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Attorneys for: B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, 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, Eugene B. Nebeker, R and M Ranch, Edgar C. Ritter, Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Trust, , Hines Family Trust , Malloy Family Partners, Consolidated Rock Products, Calmat Land Company, Marygrace H. Santoro as Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, **collectively known as the Antelope Valley Ground Water Agreement Association ("AGWA")**

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

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 Nos. 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

REQUEST FOR CLARIFICATION

Date: October 10, 2006
Time: 10:00 A.M.
Dept: 17

1 Currently there is no Case Management Conference scheduled to occur in conjunction with
2 the hearing scheduled to begin on October 10, 2006. This Request for Clarification requests the
3 Court to confirm that no CMC will occur.

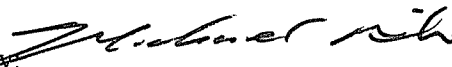
4 At the last hearing held on September 21, 2006, the parties who plan to participate in the
5 hearing scheduled to begin on October 10, 2006, estimated that the hearing could take three days to
6 complete. There are several parties – primarily small landowner parties – who have not filed briefs
7 with regard to the issue before the Court, nor do they plan to participate in the hearing. It will be a
8 significant and unnecessary burden on these parties to force them to attend the full hearing merely so
9 that they can be present in case the Court entertains discussion on other subjects.

10 For example, on September 20, 2006, Los Angeles County Waterworks filed a CMC
11 Statement in which it asked the Court to set a hearing on a specific set of issues relating to the
12 storage potential of the Antelope Valley. This is an extraordinarily controversial issue, and the
13 landowners have a strong interest in being heard before any hearing is set on this issue.¹ However,
14 the landowner parties should not be made to attend three days of hearing on an unrelated matter just
15 in case this issue is addressed.

16 AGWA therefore requests the Court to provide clarification that no issues will be addressed
17 at the upcoming hearing except the Basin boundaries issue, and that any additional issues will be
18 addressed at a CMC at a noticed date and time.

19
20
21 Dated: October 5, 2006

HATCH & PARENT, A LAW CORPORATION

By: 

MICHAEL T. FIFE
BRADLEY J. HERREMA
ATTORNEYS FOR AGWA

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27 ¹ Note that in anticipation of this request from LA County Waterworks, the Los Angeles Farm
28 Bureau was sufficiently concerned that it filed an unsolicited letter of objection with the Court dated
July 11, 2006. A true and correct copy of this letter is attached as Exhibit "A."

Exhibit A



Los Angeles County Farm Bureau

41228 12th Street West - Suite A - Palmdale, CA 93551-1400

Telephone (661) 274 - 9709 • Fax (661) 274 - 0637

www.lacfb.org

July 11, 2006

Honorable Jack Komar
Old Courthouse
191 N. First Street
San Jose, CA 95113

Re: Antelope Valley Groundwater Adjudication (Jccp 4408),
Case No. 1-05-CV-049053

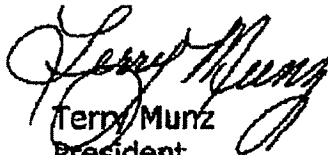
Dear Judge Komar:

The Los Angeles County Farm Bureau ("LACFB") was recently approached by the Antelope Valley State Water Contractors Association ("AVSWCA") and requested to join a resolution sponsored by AVSWCA on the subject of water banking in the Antelope Valley, to be submitted to this Court in the above-referenced matter. The LACFB Board of Directors voted not to endorse the AVSWCA resolution at its June 2006 meeting.

Because the LACFB believes that it would be premature to address the merits of groundwater banking of imported supplies while an adjudication of native groundwater is pending, the LACFB respectfully requests that this Court not approve any water-banking plan until after the above-referenced groundwater adjudication proceeding is completed.

Thank you for your consideration.

Sincerely,


Terry Murz
President
LACFB

CC: John R. Weech
See attached list

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 October 5, 2006, I served the foregoing document described as:

REQUEST FOR CLARIFICATION

on the interested parties in this action.

By posting it on the website to the party's e-mail address listed on the attached service list at 3:25 p.m./a.m. on October 5, 2006. This electronic transmission 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 at Santa Barbara, California, on October 5, 2006.

RACHEL ROBERTO

TYPE OR PRINT NAME

Rachel Roberto

SIGNATURE