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**Attorney for BLUM TRUST**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

Coordinated Proceedings  
Special Title {Rule 1550 (b)}

Judicial Council Coordination Proceeding  
No. 4408

**ANTELOPE VALLEY GROUNDWATER  
CASES**

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

Included Actions:

**STATUS CONFERENCE STATEMENT  
OF BLUM TRUST**

Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.  
Los Angeles County Superior Court  
Case No. BC 325 201

Date: May 23, 2014  
Time: 9:00 a.m.  
Place: Telephonic  
Judge: Hon. Jack Komar

Los Angeles County Waterworks District  
No. 40 v. Diamond Farming Co.  
Kern County Superior Court  
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. City of  
Palmdale Water District.  
Riverside County Superior Court  
Consolidated Action Nos. RIC 344 840,  
RIC 344 436, RIC 344 668

**AND RELATED CROSS-ACTIONS**

The Blum Trust respectfully submits the following Status Conference Statement.

1 The Blum Trust has had limited involvement in the parties settlement discussions through  
2 telephonic appearance while monitoring its progress. The Blum Trust plans to participate in the  
3 settling parties' Physical Solution consistent with all overlying settling parties, including receiving a  
4 correlative share of 85% of the Federally Adjusted Native Safe Yield for reasonable and beneficial  
5 uses on its overlying parcels free of replacement assessment.

6  
7 By virtue of the location of Blum Trust's 150 Acres of farmland which overlies the Antelope  
8 Valley Area of Adjudication, the Blum Trust has an appurtenant/correlative right to pump and/or divert  
9 groundwater for the reasonable and beneficial use of its farmland.

10 The Blum Trust further agrees with the settling parties on the implementation of water  
11 control safeguards and methods of achieving anticipated reduction of production pumping in the  
12 future arising out of overdraft and/or triggering cutbacks.

13 The Blum Trust intends to participate in the Phase 6 Trial. The trial setting for Phase 6  
14 should provide sufficient time for the discovery of lay and expert witnesses, filing of dispositive  
15 motions, filing of in limine motions and exchanging of Trial Exhibits and Briefs between the parties.

16 As explained in earlier case management conference statements and briefs, since 1985  
17 Blum Trust has owned approximately 150 acres of farmland located in the City of Lancaster, County  
18 of Los Angeles identified as APN: (1) 3384-009-001 [80+/- Acs.]; (2) 3384-009-006 [39 +/- Acs.]; (3)  
19 3384-020-012 [10+/-Acs.]; (4) 3384-020-013 [10+/- Acs.]; (5) 3262-016-011 [10+/- Acs.].

20  
21 During all relevant time-frames assigned by the Court, the Blum Trust's overlying  
22 extraction/allocation claims/rights on APN 3384-009-001 [80+/- Acs.], and 3384-009-006 [39 Acs.]  
23 are based on a deep rooted, traditional and historic "**Collective Farming Unit**", arising under an  
24 Agriculture Lease Agreement between Former Lessor Blum Trust and Lessee Bolthouse Farms.  
25

1 The adjacent water well parcels of Former Lessee Wm. Bolthouse Farms, Inc, and its  
2 assignee and/or successor in interest Bolthouse Properties, LLC identified as AVOL 14-3 North;  
3 AVOL 14-3 South; & LAID 13-3, were reasonably and beneficially used to conduct its farming  
4 operations on Blum's parcels via irrigating and harvesting Carrots & Onions. All of the agriculture  
5 lease covenants were deemed *covenants running with the land* and inured to the benefit of and be  
6 binding upon the successors in interest of the parties.  
7

8 The Blum Trust groundwater pumping/allocation rights are both crop determined and  
9 recorded under Annual Notices of Groundwater Extraction And Diversions. The California  
10 Department of Water Resources, Southern District archives further identifies **two (2) recorded**  
11 **"Water Well Index Cards"** filed by Blum Trust's farming predecessors, who drilled water wells on  
12 the Blum Trust parcels. A **third (3<sup>rd</sup>) water well** is also present on the property.  
13

14 The law disfavors forfeitures which are strictly construed in favor of the persons against  
15 whom they are sought to be imposed. (*Tamalpais Land & Water Co. v. Northwestern Pac. R. Co.*  
16 (1946) 73 Cal.App.2d 917, 929; *County of Los Angeles v. Granite State Ins. Co.* (2004) 121  
17 Cal.App.4<sup>th</sup> 1,3.).

18 Based on the foregoing, the Blum Trust's groundwater entitlement are not duplicative to  
19 any parties' claims, nor injuries, prejudicial, or otherwise unreasonably effect the overall economy,  
20 or the fish, wildlife or other instream beneficial uses of the basin. (*Water Code §1736*; and *Barnes*  
21 *v. Hussa* (2006) 136 Cal.App.4<sup>th</sup> 1358, 39 Cal.Rptr. 3d 659).

22 Dated: May 20, 2014

Respectfully submitted,  
LAW OFFICES OF SHELDON R. BLUM

24 By:   
25 SHELDON R. BLUM, Esq.  
Attorney For The BLUM TRUST