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DISTRICT NO. 40

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT

**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 325201;

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, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

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

**AMENDED APPENDIX OF
AUTHORITIES IN SUPPORT OF
MUNICIPAL WATER PROVIDERS'
OPPOSITION TO UNITED STATES'
MOTION FOR JUDGMENT ON THE
PLEADINGS**

Date: September 21, 2006
Time: 10:00 a.m.
Dept: Los Angeles County Superior Court,
Central District, Department 1, Room
534

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AMENDED APPENDIX OF AUTHORITIES IN SUPPORT OF OPPOSITION TO MOTION FOR JUDGMENT ON THE PLEADINGS

AMENDED APPENDIX OF AUTHORITIES

The attached Non-California authorities are being submitted in support of Municipal Water Providers' Opposition to the United States' Motion for Judgment on the Pleadings:

1. *Dugan v. Rank*, (1963) 372 U.S. 609.
2. *United States v. District Court for Eagle County* (1971) 401 U.S. 520.
3. *United States v. Idaho*, (1988) 113 S. Ct. 1894.
4. *In re the General Adjudication of All Rights to Use Water in the Gila River System and Source* (Ariz. 1993) 175 Ariz. 382.
5. *In re the General Adjudication of All Rights to Use Water in the Gila River System and Source* (1999) 195 Ariz. 411.
6. *Metropolitan Water District of Southern California v. The United States of America* (9th Cir. 1987) 830 F.2d 139.
7. *People of the State of California v. United States of America* (9th Cir. 1956) 235 F2d 647.
8. *Turner v. Kings River Conservation Dist.* (9th Cir. 1966) 360 F.2d 184.
9. *U.S. v. Cappaert* (9th Cir. 1974) 508 F.2d 313.

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10. *United States v. Oregon* (1994) 44 F.3d 758.

11. *United States v. Washington* (W.D. Wash. 2005) 375 F. Supp.2d 1050.

12. *In Re: The General Adjudication Of All Rights To Use Water In The Big Horn River System* (1988) 753 P.3d 76,100.

Dated: September 6, 2006

BEST BEST & KRIEGER LLP

By:



ERIC L. GARNER
JEFFREY V. DUNN
JILL N. WILLIS

Attorneys for Los Angeles County
Waterworks District No. 40 and Rosamond
Community Services District

PROOF OF SERVICE

I, Kerry V. Keefe, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 5 Park Plaza, Suite 1500, Irvine, California 92614. On September 6, 2006, I served the within document(s):

AMENDED APPENDIX OF AUTHORITIES IN SUPPORT OF MUNICIPAL WATER PROVIDERS' OPPOSITION TO UNITED STATES' MOTION FOR JUDGMENT ON THE PLEADINGS

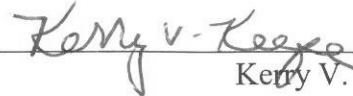
- ☒ by posting the document(s) listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Groundwater matter.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.
- ☐ by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

(SEE ATTACHED SERVICE LIST)

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

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

Executed on September 6, 2006, at Irvine, California.


Kerry V. Keefe

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