Bob H. Joyce, (SBN 84607) 1 LAW OFFICES OF 2 LEBEAU . THELEN, LLP 5001 East Commercenter Drive, Suite 300 3 Post Office Box 12092 Bakersfield, California 93389-2092 4 (661) 325-8962; Fax (661) 325-1127 5 Attorneys for DIAMOND FARMING COMPANY, a California corporation, CRYSTAL ORGANIC FARMS, a limited liability company, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC 7 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE COUNTY OF LOS ANGELES 10 11 Judicial Council Coordination No. 4408 Coordination Proceeding Special Title (Rule 1550 (b)) 12 ANTELOPE VALLEY GROUNDWATER Case No.: 1-05-CV-049053 13 CASES OBJECTION TO PROPOSED 14 Included actions: STATEMENT OF DECISION RE: PHASE THREE TRIAL AND JOINDER 15 Los Angeles County Waterworks District No. IN OBJECTIONS TO STATEMENT OF 40 vs. Diamond Farming Company DECISION FILED BY TEJON 16 Los Angeles Superior Court RANCHCORP BY DIAMOND Case No. BC 325201 FARMING COMPANY, CRYSTAL 17 ORGANIC FARMS, GRIMMWAY Los Angeles County Waterworks District No. ENTERPRISES, INC., and LAPIS LAND 18 40 vs. Diamond Farming Company COMPANY, LLC Kern County Superior Court 19 Case No. S-1500-CV 254348 NFT 20 Diamond Farming Company vs. City of Lancaster 21 Riverside County Superior Court Lead Case No. RIC 344436 [Consolidated 22 w/Case Nos. 344668 & 353840] 23 AND RELATED CROSS-ACTIONS. 24 Diamond Farming Company, Crystal Organic Farms, Grimmway Enterprises, Inc., and Lapis 25 Land Company, LLC submit the following objections to the proposed Statement of Decision Re: Phase 26 III Trial (SOD) submitted by the Public Water Suppliers (PWS) on June 6, 2011 and their Joinder in the 27 28 OBJECTION TO PROPOSED STATEMENT OF DECISION RE: PHASE THREE TRIAL AND JOINDER IN

OBJECTIONS TO STATEMENT OF DECISION FILED BY TEJON RANCHCORP BY DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

1	Objections to the SOD filed by Tejon Ranchcorp.			
2	1.	There is no Evidence to Support a Finding of Subsidence North of the Willow		
3		Springs Fault Line.		
4	The T	entative Decision states at page 6, lines 1 through 2:		
5		"The physical evidence establishes that there was significant subsidence		
6		occurring throughout the valley ranging from two to six feet or more in certain areas of the valley"		
7	Likewise, the SOD states at page 4, lines 24-26:			
8		"The physical evidence establishes that there was significant subsidence		
9	occurring throughout the Antelope Valley Adjudication Area ranging from two to six feet or more in certain areas of the valley"			
10	These	statements are made despite the fact: 1) that no witness testified that subsidence has		
11	occurred or is	s occurring throughout the valley; 2) no physical evidence was introduced showing that		
12	subsidence wa	as occurring or had occurred north of the Willow Springs fault line; 3) The PWS's experts,		
13	Joe Scalmanini and Mark Wildermuth, testified that subsidence was limited to those areas within the			
14	Antelope Valley Adjudication depicted on Scalmanini Exhibit 20 and Wildermuth Exhibit 57.			
15	Since there is no evidence supporting the assertion that subsidence has occurred in the part of			
16	the Antelope Valley Adjudication lying north of the Willow Springs fault line, the SOD should be			
17	revised to state as follows:			
18		"The physical evidence establishes that there was significant subsidence occurring in some areas of the Antelope Valley Adjudication Area		
19		ranging from two to six feet or more in the Lancaster and Palmdale areas		
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21	2.	Joinder in Objections and Proposals of Tejon Ranchcorp.		
22	Diamo	ond Farming Company, Crystal Organic Farms, Grimmway Enterprises, Inc., and Lapis		
23	Land Company, LLC hereby join in the Objections and Proposals for modifying the SOD, said			
24	objections and proposals are incorporated herein as though fully set forth.			
25	3.	Conclusion.		
26	For the reasons set forth herein and those contained in the Objections filed by Tejon Ranchcorp,			
27	Diamond Farming Company, Crystal Organic Farms, Grimmway Enterprises, Inc., and Lapis Land			
28	ODJECTION TO PROPOSED STATEMENT OF RECISION DE DIVIGE MUREE MAIL AND VOINTER DE			
	OBJECTION TO PROPOSED STATEMENT OF DECISION RE: PHASE THREE TRIAL AND JOINDER IN OBJECTIONS TO STATEMENT OF DECISION FILED BY TEJON RANCHCORP BY DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC			

1	Company, LLC request that the Court direct the PWS to submit a revised proposed Statement of			
2	Decision consistent with modifications and proposals set forth by way of this Objection and the			
3	Objections of Tejon Ranchcorp.			
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5	Dated: June 21, 2011 LeBEAU • THELEN, LLP			
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7	An (11) a			
8	By: BOB H. JOYCE	_		
9	Attorneys for DIAMOND FARMING COMPANY a California corporation, CRYSTAL ORGANIC			
10	FARMS, a limited liability company, GRIMMWA ENTERPRISES, INC., and LAPIS LAND	. Y		
11	COMPANY, LLC			
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OBJECTION TO PROPOSED STATEMENT OF DECISION RE: PHASE THREE TRIAL AND JOINDER IN OBJECTIONS TO STATEMENT OF DECISION FILED BY TEJON RANCHCORP BY DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

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PROOF OF SERVICE

1 ANTELOPE VALLEY GROUNDWATER CASES JUDICIAL COUNCIL PROCEEDING NO. 4408 2 CASE NO.: 1-05-CV-049053 3 I am a citizen of the United States and a resident of the county aforesaid; I am over the age 4 5 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On June 21, 2011, I served the within 6 OBJECTION TO PROPOSED STATEMENT OF DECISION RE: PHASE THREE TRIAL 7 AND JOINDER IN OBJECTIONS TO STATEMENT OF DECISION FILED BY TEJON 8 9 RANCHCORP BY DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC 10 11 (BY POSTING) I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through www.scefiling.org; All papers filed 12 in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council. 13 Los Angeles County Superior Court Chair, Judicial Council of California 14 111 North Hill Street Administrative Office of the Courts Los Angeles, CA 90012 Attn: Appellate & Trial Court Judicial Services 15 (Civil Case Coordinator) Attn: Department 1 Carlotta Tillman (213) 893-1014 16 455 Golden Gate Avenue San Francisco, CA 94102-3688 17 Fax (415) 865-4315 18 (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on June 21, 19 2011, in Bakersfield, California. 20 21 22 23 24

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