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DISTRICT NO. 40

EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103

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COUNTY WATERWORKS DISTRICT NO. 40

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 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

CLASS ACTION

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

STIPULATION WITH ANTELOPE VALLEY
EAST-KERN WATER AGENCY

STIPULATION

Los Angeles Waterworks District No. 40, City of Palmdale, City of Lancaster, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water District, Rosamond Community Services District, and California Water Service Company (collectively, the "Public Water Suppliers") hereby enter into the following stipulation with Antelope Valley East-Kern Water Agency.

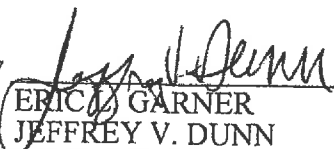
Pursuant to the Fifth Amended Case Management Order for the Phase 4 Trial, this Stipulation is only for the purpose of determining groundwater pumping during 2011 and 2012. This stipulation shall not result in any determination of any water right, or the reasonableness of any party's water use or manner of applying water to the use. This Stipulation will not preclude any party from introducing in a later phase evidence to support its claimed water rights including, without limitation, evidence of water use in years other than 2011 and 2012. All parties reserve their rights to produce any evidence to support their claimed water rights and make any related legal arguments including, without limitation, arguments based on applicable constitutional, statutory, or decisional authority.

The parties hereto hereby stipulate that the groundwater pumped by Antelope Valley East-Kern Water Agency was 11,463 acre feet in 2011 and 2792 acre feet in 2012.

Dated: May 23, 2013

BEST BEST & KRIEGER LLP


By


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1 Dated: May 23, 2013

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JAMES L. MARKMAN
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6 Dated: May __, 2013

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8 By

DOUGLAS J. EVERTZ
Attorneys for Cross-Defendant
CITY OF LANCASTER AND
ROSAMOND COMMUNITY SERVICES
DISTRICT

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WAYNE LEMIEUX
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LITTLE ROCK CREEK IRRIGATION
DISTRICT AND PALM RANCH
IRRIGATION DISTRICT

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15 DISTRICT

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16 DISTRICT

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Dated: May 27, 2013

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1 Dated: May __, 2013
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4 By John Tootle
5 JOHN TOOTLE
6 Attorneys for Cross-Defendant
7 CALIFORNIA WATER SERVICE
8 COMPANY

9 Dated: May 28, 2013
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12 By William Brunick
13 WILLIAM BRUNICK
14 Attorney for
15 ANTELOPE VALLEY EAST-KERN
16 WATER AGENCY

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I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 1839 Commercenter West, San Bernardino, California 92408-3303.


On May 28, 2013, I served the foregoing document(s) described as: **STIPULATION WITH ANTELOPE VALLEY-EAST KERN WATER AGENCY** on the interested parties in this action served in the following manner:

■ **BY ELECTRONIC SERVICE AS FOLLOWS** by posting the document(s) listed above to the Santa Clara website in the action of the *Antelope Valley Groundwater Litigation*, Judicial Council Coordination Proceeding No. 4408, Santa Clara Case No. 1-05-CV-049053.

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

Executed on May 28, 2013, at San Bernardino, California.

Executed on May 28, 2013, at San Bern


P. Jo Anne Quihuis