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**Attorneys for:** B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Barbara J. Calandri, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Kootenai Properties, Inc., Gailen Kyle, Gailen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of the Kyle Family Trust, Julia Kyle, Wanda E. Kyle, Eugene B. Nebeker, R and M Ranch, Inc., Edgar C. Ritter Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Trust, Hines Family Trust, Malloy Family Partners, Consolidated Rock Products, Calmat Land Company, Marygrace H. Santoro as Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, Dennis L. & Marjorie E. Groven Trust, Scott S. & Kay B. Harter, Habod Javadi, Bob Jones, Beverly A., & Paul S. Kindig, Paul S. & Sharon R. Kindig, Jose Maritoren Living Trust, Richard H. Miner, Jeffrey L. & Nancee J. Siebert, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Beverly Tobias, Leo L. Simi, White Fence Farms Mutual Water Co. No. 3., William R. Barnes & Eldora M. Barnes Family Trust of 1989 collectively known as the Antelope Valley Ground Water Agreement Association ("AGWA")

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SANTA CLARA**

**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  
325 201 Los Angeles County Waterworks  
District No. 40 v. Diamond Farming Co.  
Superior Court of California, County of Kern,  
Case No. S-1500-CV-254-348Wm. 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,  
consolidated actions, Case No. RIC 353 840,  
RIC 344 436, RIC 344 668

Judicial Council Coordination Proceeding  
No. 4408

**Santa Clara Case No. 1-05-CV-049053**  
Assigned to The Honorable Jack Komar

**OBJECTION TO CASE MANAGEMENT  
CONFERENCE STATEMENT OF  
ANTELOPE VALLEY-EAST KERN  
WATER AGENCY**

**Hearing Date: December 18, 2007**  
**Time: 9:00 am**  
**Department: 1**

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2  
3 On August 10, 2007, the Antelope Valley Groundwater Agreement Association ("AGWA")  
4 filed a partial joinder and partial Opposition to a filing made by the Antelope Valley East Kern  
5 Water Agency ("AVEK"). The basis for the objection was, "the improper submission of hearsay  
6 evidence by AVEK that is irrelevant to the substance of the pleading." (AGWA Objection 2:12.)

7 Once again, AGWA is forced to raise the exact same objection with reference to AVEK's  
8 Case Management Conference Statement dated December 7, 2007 ("Statement"). In addition to the  
9 numerous hearsay issues with the Statement, the Statement is rife with factual allegations that are  
10 unsubstantiated by either supporting declaration or documents. This lack of substantiation provides  
11 no opportunity for either verification or rebuttal of these allegations.

12 The Statement further provides that AVEK wishes to make the Court aware of its banking  
13 and storage plans in advance of a determination in the present case so that the Court can take these  
14 plans into account in crafting a physical solution. (Statement 4:25-27.) AVEK indicates that it,  
15 "wishes to proceed with water banking efforts now . . . and not wait for the case to be resolved."  
16 (Statement 4:7-8.)

17 The storage space within the Antelope Valley Groundwater Basin is a tremendous local  
18 resource, and AGWA supports the development of mechanisms that will maximize the utility of that  
19 space for the benefit of the local community. However, until such time as the court makes a  
20 determination in this case, whether through physical solution or otherwise, the rights of all parties to  
21 access and control that storage space continue in effect, and must be respected and maintained.

22 The members of AGWA also wish to proceed with the development of beneficial uses for  
23 water on their property as they have done for generations. Unfortunately, they are being inhibited in  
24 these efforts because they are defendants in lawsuits brought by AVEK and the other water  
25 purveyors, which have placed a cloud on their property rights.

26 Water banking is a very important issue in the adjudication. If AVEK, or any of the other  
27 water purveyors, believe that it is "imperative" to move forward immediately with their own  
28 projects, then they should be directing their energy into reaching a settlement of the adjudication,

1 rather than attempting to force through a resolution of their own particular issues independent of the  
2 overall solution.

3  
4  
5 Dated: December 13, 2007

HATCH & PARENT, A LAW CORPORATION

6  
7 By: 

MICHAEL T. FEE  
BRADLEY J. HERREMA  
ATTORNEYS FOR AGWA

**PROOF OF SERVICE**

**STATE OF CALIFORNIA,  
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On December 13, 2007, I served the foregoing document described as:

**OBJECTION TO CASE MANAGEMENT CONFERENCE STATEMENT OF  
ANTELOPE VALLEY-EAST KERN WATER AGENCY**

on the interested parties in this action.

By posting it on the website at 2:00 (p.m.)/a.m. on December 13, 2007.  
This posting was reported as complete and without error.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed in Santa Barbara, California, on December 13, 2007.

April Robitaille  
TYPE OR PRINT NAME

April Robitaille  
SIGNATURE