

DOUGLAS J. EVERTZ, State Bar No. 123066  
ALLISON E. BURNS, State Bar No. 198231  
JEFFREY T. ROBBINS, State Bar No. 213271  
STRADLING YOCCA CARLSON & RAUTH  
A Professional Corporation  
660 Newport Center Drive, Suite 1600  
Newport Beach, California 92660-6441  
Telephone: (949) 725-4000  
Fax: (949) 725-4100

Exempt from filing fee  
Government Code § 6103

Attorneys for Defendant and Cross-Defendant  
CITY OF LANCASTER

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

Coordination Proceeding  
Special Title (Rule 1550(b))

Judicial Council Coordination  
Proceeding No. 4408

**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

**CROSS-DEFENDANT CITY OF  
LANCASTER'S ANSWER TO THE  
CROSS-COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF AND ADJUDICATION OF  
WATER RIGHTS FILED BY  
ROSAMOND COMMUNITY  
SERVICES DISTRICT**

1 Cross-Defendant City of Lancaster ("Lancaster"), on behalf of itself and no other party,  
2 answers the allegations of the Cross-Complaint for Declaratory and Injunctive Relief and  
3 Adjudication of Water Rights (the "Cross-Complaint") filed on behalf of Cross-Complainant  
4 Rosamond Community Services District (the "Cross-Complainant") as follows:

5  
6 **GENERAL DENIAL**

7 Pursuant to Code of Civil Procedure section 431.30(d), Lancaster denies, generally  
8 and specifically, each and every allegation of the Cross-Complaint, and specifically denies  
9 that it is liable to any party for any amount.

10  
11 **FIRST AFFIRMATIVE DEFENSE**

12 **(Failure to State a Cause of Action)**

13  
14 The Cross-Complaint fails to state facts sufficient to constitute a cause of action against  
15 Lancaster.

16  
17 **SECOND AFFIRMATIVE DEFENSE**

18 **(Unreasonable Use)**

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20 Lancaster is informed and believes, and on that basis alleges, that Cross-Complainant is  
21 only entitled to an amount of water reasonably necessary for useful and beneficial purposes.

22 **THIRD AFFIRMATIVE DEFENSE**

23 **(Priority)**

24  
25 Whether as a riparian, overlying, appropriative or prescriptive user, or otherwise,  
26 Lancaster claims the prior, paramount and vested rights to produce water for reasonable and  
27 beneficial purposes.

1 **FOURTH AFFIRMATIVE DEFENSE**

2 **(Indispensable and/or Necessary Party)**

3 The Cross-Complaint is barred to the extent the Cross-Complaint fails to name and join  
4 indispensable and/or necessary parties, e.g., other producers of water in the Antelope  
5 Groundwater Basin.  
6

7 **FIFTH AFFIRMATIVE DEFENSE**

8 **(Additional Defenses)**

9  
10 The Cross-Complaint does not state cross-complainants allegations with sufficient  
11 particularity or certainty to enable Lancaster to determine what additional defenses may exist to  
12 Cross-Complainants' causes of action. Lancaster therefore reserves the right to assert all  
13 defenses which may pertain to the Cross-Complaint once the precise nature of Cross-  
14 Complainants' causes of action are more fully ascertained.  
15

16 WHEREFORE, Lancaster prays as follows:  
17

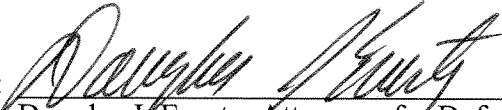
- 18 1. That the court deny the relief sought by the Cross-Complaint;  
19  
20 2. That Cross-Defendant take and be awarded nothing by reason of the Cross-  
21 Complaint;  
22  
23 3 That the court issue a judgment that Cross-Complainant has no right to require or  
24 impose any restrictions upon the water rights of Lancaster which are prior and paramount to any  
25 rights of Cross-Complainant and others;  
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27 4. For costs of suit; and  
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5. For such other and further relief as this court may deem just, equitable or proper.

DATED: November 28, 2005

STRADLING YOCCA CARLSON & RAUTH  
A Professional Corporation

By:   
Douglas J. Evertz, Attorneys for Defendant and  
Cross-Defendant CITY OF LANCASTER

1 **PROOF OF SERVICE**

2  
3 I am a resident of the State of California and over the age of eighteen years, and not a  
4 party to the within action; my business address is 660 Newport Center Drive, Suite 1600,  
5 Newport Beach, California 92660-6441. On November 28, 2005, I served the within  
6 document(s):

7 **CROSS-DEFENDANT CITY OF LANCASTER'S ANSWER TO THE CROSS**  
8 **COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND**  
9 **ADJUDICATION OF WATER RIGHTS FILED BY ROSAMOND COMMUNITY**  
10 **SERVICES DISTRICT**

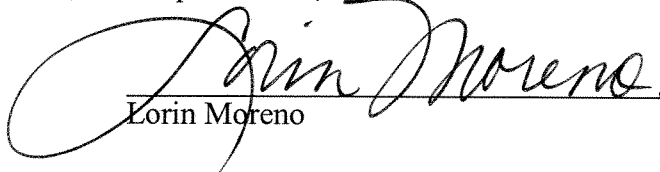
- 11 ☐ by transmitting via facsimile the document(s) listed above to the fax number(s)  
12 set forth below on this date before 5:00 p.m.
- 13 ☐ by placing the document(s) listed above in a sealed FEDERAL EXPRESS  
14 package for overnight delivery at Newport Beach, California addressed as set  
15 forth below.
- 16 ☒ by placing the document(s) listed above in a sealed envelope, fully prepaid, via  
17 United States Mail addressed as set forth below.

18 **PLEASE SEE ATTACHED SERVICE LIST**

19 I am readily familiar with the firm's practice of collection and processing  
20 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal  
21 Service on that same day with postage thereon fully prepaid in the ordinary course of business.  
22 I am aware that on motion of the party served, service is presumed invalid if postal cancellation  
23 date or postage meter date is more than one day after date of deposit for mailing in affidavit.

24 I declare under penalty of perjury under the laws of the State of California that the above  
25 is true and correct.

26 Executed on November 28, 2005, at Newport Beach, California.

27   
28 Lorin Moreno

**SERVICE LIST**

Bob H. Joyce, Esq. Attorneys for Diamond Farming Company  
LAW OFFICES OF LEBEAU THELEN LLP  
5001 East Commercenter Drive, Suite 300  
Post Office Box 12092  
Bakersfield, CA 93389-2092  
*Facsimile:* (661) 325-1127

Eric L. Garner, Esq. Attorneys for Los Angeles County Water  
Jeffrey V. Dunn, Esq. Works District No. 40  
Sandra M. Schwarzmman, Esq.  
Jill N. Willis, Esq.  
BEST BEST & KRIEGER LLP  
5 Park Plaza, Suite 1500  
Irvine, California 92614  
*Facsimile:* (949) 260-0972

Raymond G. Fortner, Jr., Esq. Attorneys for Los Angeles County Water  
Frederick W. Pfaeffle, Esq. Works District No. 40  
OFFICE OF COUNTY COUNSEL FOR  
COUNTY OF LOS ANGELES  
500 West Temple Street  
Los Angeles, California 90012  
Telephone: (213) 974-1901

James L. Markman, Esq. Attorneys for City of Palmdale  
RICHARDS WATSON & GERSHON  
Post Office Box 1059  
Brea, California 92822-1059  
*Facsimile:* (714) 990-6230

Steve R. Orr, Esq. Attorneys for City of Palmdale  
Bruce G. McCarthy, Esq.  
RICHARDS WATSON & GERSHON  
355 South Grand Avenue, 40th Floor  
Los Angeles, California 90071-3101  
*Facsimile:* (213) 626-0078

Michael Fife, Esq. Attorneys for Eugene B. Nebeker on behalf of  
HATCH AND PARENT Nebeker Ranch, Inc., Bob Jones on behalf of  
21 East Carrillo Street R&M Ranch, Inc., Forrest G. Godde and  
Santa Barbara, California 93101-2782 Steve Godde, Gailen Kyle on behalf of Kyle  
*Facsimile:* (805) 965-4333 & Kyle Ranch, Inc. and John Calandri on  
behalf of Calandri/Sonrise Farms, collectively  
known as the Antelope Valley Ground Water  
Agreement Association ("AGWA")

*Service List ~ Continuation*

Richard Zimmer, Esq.  
CLIFFORD & BROWN  
1430 Truxtun Avenue, Suite 900  
Bakersfield, California 93301  
*Facsimile:* (661) 322-3508

Attorneys for Bolthouse Properties, Inc.

Julie A. Conboy, Esq.  
DEPARTMENT OF WATER AND POWER  
111 North Hope Street  
Post Office Box 111  
Los Angeles, California 90012  
*Facsimile:* (213) 241-1416

Attorneys for Department of Water and Power

Janet Goldsmith, Esq.  
Kronick, Moskowitz, Tiedemann & Girard  
400 Capitol Mall, 27th Floor  
Sacramento, California 95814-4417  
*Facsimile:* (916) 321-4555

Attorneys for City of Los Angeles

Wayne K. Lemieux, Esq.  
LEMIEUX & O'NEILL  
2393 Townsgate Road, Suite 201  
Westlake Village, California 91361  
*Facsimile:* (805) 495-2787

Attorneys for Littlerock Creek Irrigation District and Palm Ranch Irrigation District

Thomas Bunn, Esq.  
LAGERLOF, SENEAL, BRADLEY,  
GOSNEY & KRUSE  
301 North Lake Avenue, 10th Floor  
Pasadena, California 91101-4108  
*Facsimile:* (626) 793-5900

Attorneys for Palmdale Water District and Quartz Hill Water District

Henry Weinstock, Esq.  
NOSSAMAN, GUTHNER, KNOX,  
ELLIOTT LLP  
445 South Figueroa Street, 31st Floor  
Los Angeles, California 90071  
*Facsimile:* (213) 612-7801

Attorneys for Tejon Ranch

Wm. Matthew Ditzhazy, Esq., City Attorney  
CITY OF PALMDALE  
Legal Department  
38300 North Sierra Highway  
Palmdale, California 93550  
*Facsimile:* (805) 267-5178

Attorneys for City of Palmdale

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*Service List ~ Continuation*

John Tootle, Esq.  
CALIFORNIA WATER SERVICE  
COMPANY  
2632 West 237th Street  
Torrance, California 90505  
*Facsimile:* (310) 325-4605

Attorneys for California Water Service  
Company

Presiding Judge of the Superior Court of  
California, County of Los Angeles  
County Courthouse  
111 North Hill Street  
Los Angeles, California 90012-3014

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial  
Services  
(Civil Case Coordination)  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

Christopher M. Sanders, Esq.  
Ellison Schneider & Harris  
2015 H Street  
Sacramento, California 95814-3109  
*Facsimile:* (916) 447-3512

Attorneys for Los Angeles County Sanitation  
Districts

Honorable Jack Komar  
Judge of the Superior Court of California  
County of Santa Clara  
191 North First Street  
San Jose, California 95113

Coordination Trial Judge