

**MICHAEL T. FIFE (State Bar No. 203025)**  
**BRADLEY J. HERREMA (State Bar No. 228976)**  
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**Attorneys for:** Gene T. Bahlman, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. and Julie Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Calmat Land Company, Sal and Connie L. Cardile, Consolidated Rock Products, Del Sur Ranch LLC, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Dennis L. & Marjorie E. Groven Trust, Healy Enterprises, Inc., Hines Family Trust, Habod Javadi, Juniper Hills Water Group, Eugene V., Beverly A., & Paul S. Kindig, Paul S. & Sharon R. Kindig, Kootenai Properties, Inc., Gailen Kyle, Gailen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of the Kyle Family Trust, Julia Kyle, Wanda E. Kyle, Malloy Family Partners, Maritorea Living Trust, Jose Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., John and Adrienne Reza, Edgar C. Ritter, Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Sahara Nursery, Marygrace H. Santoro as Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Leo L. Simi, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, Tierra Bonita Ranch Company, Beverly Tobias, **collectively known as the Antelope Valley Ground Water Agreement Association ("AGWA")**

**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

) **AGWA's REQUEST FOR JUDICIAL**  
) **NOTICE; DECLARATION OF MICHAEL**  
) **T. FIFE IN SUPPORT THEREOF**

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

) Bradley J. Herrema will appear via CourtCall  
)  
)

1 The Antelope Valley Groundwater Agreement Association (“AGWA”) hereby requests that  
2 this Court take judicial notice of the following document pursuant to Evidence Code section 451(a),  
3 and alternately, pursuant to Evidence Code section:

4 *California American Water v. City of Seaside et al.*, Monterey County, Superior Court Case  
5 No. M66343, original decision March 27, 2006, as amended February 9, 2007 (“Decision”), a true  
6 and correct copy of which is attached hereto as Exhibit “A.” (Evid. Code, § 451(a).)

7 Evidence Code section 451(a) states that, “[j]udicial notice shall be taken of the following:  
8 (a) The decisional. . .law of this state.” The above-referenced decision was decided by the Monterey  
9 Superior Court of the State of California. Therefore, this case falls within the category of  
10 “decisional law” of California pursuant to Evidence code section 451(a) which authorizes this court  
11 to take judicial notice.

12 Alternately, the Decision is judicially noticeable under California Evidence Code sections  
13 452(c) and (h), which authorize the taking of judicial notice of “[f]acts and propositions that are not  
14 reasonably subject to dispute and are capable of immediate and accurate determination by resort to  
15 sources of reasonably indisputable accuracy.” As sworn to in the attached declaration of Michael T.  
16 Fife, the information contained in Exhibit A is a true and correct official document of the records of  
17 the Seaside Basin Watermaster, published online. The document may be accessed online by the  
18 following steps:


19 1. Access the Seaside Basin Watermaster website at:  
20 <http://www.seasidebasinwatermaster.org/index.html>.

21 2. Click on “Postings and Records” towards the top of the page, at:  
22 <http://www.seasidebasinwatermaster.org/sbwmARC.html>.

23 3. Exhibit A may be accessed by scrolling to “Feb. 07 2007” and selecting “Court  
24 Amended Decision.”

25 Dated: December 3, 2010

BROWNSTEIN HYATT FARBER SCHRECK, LLP

26 By:   
27 MICHAEL T. FIFE, BRADLEY J. HERREMA  
28 ATTORNEYS FOR AGWA

**DECLARATION OF MICHAEL T. FIFE**

I, Michael T. Fife, declare:

1. I am licensed to practice law in the State of California, and am an attorney with the law firm Brownstein Hyatt Farber Schreck, LLP, counsel of record for the Antelope Valley Groundwater Agreement Association ("AGWA"). I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could and would testify competently to them.

2. Exhibit A, attached hereto, is a true and correct copy of the *California American Water v. City of Seaside et al.*, Monterey County, Superior Court Case No. M66343, original decision March 27, 2006, as amended February 9, 2007.

3. Exhibit A is also a true and correct copy of a public record of the Seaside Basin Watermaster, a public agency. Exhibit A is publicly available on the Seaside Basin Watermaster website.

4. Exhibit A is presently posted by the Seaside Basin Watermaster website and is accessible, as described in the concurrently-filed Request for Official Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 3rd day of December 2010, at Santa Barbara, California.

  
MICHAEL T. FIFE

**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:

**AGWA's REQUEST FOR JUDICIAL NOTICE; DECLARATION OF MICHAEL T. FIFE  
IN SUPPORT THEREOF**

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