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10 Attorneys for Defendant and Cross-Defendant
11 SPC DEL SUR RANCH LLC

12 **SUPERIOR COURT OF CALIFORNIA**

13 **COUNTY OF LOS ANGELES**

14 Coordination Proceeding
15 Special Title (Rule 1550(b))

Judicial Council Coordination
Proceeding No. 4408

16 **ANTELOPE VALLEY GROUNDWATER**
17 **CASES**

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

18 **Included Actions:**

19 Los Angeles County Waterworks District
20 No. 40 v. Diamond Farming Co.
21 Superior Court of California, County of
22 Los Angeles, Case No. BC 325 201

23 Los Angeles County Waterworks District
24 No. 40 v. Diamond Farming Co.
25 Superior Court of California, County of Kern,
26 Case No. S-1500-CV-254-348

27 Wm. Bolthouse Farms, Inc. v. City of Lancaster
28 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

29 **AND RELATED CROSS-ACTIONS.**

**DECLARATION OF MATT
WHEELWRIGHT IN SUPPORT OF
DEFENDANT AND CROSS-DEFENDANT
SPC DEL SUR RANCH LLC'S
OPPOSITION TO PUBLIC WATER
SUPPLIERS' MOTION FOR CLASS
CERTIFICATION**

DATE: March 12, 2007
TIME: 1:30 p.m.
DEPT: 1

1 I, Matt Wheelwright, declare:

2 1. I am the Director of Community Development of Defendant and Cross-Defendant
3 SPC Del Sur Ranch LLC ("SPC"). The following facts are within my personal knowledge; and, if
4 called upon to do so, I could and would competently testify thereto personally under oath.

5 2. SPC is the owner of certain real property located in the City of Lancaster,
6 California ("SPC's Property"). Attached as Exhibit "A" hereto is a true and accurate legal
7 description of SPC's Property. SPC's Property totals over 640 acres.

8 3. SPC's Property falls within the Antelope Valley Groundwater Basin boundaries
9 adjudicated by this Court on November 3, 2006, based on my understanding of those adjudicated
10 boundaries.

11 4. SPC's Property is not currently receiving water service from a public entity, public
12 utility or mutual water company. However, SPC's Property has been or is in the process of being
13 annexed into the water service area of Los Angeles County Waterworks District No. 40, and SPC
14 is currently discussing a water service agreement with Los Angeles County Waterworks District
15 No. 40, with the goal of obtaining water service from that district in the near future.

16 5. SPC is a named defendant and cross-defendant in this action, and it has filed the
17 following Answers:

18 **Answer Filed By SPC**

Date Of Filing

- | | |
|---|-------------------|
| 19 • To Complaint filed by Los Angeles County | January 25, 2006 |
| 20 Waterworks District No. 40. | |
| 21 • To Cross-Complaints filed by Rosamond | February 22, 2006 |
| 22 Community Services District; Los Angeles | |
| 23 County Waterworks District No. 40; | |
| 24 Palmdale Water District; City of Palmdale; | |
| 25 City of Lancaster; Quartz Hill Water District; | |
| 26 Little Rock Creek Irrigation District; and | |
| 27 California Water Service Company. | |
| 28 • To Cross-Complaint filed by Antelope | October 2, 2006 |
| Valley-East Kern Water Agency. | |

6. SPC does not wish to be part of the proposed class, nor does it wish to be represented by any class representative. SPC wishes to appear and be represented by its own counsel in this action, as it has done since it first appeared in this case over a year ago.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 26, 2007, at Bakersfield, California.

Matt Wheelwright
MATT WHEELWRIGHT

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	COURT USE ONLY
ATTORNEY FOR PARTY (NAME AND ADDRESS) MARK J. HATTAM (BAR NO. 173667) ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP 501 West Broadway, 15th Floor San Diego, CA 92101-3541 Telephone: (619) 233-1155 Facsimile: (619) 233-1158	
SHORT CASE TITLE Coordination Proceeding Special Title (Rule 1550(b)) ANTELOPE VALLEY GROUNDWATER CASES	
Attorneys for Defendant and Cross-Defendant SPC DEL SUR RANCH LLC	JCCP No. 4408 Santa Clara Case No. 1-05-CV-049053

PROOF OF SERVICE BY ELECTRONIC TRANSMISSION

I am employed in the county of San Diego, state of California. I am over the age of 18 and not a party to the within action. My business address is 501 West Broadway, 15th Floor, San Diego, California 92101-3541.

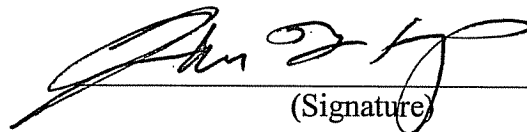
On February 26, 2007, I served on the designated recipients listed in the SCEFiling system the within:

➤ **DECLARATION OF MATT WHEELWRIGHT IN SUPPORT OF
DEFENDANT AND CROSS-DEFENDANT SPC DEL SUR RANCH
LLC'S OPPOSITION TO PUBLIC WATER SUPPLIERS' MOTION
FOR CLASS CERTIFICATION**

☒ (VIA ELECTRONIC MAIL) by posting the documents listed above to Santa Clara Superior Court website: www.scefiling.org regarding the Antelope Valley Groundwater matter.

Executed on February 26, 2007, at San Diego, California. I declare under penalty of perjury under the laws of the state of California that the above is true and correct.

John T. Kaup
(Type or print name)


(Signature)