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11 Santa Monica Mountains Conservancy; 50<sup>th</sup> District  
Agricultural Association  
12

13 SUPERIOR COURT OF CALIFORNIA

14 COUNTY OF LOS ANGELES

15 Coordination Proceeding Special title (Rule 1550(b))

16 **ANTELOPE VALLEY GROUNDWATER CASES:**

17 Included Actions:

18 Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co.

19 Superior Court of California, County of Los Angeles,  
Case No.: BC 325 201

20 Los Angeles County Waterworks District No. 40 v.  
Diamond Farming Co.

21 Superior Court of California, County of Kern, Case No.:  
22 S-1500-CV-254-348

23 Wm. Bolthouse Farms, Inc. v. City of Lancaster

24 Diamond Farming Co. v. City of Lancaster

25 Diamond Farming Co. v. Palmdale Water District

26 Superior Court of California, County of Riverside,  
consolidated actions, CAs Nos. RIC 353 840, RIC 344  
436, RIC 344 668

Judicial Council Coordination  
Proceeding No.: 4408

Case No.: 1-05-CV-049053

**CASE MANAGEMENT  
CONFERENCE STATEMENT  
OF STATE OF CALIFORNIA;  
SANTA MONICA  
MOUNTAINS  
CONSERVANCY; 50<sup>TH</sup>  
DISTRICT AGRICULTURAL  
ASSOCIATION**

Date: February 17, 2006

Time: 9:00 a.m.

Dept: D-1, Room 534

Location: Los Angeles Superior  
Court, 111 North Hill Street  
Los Angeles, CA 90012

27 The State of California, the Santa Monica Mountains Conservancy, and the State  
28 of California 50<sup>th</sup> District Agricultural Association (collectively, State Parties) have been named

1 as Cross-Defendants in the Cross-Complaint filed by Rosamond Community Services District,  
2 Los Angeles County Waterworks District No. 40, Palmdale Water District, City of Lancaster;  
3 City of Palmdale, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Quartz Hill  
4 District and California Water Service Company. State Parties submit the following case  
5 management statement.

6 **State Parties Own Land Overlying the Antelope Valley Groundwater Basin**

7 The State is still investigating the extent of its ownership of land overlying the  
8 Antelope Valley Groundwater Basin. Given the vagueness of the cross-complaint's description  
9 of the boundaries of the Basin, it is not possible at this time for the State to give a precise figure  
10 of the number of parcels or the amount of acreage involved in the State's ownership. The State  
11 agencies which own land within the Basin include but are not necessarily limited to: the Santa  
12 Monica Mountains Conservancy; the 50<sup>th</sup> District Agricultural Association; the Department of  
13 Corrections and Rehabilitation; the Department of Parks and Recreation; the State Lands  
14 Commission; the Department of Water Resources; the Department of Transportation  
15 (CALTRANS); the California Highway Patrol; Department of the Military; Department of  
16 Veteran's Affairs; Office of State Architect.

17 **State Parties Do Claim Overlying Rights to the Native Water of the Basin**  
18 **and Rights to Water Imported by Them for Use on Their Properties**

19 The State is still investigating the extent of its use of water on its properties  
20 overlying the Antelope Valley Groundwater Basin. The State Parties and possibly other State  
21 agencies have pumped water for use on one or more of their properties, are currently pumping  
22 water for use on one or more of their properties, and may in the future pump water for use on one  
23 or more of their properties. The State Parties and other State agencies, if any, owning land  
24 overlying the Antelope Valley Groundwater Basin hold overlying rights to the native waters of  
25 the basin. Under Civil Code section 1007, there can be no prescription against the State's water  
26 rights.

27 In addition, one or more of the State Parties and possibly other State agencies are  
28 importing or purchasing imported water from the State Water Project for use on their properties,

1 and are entitled to that water, and to any return flow from that water that reaches the basin and  
2 augments the water in the basin.

3 **Pleadings, Exhibits and Reports Previously Filed in Any of The**  
4 **Coordinated Cases Should be Made Available to Newly-Named Parties**

5 It is apparent from other Case Management Conference Statements filed in these  
6 actions that this litigation has been proceeding for many years, and that there were a few days of  
7 trial regarding the boundaries of the Antelope Valley Groundwater Basin. In order to avoid  
8 disadvantage to newly-named parties, the pleadings, exhibits, transcripts and other documents  
9 filed in the earlier stages of the proceedings should be made conveniently available to all parties.  
10 Preferably, they should be scanned and posted on the case web site, or e-mailed upon request to  
11 the requesting party. If this is not feasible, as in the case of oversized exhibits, examination of  
12 the documents in the court file should be made as convenient as possible. While some existing  
13 parties are urging the court to proceed as quickly as possible, it is equitable to give newly-named  
14 parties sufficient time to review what has gone before, and to have existing reports and exhibits  
15 examined by their own experts, if necessary.

16 **State Parties Agree that a Determination of the Boundaries of the**  
17 **Basin Should Constitute the First Phase of the Proceedings**

18 State Parties agree that a determination of the boundaries of the basin and any  
19 subbasins should be made in a first phase of the proceedings. As stated above, information  
20 already filed on this topic should be made available to all parties.

21 **State Parties Understand that the Cross-Complaint filed on January 18, 2006**  
22 **Replaces the Complaint filed in Los Angeles County on November 29, 2004**

23 State Parties have been informed by counsel for Cross-Complainants that the  
24 Cross-Complaint filed on January 18, 2006 replaces the Complaint filed in Los Angeles County  
25 on November 29, 2004 and served on Doe defendants during the fall of 2005 as the pleading to

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27 ///

28 ///

1 which responsive pleadings are to be filed. It is our understanding that the Court will establish a  
2 date for responsive pleadings at the Case Management Conference.

3 Dated: January 25, 2006


4 Respectfully submitted,

5 BILL LOCKYER  
Attorney General of the State of California

6 TOM GREENE  
Chief Assistant Attorney General

7 J. MATTHEW RODRIQUEZ  
Senior Assistant Deputy Attorney General

8 VIRGINIA CAHILL  
Deputy Attorney General

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12 MICHAEL L. CROW  
Deputy Attorney General

13 Attorneys for Attorneys for Defendant State of  
14 California; Santa Monica Mountains  
15 Conservancy; 50<sup>th</sup> District Agricultural  
16 Association

**DECLARATION OF SERVICE BY OVERNIGHT COURIER**

Case Name: **Antelope Valley Groundwater Cases: Included Actions: Los Angeles Superior Court Case BC 325 201; Superior Court of Kern Case No. S-1500-CV-254-348; Superior Court of Riverside Case Nos. RIC 253 840, RIC 344 436, RIC 344 668; Judicial Council Coordination Proceeding No.: 4408**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 1300 I Street, P.O. Box 944255, Sacramento, California 94244-2550.

On January 25, 2006, I served the **CASE MANAGEMENT CONFERENCE STATEMENT OF STATE OF CALIFORNIA; SANTA MONICA MOUNTAINS CONSERVANCY; 50<sup>th</sup> DISTRICT AGRICULTURAL ASSOCIATION** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid with the addressed as follows:

Presiding Judge of the Superior Court of  
California, County of Los Angeles  
County Courthouse  
111 North Hill IStreet  
Los Angeles, CA 90012-3014

Honorable Jack Kumar  
Santa Clara County Superior Court  
191 North First Street, Department 17C  
San Jose, Ca 95113

Chair, Judicial Council of California  
Administrative office of the Courts  
Attn: Appellate and Trial Court Judicial  
Services (Civil Case Coordination)  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on January 25, 2006, at Sacramento, California.

\_\_\_\_\_  
Judy A. Dickey  
Declarant

\_\_\_\_\_  
*Judy A. Dickey*  
Signature