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Attorneys for: Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorea Living Trust, Jose and Marie Maritorea, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reca, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, Donna Wilson

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-254-348 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, 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

NOTICE OF EX PARTE APPLICATION AND EX PARTE APPLICATION FOR APPROVAL OF STIPULATION; DECLARATION OF RYAN C. DRAKE; STIPULATION OF FACTS FOR TRIAL PURSUANT TO CASE MANAGEMENT ORDER FOR PHASE IV TRIAL

Date: March 25, 2013
Time: 9:00 a.m.
Dept: 1

NOTICE OF EX PARTE APPLICATION FOR APPROVAL OF STIPULATIONS

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

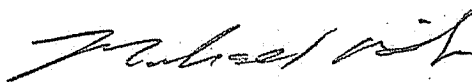
PLEASE TAKE NOTICE that, on March 25, 2013, at 9 a.m. or as soon thereafter as the matter may be heard, in Department 1 of the Los Angeles County Superior Court, located at 111 North Hill Street, Los Angeles, California 90012, Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reza, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, and Donna Wilson (each individually a "Stipulating Party" and collectively, the "Stipulating Parties") will apply, pursuant to the Court's March 1, 2013 minute order, for an order approving the attached Stipulation of Facts For Trial Pursuant to Case Management Order for Phase IV Trial (the "Stipulation") and establishing the facts referenced in that Stipulation. The Stipulation has been executed by counsel for each Stipulating Party.

The Stipulating Parties will apply to the Court pursuant to Code of Civil Procedure section 128(a), California Rules of Court, rules 3.1203 and 3.1204, and pursuant to the Court's March 1, 2013 Minute Order. The Stipulating Parties will apply to the Court based on the following that are submitted herewith or are posted on the Court's website: (1) this Notice of Ex Parte Application; (2) the attached Ex Parte Application; (3) the attached Declaration of Ryan C.

1 Drake; (4) the Stipulation, posted on the Court's website on March 15, 2013; (5) the documents
2 produced by the Stipulating Parties in response to the Court's Discovery Order for this phase,
3 posted on the Court's website December 21, 2013; (6) the Declarations posted by the Stipulating
4 Parties on the Court's website January 31, 2013; and (7) the [Proposed] Order Approving the
5 Stipulation of Facts for Trial Pursuant to Case Management Order for Phase IV Trial; (8) and any
6 evidence or argument presented at the hearing on this Application.

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9 Dated: March 15, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP



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11 By: _____

MICHAEL T. FIFE
BRADLEY J. HERREMA
ATTORNEYS FOR AGWA

EX PARTE APPLICATION FOR APPROVAL OF STIPULATION

Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reza, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property, FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, and Donna Wilson (each individually a "Stipulating Party" and collectively, the "Stipulating Parties") will and hereby do apply ex parte for this Court to approve and enter the attached Stipulation of Facts for Trial Pursuant to Case Management Order for Phase IV Trial ("Stipulation") as evidence in the record of the Phase IV Trial of this matter. In these coordinated actions involving thousands of parties, the Court has exercised its discretion by establishing a procedure in which parties may present sworn declarations stating evidence that they would intend to present at trial and seek stipulations with other parties as to those facts. Upon the completion of such stipulations, the Court has authorized stipulating parties to seek the Court's approval of those stipulations and a hearing to determine whether any other party has any basis for requiring proof of the stipulated facts at trial.

The Stipulating Parties used the Court's procedures to present, on January 31, 2013, sworn declarations and proposed stipulations, concerning basic facts about their properties, their Assessor's Parcel Numbers, and information on groundwater production on the properties. No party has objected to any of the facts stated in the Stipulating Parties' individual declarations.

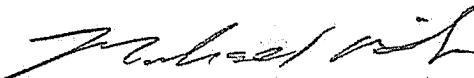
(See attached Declaration of Ryan C. Drake.) The Stipulating Parties herein stipulate to the truth of each others' property ownership and claimed pumping information.

At the Case Management Conference on March 1, 2013, the Court requested that all stipulations be accompanied by an ex parte application to approve the stipulation on or before March 15, 2013. This was entered in the Court's Minute Order dated March 1, 2013. The Stipulating Parties bring this ex parte application pursuant to Code of Civil Procedure section 128(a), California Rules of Court, rules 3.1203 and 3.1204, and pursuant to the Court's March 1, 2013 Minute Order.

Consistent with the Court's authority in coordinated cases, and the Court's orders in this action, the Court therefore should approve the Stipulation and establish the facts stated in the Stipulating Parties' declarations as proven in this action.

Dated: March 15, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: 
MICHAEL T. FIFE
BRADLEY J. HERREMA
ATTORNEYS FOR AGWA

DECLARATION OF RYAN C. DRAKE

I, Ryan C. Drake, declare as follows:

1. I am an attorney licensed to practice in the courts of California and am a member of the law firm of Brownstein Hyatt Farber Schreck LLP. I am an attorney of record for Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reza, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, Donna Wilson (each individually a "Stipulating Party" and collectively, the "Stipulating Parties")

2. I have personal knowledge of the facts stated in this Declaration and, if called as a witness, would testify to those facts.

3. I was responsible for coordinating the posting to the Court's website on January 31, 2013, of the Declarations of the Stipulating Parties and their accompanying exhibits. As of March 15, 2013, those declarations and exhibits was available on the Court's website. I receive, via e-mail, electronic service of documents posted to the Court's website for this action. Based on my receipt of electronic service of those documents, to the best of my knowledge, no party has objected to the factual statements in that declaration, although some parties have indicated that they will object to all stipulations under certain conditions.

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4. I am providing notice to all parties in this action of the attached ex parte application by arranging for the posting of that application and the attached Stipulation on the Court's website on March 15, 2013.

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

Executed this 15th day of March, 2013, at Santa Barbara, California.


RYAN C. DRAKE

MICHAEL T. FIFE (State Bar No. 203025)
BRADLEY J. HERREMA (State Bar No. 228976)
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Attorneys for: Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reca, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, Donna Wilson

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FOR THE COUNTY OF LOS ANGELES

ANTELOPE VALLEY GROUNDWATER CASES

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Judicial Council Coordination Proceeding
No. 4408

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

STIPULATION OF FACTS FOR TRIAL PURSUANT TO CASE MANAGEMENT ORDER FOR PHASE IV TRIAL

Date: March 25, 2013
Time: 9:00 a.m.
Dept: 1

The following individuals and entities: Gene T. Bahlman, William Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John

Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., John Javadi and Sahara Nursery, Juniper Hills Water Group, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Rea, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen and Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, and Donna Wilson (each individually a "Stipulating Party" and collectively, the "Stipulating Parties"), by their counsel, hereby stipulate as follows:

Whereas, each of the Stipulating Parties is a named Cross-Defendant and Cross-Complainant in these coordinated proceedings;

Whereas, the Stipulating Parties filed Declarations in this coordinated action, as required by the Court in its Case Management Order for Phase Four Trial;

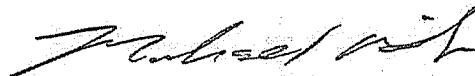
Whereas, each individual Stipulating Party has had adequate opportunity to examine the Declarations filed by the other Stipulating Parties posted on the Court's website January 31, 2013 and to review each other's claimed amounts of groundwater production from 2000-2004 and 2011-2012;

NOW THEREFORE, for the purposes of the Phase Four Trial in this action, the Stipulating Parties hereby stipulate, individually and collectively, to the truth of the information as to land ownership and groundwater production submitted in the Stipulating Parties' Declarations filed January 31, 2013 and the information posted by the Stipulating Parties on the Court website in response to the Court's Phase IV Discovery Order on December 21, 2012. These facts are undisputed and may be treated as facts proven in open court.

1 IT IS SO STIPULATED.
2

3 Dated: March 15, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP

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5 By: _____

6 MICHAEL T. FIFE
7 BRADLEY J. HERREMA
8 ATTORNEYS FOR AGWA
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On March 15, 2013, I served the foregoing document described as:

**NOTICE OF EX PARTE APPLICATION AND EX PARTE
APPLICATION FOR APPROVAL OF STIPULATION; DECLARATION
OF RYAN C. DRAKE; STIPULATION OF FACTS FOR TRIAL
PURSUANT TO CASE MANAGEMENT ORDER FOR PHASE IV
TRIAL.**

on the interested parties in this action.

By posting it on the website by 5:00 p.m. on March 15, 2013.

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 March 15, 2013.

LINDA MINKY
TYPE OR PRINT NAME


SIGNATURE