

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

REBECCA LEE WILLIS, on behalf of ) JUDICIAL COUNCIL COORDINATION  
herself and all others similarly situated, ) PROCEEDING NO. 4408

Plaintiff,

vs.

LOS ANGELES COUNTY )  
WATERWORKS DISTRICT NO. 40; CITY )  
OF LANCASTER; CITY OF PALMDALE; )  
PALMDALE WATER DISTRICT; )  
LITTLEROCK CREEK IRRIGATION )  
DISTRICT; PALM RANCH IRRIGATION )  
DISTRICT; QUARTZ HILL WATER )  
DISTRICT; ANTELOPE VALLEY WATER )  
CO.; ROSAMOND COMMUNITY )  
SERVICE DISTRICT; and DOES 1 through )  
1,000; )

Defendants.

**NOTICE OF CLASS ACTION**

**TO: ALL PRIVATE LANDOWNERS WITHIN THE ANTELOPE VALLEY**

**THIS LAWSUIT MAY AFFECT YOUR PROPERTY RIGHTS**

This notice is to advise you about a pending class action lawsuit. You may be a member of the Class. ***PLEASE TAKE THE TIME TO READ THIS IMPORTANT LEGAL NOTICE. YOU ARE REQUIRED TO RETURN THE ATTACHED RESPONSE FORM WITHIN SIXTY DAYS.***

**This case involves water rights in the Antelope Valley Groundwater Basin.** Rebecca Willis brought this case to protect her right and that of other landowners in the Basin to pump water on their properties in the future. The case has been combined with other cases to determine all the groundwater rights in the Basin. **The court has not yet decided the case.** This Notice is intended to inform you of the pendency of this case and advise you how you can protect your rights. You have been sent this

Notice because as a property owner in the Antelope Valley your rights to pump and use groundwater on your property may be affected by this case.

### **ARE YOU A MEMBER OF THE CLASS?**

The class includes all private (i.e., non-governmental) landowners who own less than 100 acres within the Antelope Valley

Groundwater Basin, as defined by the Court. A map of the Basin is attached to this notice. The class is represented by Rebecca Willis, who owns 10 acres in the Basin.

**If you pump groundwater on your property or have done so since January 1, 2000, you are a member of the Class. BUT YOU MUST STILL RETURN THE ATTACHED RESPONSE FORM OR YOU WILL BE TREATED AS A MEMBER OF THE CLASS THAT DOES NOT PUMP GROUNDWATER OR HAS NOT PUMPED GROUNDWATER SINCE JANUARY 1, 2000, AND YOUR RIGHTS TO USE WATER ON YOUR PROPERTY MAY BE PREJUDICED.**

### **WHAT IS THE CASE ABOUT?**

Under California law, property owners have a right to pump and use groundwater on their land. In this case, however, the naturally available supply of water in the Basin is not adequate to satisfy everyone who wants to use that water. Plaintiff Willis claims that she and other landowners have water rights which are superior to the rights of certain public water suppliers (listed as defendants on page 1) to use that water. The public water suppliers claim that their historical pumping has given them superior water rights. Your rights to use the groundwater under your property may be cut back or even eliminated. The Court has not yet ruled on these claims.

### **WHAT DO YOU NEED TO DO?**

**You are required to complete and return the attached RESPONSE FORM by \_\_\_\_\_, 2008.**

If you are a non-governmental person or entity who owns property within the Basin, you should complete and return the attached response form stating (A) whether you are a member of the Class and if so whether you wish to (i) remain in the Class or (ii) exclude yourself from the Class.

If you remain in the Class

! You will be bound by the decision in the case, whether favorable or unfavorable; and Plaintiff Willis and her attorneys will act as your representatives in this case, and you will not personally be obligated to pay any fees or costs out of your pocket.

! You *may*, but need not, hire your own lawyer at your own expense to represent you.

If you exclude yourself from the Class,

! You will not be bound by any decision that affects the class;

! But you will be added to the lawsuit as an individual defendant, and you will have to represent yourself or hire a lawyer to represent you.

**Please complete and return the attached response form no later than \_\_\_\_\_, 2008**

**to the following:**

Antelope Valley Groundwater Litigation

P.O. BOX \_\_\_\_\_

\_\_\_\_\_, CA \_\_\_\_\_

**WHERE CAN YOU GET ADDITIONAL INFORMATION?**

The complaint and certain other documents from the litigation are available at **www.\_\_\_\_\_**. In addition, that website has a list of answers to certain other questions you may have. That website will be updated from time to time to advise you of the status of this litigation.

**Also, all of the documents filed in the case are available on the court's website at**

**<http://www.scefiling.org/cases/casehome.jsp?caseId=19>.**

In addition, you may contact the following counsel for further information:

David B. Zlotnick, Esq.

625 Broadway

Suite 635

San Diego, CA 92101

619-232-0331

(Class Counsel)

PLEASE DO NOT CALL OR WRITE THE COURT OR CLERK'S OFFICE. IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT YOUR OWN COUNSEL OR CONTACT CLASS COUNSEL AT THE ADDRESS ABOVE.

**WHAT IF I SELL OR TRANSFER MY PROPERTY?**

BY ORDER DATED \_\_\_\_\_, 2008, THE COURT RULED THAT BUYERS AND TRANSFEREES OF PROPERTY WITHIN THE BASIN WILL BE BOUND BY ANY RULINGS IN THIS CASE. A COPY OF THAT ORDER IS POSTED ON THE COURT'S WEB SITE AT WWW. \_\_\_\_\_ OR CAN BE OBTAINED FROM \_\_\_\_\_. YOU ARE REQUIRED TO ADVISE ANY BUYER OR TRANSFEREE OF THE FACT OF THIS CASE AND GIVE THEM A COPY OF THIS NOTICE AND THE ABOVE ORDER AT LEAST \_\_\_\_ DAYS BEFORE SELLING OR TRANSFERRING YOUR PROPERTY. IF YOU DO NOT DO SO, YOUR SALE OF YOUR PROPERTY MAY BE INVALID.

Dated: \_\_\_\_\_, 2007

BY ORDER OF THE SUPERIOR COURT OF CALIFORNIA FOR  
THE COUNTY OF LOS ANGELES

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EXHIBIT A WILL BE THE MAP SHOWING THE BASIN (as set out in the Court's ruling).

**ANTELOPE VALLEY GROUNDWATER LITIGATION RESPONSE FORM**

[SELF MAILER]

**PLEASE CHECK THE APPROPRIATE BOXES BELOW AND RETURN THIS MAILER AS SOON AS POSSIBLE AND IN ANY EVENT BEFORE \_\_\_\_\_, 2008. IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT YOUR COUNSEL OR CLASS COUNSEL LISTED ABOVE. PLEASE CHECK ONLY ONE BOX FOR EACH ITEM. PLEASE THEN SIGN, FOLD, AND RETURN THE FORM. PLEASE COMPLETE A SEPARATE FORM FOR EACH PARCEL YOU OWN WITHIN THE BASIN.**

1. I DO \_\_\_ DO NOT \_\_\_ OWN PROPERTY WITHIN THE ANTELOPE VALLEY BASIN (AS SHOWN ON EXHIBIT A, ABOVE)

*IF YOU ANSWERED NO, PLEASE SIGN AND DATE BELOW AND RETURN THIS FORM. IF YOU ANSWERED YES, PLEASE CHECK **ONE** ANSWER FOR EACH STATEMENT BELOW:*

1. I AM \_\_\_ AM NOT \_\_\_ PRESENTLY PUMPING GROUNDWATER ON MY PROPERTY.
2. I (or my predecessor owners) DID \_\_\_ DID NOT \_\_\_ PUMP GROUNDWATER ON MY PROPERTY SINCE JANUARY 1, 2000.
3. IF YOU DON NOT PUMP WATER AND HAVE NOT DONE SO SINCE JANUARY 1, 2000, PLEASE SELECT ONE OF THE FOLLOWING:

A. I WANT TO REMAIN IN THE CLASS. \_\_\_\_\_

B. I WANT TO EXCLUDE MYSELF FROM THE CLASS. \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER AND ADDRESS, OR LEGAL DESCRIPTION OF YOUR PROPERTIES IN THE BASIN:

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MY ANTELOPE VALLEY PROPERTY TOTALS APPROXIMATELY \_\_\_\_ ACRES.

**PLEASE COMPLETE A SEPARATE FORM FOR EACH PARCEL YOU OWN IN THE BASIN.**

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(PRINT YOUR NAME)

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(SIGNATURE)

---

(MAILING ADDRESS)

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(CITY, STATE, ZIP CODE)

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(E-mail address or telephone number)

**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 January 4, 2008, I served the within document(s):

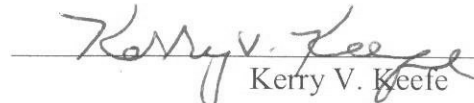
**LOS ANGELES COUNTY WATERKS DISTRICT NO. 40 AND ROSAMOND  
COMMUNITY SERVICE DISTRICT'S PROPOSED NOTICE OF CLASS ACTION**

- ☒ 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.

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 January 4, 2008, at Irvine, California.

  
Kerry V. Keefe