

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

**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
325 201 Los Angeles County Waterworks
District No. 40 v. Diamond Farming Co.
Superior Court of California, County of Kern,
Case No. S-1500-CV-254-348Wm. 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 No. RIC 353 840,
RIC 344 436, RIC 344 668

Judicial Council Coordination Proceeding
No. 4408

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

**[PROPOSED] ORDER GRANTING
AGWA'S MOTION IN LIMINE NO. 1 TO
DEFINE "OVERDRAFT" AND "SAFE
YIELD"**

Date: December 15, 2010
Time: 9:00 am
Dept.: 1

The Antelope Valley Groundwater Agreement Association's ("AGWA") Motion in Limine
No. 1 to determine the applicable definitions of "overdraft" and "safe yield" in the third phase of
trial in the above-captioned matter and to exclude evidence not relevant to these terms, as defined,
came on for hearing before this Court on December 15, 2010, at 9:00 am, before the Honorable Jack

1 Komar (Ret.), in Department 1 of this Court, located at 111 North Hill Street, Los Angeles, CA
2 90012. After consideration of the pleadings and arguments of counsel, and all other matters
3 presented to the Court, AGWA's Motion in Limine No. 1 to Define "Overdraft" and "Safe Yield" is
4 **GRANTED** and **IT IS HEREBY ORDERED** that:

5 1. "Overdraft" is defined for all purposes of the third phase of trial to mean "extractions
6 in excess of the Antelope Valley Groundwater Basin's ("Basin") safe yield which, over time, will
7 lead to a depletion of the water supply and harm the Basin."

8 2. "Safe Yield" is defined for all purposes of the third phase of trial to mean "the
9 maximum quantity of water that may be withdrawn annually from the Basin under a given set of
10 conditions without causing harm to the Basin."

11 3. The Court shall exclude from introduction during the third phase of trial any evidence
12 that is not relevant to those terms as defined by the Court
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16 DATED: _____
17 JUDGE OF THE SUPERIOR COURT
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PROOF OF SERVICE

**STATE OF CALIFORNIA,
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On December 3, 2010, I served the foregoing document described as:

**[PROPOSED] ORDER GRANTING AGWA'S MOTION IN LIMINE NO. 1 TO DEFINE
"OVERDRAFT" AND "SAFE YIELD"**

on the interested parties in this action.

By posting it on the website at 12:00 p.m. on December 3, 2010.
This posting was reported as complete and without error.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed in Santa Barbara, California, on December 3, 2010.

MARIA KLACHKO-BLAIR
TYPE OR PRINT NAME



SIGNATURE