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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

**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 353840, RIC
344436, RIC 344668,

Judicial Council Coordination No. 4408

Santa Clara Case No. 1-05-CV-049053

Assigned to The Honorable Jack Komar

**ISSUES BRIEF BY THE PUBLIC SERVICE
SUPPLIERS**

Date: March 24, 2006
Time: 10:00 a.m.
Dept: 17 – Santa Clara County Superior
Court

1 The Public Service Suppliers are the Antelope Valley Water Company, City of Lancaster,
2 Little Rock Creek Irrigation District, Palm Ranch Irrigation District, City of Palmdale, Los
3 Angeles County Public Works District No. 40, Palmdale Water District, Quartz Hill Water
4 District, Rosamond Community Services District, and they jointly submit the following Issues
5 Conference Statement:
6

7 **1. Phase I: Basin Boundaries**

8 The parties need an initial court determination of the Antelope Valley Basin boundaries.
9 Only by determining Basin boundaries will parties know the property owners that should
10 participate in the adjudication. Without an initial determination of the Basin boundaries, there is
11 a risk that experts may not analyze the same area for litigation and settlement purposes.
12

13 **2. Phase II: Right to Store and Recapture Imported Water**

14 Numerous studies on the Antelope Valley Basin conclude that substantial groundwater
15 storage space is available due to long-term chronic overpumping. The sooner that imported water
16 can be stored in the Basin, the more the Basin will be protected from further subsidence and
17 declining Basin groundwater levels. As adjudications often take years to conclude, the public
18 needs an early court determination of the parties' right to store and recapture imported water. The
19 parties should present evidence on groundwater storage as well as plans for storage of imported
20 water to obtain court approval of those plans.
21

22 **3. Phase III: Overdraft**

23 The court determines whether the pumping exceeded the Basin's safe yield. (City of Los
24 Angeles v. City of San Fernando (1975) 14 Cal. 3d 199, 278-280.)
25

26 **4. Phase IV: Allocation of Water Rights**

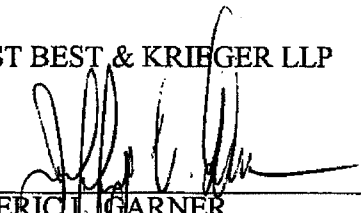
27 Having made determinations in the three prior phases, the court should make both legal
28 and factual determinations on the parties' water rights.

1 **5. Phase V: Management Plan- Physical Solution**

2 After the four previous phases, the court will be able to implement a physical solution to
3 manage and protect the Basin.

4
5 Dated: March 17, 2006

BEST BEST & KRIEGER LLP

6
7 By: 
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PROOF OF SERVICE

I, Lynda Kocis, 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, 3750 University Avenue, Riverside, California 92501. On March 17, 2006, I served the within document(s):

ISSUES BRIEF BY THE PUBLIC SERVICE SUPPLIERS



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 and indicated with an asterisk (*) 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.



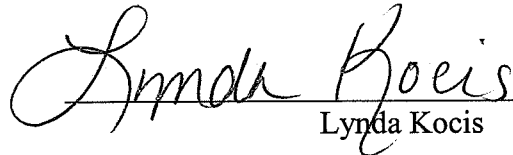
I caused such envelope to be delivered via overnight delivery addressed as indicated on the attached service list. Such envelope was deposited for delivery by Federal Express following the firm's ordinary business practices.

(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 March 17, 2006 at Riverside, California.


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