping.

11 1. Identify all DOCUMENTS that evidence the quantity of water that YOU
12 contend YOU pumped from within the AVAA for each year since YOU
13 began pumping.

14 2. Produce all DOCUMENTS identified in response to the preceding
15 interrogatory.

16 C. Do YOU contend that YOU have joined as a cross-defendant each party that
17 YOU contend YOU have prescribed against?

18 D. Do YOU contend that YOU have joined as a cross-defendant each party that
19 currently owns real property in the AVAA?

20 E. Identify each party that YOU contend that YOU have prescribed against.

21 F. State the quantity of water that YOU contend YOU have prescribed against each
22 party.

23 G. State the date that YOU contend overdraft first commenced in the AVAA.

24 1. Identify all DOCUMENTS that support YOUR contention as to the date
25 overdraft first commenced in the AVAA.

26 2. Produce all DOCUMENTS identified in response to the preceding
27 interrogatory.

28 H. State each year that YOU contend overdraft occurred in the AVAA since
 overdraft first commenced.

 1. For each year that YOU contend overdraft occurred in the AVAA, identify
 all DOCUMENTS that support YOUR contention.

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2. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- I. State each year that YOU contend there was surplus groundwater in the AVAA.
 1. For each year that YOU contend there was surplus groundwater in the AVAA, identify all DOCUMENTS that support YOUR contention.
 2. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- J. State the date that YOU contend that YOU first began pumping groundwater adversely within the AVAA.
- K. State the date that YOU contend YOU first acquired a prescriptive right to pump groundwater within the AVAA.
- L. State the last five year prescriptive period that YOU claim.
- M. State the quantity of the prescriptive right claimed by YOU for each five year period during which YOU are claiming prescription.
- N. State the quantity of water that YOU contend YOU have a right to pump from the AVAA annually based on YOUR claim of prescription.
- O. Do YOU contend that YOUR claim of prescription is based in whole or in part on the principle of tacking?
 1. If YOU contend that YOUR claim of prescription is based in whole or in part on the principle of tacking, state all facts supporting such contention.
 2. If YOU contend that YOUR claim of prescription is based in whole or in part on the principle of tacking, identify all DOCUMENTS supporting such contention.
 3. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- P. Do YOU contend that any PERSON had actual notice of YOUR adverse use of the groundwater supply of the AVAA?
 1. If YOU contend that any PERSON had actual notice of YOUR adverse use of the groundwater supply of the AVAA, identify the PERSON and state the date and manner of actual notice.

- 1 2. If YOU contend that any PERSON had actual notice of YOUR adverse
2 use of the groundwater supply of the AVAA, identify each PERSON and
3 then state all facts supporting YOUR contention.
4
5 3. If YOU contend that any PERSON had actual notice of YOUR adverse
6 use of the groundwater supply of the AVAA, identify all DOCUMENTS
7 that evidence such actual notice to each PERSON.
8
9 4. Produce all DOCUMENTS identified in response to the preceding
10 interrogatory.
11
12 Q. Do YOU contend that any PERSON had constructive notice of YOUR adverse
13 use of the groundwater supply of the AVAA?
14
15 1. If YOU contend that any PERSON had constructive notice of YOUR
16 adverse use of the groundwater supply of the AVAA, identify the
17 PERSON and state the date and manner of such notice.
18
19 2. If YOU contend that any PERSON had constructive notice of YOUR
20 adverse use of the groundwater supply of the AVAA, identify each
21 PERSON and then state all facts supporting YOUR contention.
22
23 3. If YOU contend that any PERSON had constructive notice of YOUR
24 adverse use of the groundwater supply of the AVAA, identify all
25 DOCUMENTS that YOU contend evidence of such constructive notice to
26 each PERSON.
27
28 4. Produce all DOCUMENTS identified in response to the preceding
interrogatory.
- R. Have YOU waived all or any portion of YOUR prescriptive claim to the
groundwater supply of the AVAA as to any PERSON?
1. If YOU have waived all or any portion of YOUR prescriptive claims to
the groundwater supply of the AVAA as to any PERSON, identify each
PERSON and state the date of the waiver.
2. If YOU have waived all or any portion of YOUR prescriptive claims to
the groundwater supply of the AVAA as to any PERSON or entity,
identify all DOCUMENTS evidencing such waiver.
3. Produce all DOCUMENTS identified in response to the preceding
interrogatory.
- S. Have YOU settled or agreed to settle all or any portion of YOUR prescriptive
claims to the groundwater supply of the AVAA with any PERSON?

- 1 1. If YOU have settled or agreed to settle all or any portion of YOUR
2 prescriptive claims to the groundwater supply of the AVAA with any
3 PERSON or entity, identify each PERSON and state the date of the
4 agreement.
- 5 2. If YOU have settled or agreed to settle all or any portion of YOUR
6 prescriptive claims to the groundwater supply of the AVAA with any
7 PERSON or entity, identify all DOCUMENTS that evidence such
8 agreement.
- 9 3. Produce all DOCUMENTS identified in response to the preceding
10 interrogatory.
- 11 T. Do YOU contend that YOU have not acquired prescriptive rights against any
12 party to this coordinated proceeding?
- 13 1. If YOU contend that YOU have not acquired prescriptive rights against
14 any party to this coordinated proceeding, identify the party and state the
15 basis upon which you contend YOU have not acquired prescriptive rights.
- 16 2. If YOU contend that YOU have not acquired prescriptive rights against
17 any party to this coordinated proceeding, identify all DOCUMENTS that
18 support such contention.
- 19 3. Produce all DOCUMENTS identified in response to the preceding
20 interrogatory.
- 21 U. Do YOU contend that the extraction of groundwater that is not surplus to the
22 AVAA has caused any undesirable results?
- 23 1. If YOU contend that the extraction of groundwater that is not surplus to
24 the AVAA has caused an undesirable result, then for each year that YOU
25 contend there was overdraft, state in detail each undesirable results that
26 occurred.
- 27 2. If YOU contend that the extraction of groundwater that is not surplus to
28 the AVAA has caused an undesirable result, then for each year that YOU
contend there was overdraft, identify all DOCUMENTS that support
YOUR contention.
3. Produce all DOCUMENTS identified in response to the preceding
interrogatory.
- V. Do YOU contend that YOU pumped surplus water from the AVAA in any year?
1. If YOU contend that YOU pumped surplus water from the AVAA, then
for each year that YOU contend YOU pumped surplus water, identify the

1 year and state the quantity of surplus water that YOU contend YOU
2 pumped.

3 2. If YOU contend that YOU pumped surplus water from the AVAA, then
4 for each year that YOU contend YOU pumped surplus water, identify all
DOCUMENTS that support such contention.

5 3. Produce all DOCUMENTS identified in response to the preceding
6 interrogatory.

7 W. Do YOU contend that YOU pumped groundwater from the AVAA in any year
8 that was not surplus water?

9 1. If YOU contend that YOU pumped groundwater from the AVAA in any
10 year that was not surplus water, then for each such year identify the
quantify of non-surplus groundwater that YOU pumped.

11 2. If YOU contend that YOU pumped groundwater from the AVAA in any
12 year that was not surplus water, then for each such year identify all
DOCUMENTS supporting your contention.

13 3. Produce all DOCUMENTS identified in response to the preceding
14 interrogatory.

15 4. For each year that YOU contend YOU pumped groundwater from the
16 AVAA that was not surplus groundwater, state what YOU contend was
the safe yield of the AVAA for that year.

17 5. For each year that YOU contend YOU pumped groundwater from the
18 AVAA that was not surplus groundwater, identify each PERSON that
19 YOU contend pumped groundwater from the AVAA, and the quantity of
water that YOU contend that PERSON pumped.

20 **IV. NON-PRESCRIPTIVE RIGHTS**

21 A. Do YOU contend that YOU have an overlying right to pump groundwater from
22 the AVAA?

23 1. If YOU contend that YOU have an overlying right to pump groundwater
24 from the AVAA, state the quantity of water that YOU contend YOU have
25 a right to pump annually based on YOUR overlying right.

26 2. If YOU contend that YOU have an overlying right to pump groundwater
27 from the AVAA, state the quantity of water that YOU contend YOU have
28 pumped annually in exercise of YOUR claimed overlying right.

- 1 3. If YOU contend that YOU have an overlying right to pump groundwater
2 from the AVAA, identify by Assessor Parcel Number and acreage each
3 parcel of land that YOU own, occupy or control within the AVAA.
4
5 4. If YOU contend that YOU have an overlying right to pump groundwater
6 from the AVAA, identify all DOCUMENTS that YOU contend support
7 such contention.
8
9 5. Produce all DOCUMENTS identified in response to the preceding
10 interrogatory.
11
12 B. Do YOU contend that YOU have an appropriative right to pump groundwater
13 from the AVAA?
14
15 1. If YOU contend that YOU have an appropriative right to pump
16 groundwater from the AVAA, state all facts supporting such contention.
17
18 2. If YOU contend that YOU have an appropriative right to pump
19 groundwater from the AVAA, state the quantity of water that YOU
20 contend YOU have pumped annually in exercise of such right.
21
22 3. If YOU contend that YOU have an appropriative right to pump
23 groundwater from within the AVAA, identify all DOCUMENTS
24 supporting such contention.
25
26 4. Produce all DOCUMENTS identified in response to the preceding
27 interrogatory.
28
C. Do YOU contend that YOU have a riparian right to extract groundwater within
the AVAA?
1. If YOU contend that YOU have a riparian right to extract groundwater
within the AVAA, state all facts supporting such contention.
2. If YOU contend that YOU have a riparian right to extract groundwater
within the AVAA, state the quantity of water that YOU contend YOU
have extracted annually in exercise of such right.
3. If YOU contend that YOU have a riparian right to extract groundwater
within the AVAA, state the quantity of water that YOU contend YOU
have extracted annually in exercise of such right.
4. If YOU contend that YOU have a riparian right to pump water within the
AVAA, identify all DOCUMENTS supporting such contention.
5. Produce all DOCUMENTS identified in response to the preceding
interrogatory.

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- D. Do YOU contend that YOU have exercised, or purported to exercise, the right of any other PERSON to extract groundwater from within the AVAA?
1. If YOU contend that YOU have exercised, or purported to exercise, the right of any PERSON (other than YOURSELF) to extract groundwater from within the AVAA, identify each such PERSON, and for each PERSON state by year the quantify of water extracted and how such water was used.
 2. If YOU contend that YOU have exercised, or purported to exercise, the right of any PERSON (other than YOURSELF) to extract groundwater from within the AVAA, identify all DOCUMENTS supporting such contention.
 3. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- E. Has any PERSON assigned or transferred, or purported to assign or transfer, to YOU the right to extract groundwater from the AVAA?
1. If any PERSON has assigned or transferred, or purported to assign or transfer, to YOU the right to extract groundwater from the AVAA, identify each PERSON and the date of assignment or transfer.
 2. If any PERSON has assigned or transferred, or purported to assign or transfer, to YOU the right to extract groundwater from the AVAA, identify all DOCUMENTS evidencing the assignment or transfer or purported assignment or transfer.
 3. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- F. Have YOU accepted an assignment or transfer of a right to extract groundwater from within the AVAA from any PERSON?
1. If YOU have accepted an assignment or transfer of a right to extract groundwater from within the AVAA, state the date of the assignment, the assignor and the assignee.
 2. If YOU have accepted an assignment or transfer of a right to extract groundwater from within the AVAA, identify all DOCUMENTS that evidence such assignment or transfer.
 3. Produce all DOCUMENTS identified in response to the preceding interrogatory.

1 G. Do YOU contend that YOU have a right to capture return flows from water
2 imported into the AVAA?

- 3 1. If YOU contend that YOU have a right to capture return flows from water
4 imported into the AVAA, then state the quantity of water that YOU
5 contend YOU imported into the AVAA annually.
- 6 2. If YOU contend that YOU have a right to capture return flows from water
7 imported into the AVAA, identify all DOCUMENTS supporting such
8 contention.
- 9 3. Produce all DOCUMENTS identified in response to the preceding
10 interrogatory.
- 11 4. If YOU contend that YOU have a right to capture return flows from water
12 imported into the AVAA, state the annual quantity of water YOU
13 imported that was applied to M&I uses.
- 14 5. Identify all DOCUMENTS evidencing the annual quantity of water YOU
15 imported that was applied to M&I uses.
- 16 6. Produce all DOCUMENTS identified in response to the preceding
17 interrogatory.
- 18 7. If YOU contend that YOU have a right to capture return flows from water
19 imported into the AVAA, state the annual quantity of water that YOU
20 imported that was applied to Agricultural uses.
- 21 8. If YOU contend that YOU have a right to capture return flows from water
22 imported into the AVAA, state the quantity of return flows that you
23 contend YOU have pumped from within the AVAA for each year YOU
24 contend YOU pumped return flows.
- 25 9. Identify all DOCUMENTS evidencing the annual quantity of water that
26 YOU imported that was applied to Agricultural uses.
- 27 10. Produce all DOCUMENTS identified in response to the preceding
28 interrogatory.
11. For each year that YOU imported water into the AVAA, state the quantity
of such imported water that actually augmented the AVAA groundwater
supply.
12. Identify all DOCUMENTS supporting YOUR contention regarding the
quantity of water imported by YOU that actually augmented the AVAA
groundwater supply.

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- 13. Produce all DOCUMENTS identified in response to the preceding interrogatory.
- 14. Produce a map or maps showing the location and designation of each well YOU have operated in the AVAA.
- 15. For each well YOU have operated, state the amount of water produced for each year of operation.

DATED: _____, 2013

Hon. Jack Komar
Judge of the Superior Court