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45MG 8ME LLC, a Delaware limited liability
6 company

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

10
11 Coordination Proceeding
Special Title (Rule 1550(b))

12 **ANTELOPE VALLEY**
13 **GROUNDWATER CASES**

14 Including Consolidated Actions:

15 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.; Superior
16 Court of California, County of Los Angeles,
Case No. BC391869 (formerly BC325201);

17 Los Angeles County Waterworks District
18 No. 40 v. Diamond Farming Co.; Superior
Court of California, County of Kern, Case
19 No. S-1500-CV-254348;

20 Wm. Bolthouse Farms, Inc. v. City of
Lancaster; Diamond Farming Co. v. City of
21 Lancaster; Diamond Farming Co. v.
Palmdale Water Dist.; Superior Court of
22 California, County of Riverside,
consolidated actions, Case Nos. RIC 353840,
23 RIC 344436, RIC 344668;

24 AND RELATED ACTIONS.

Judicial Council Coordination
Proceeding No. 4408

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

**NOTICE OF MOTION AND
MOTION TO INTERVENE IN
JUDGMENT**

(Filed concurrently with the
Memorandum of Points & Authorities in
support of Motion to Intervene;
Declarations of Veena P. Beglinger and
Theodore A. Chester, Jr. in support of
Motion to Intervene; and [Proposed]
Order)

Hearing Date: To Be Set By The Court
Time: To Be Set By The Court
Judge: Hon. Jack Komar
Dept. 17

[Hearing to be conducted by CourtCall]

1 TO THE HONORABLE JACK KOMAR, JUDGE OF THE SUPERIOR COURT, ALL
2 INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that on a date and time to be set by the Court or as soon
4 thereafter as the Santa Clara Superior Court, located at 161 North First Street San Jose,
5 CA 95113, may hear the matter, Moving Party 45MG 8ME LLC, a Delaware limited
6 liability company will, and hereby does, move the Court for an order granting it leave to
7 intervene in this Action and thereby become a Party to the December 23, 2015 Judgment
8 and Physical Solution (“Judgment”) in the above-captioned Antelope Valley Groundwater
9 Adjudication.

10 The general grounds for granting this Motion are as follows:

11 1. Section 20.9 of the Judgment provides that “[a]ny Person who is not a Party
12 or successor to a Party and who proposed to ... acquire a Production Right ... is required
13 to seek to become a Party subject to this Judgment through a noticed motion to intervene
14 in this Judgment prior to commencing Production.” This language applies to Movant
15 because it is not presently a named Party subject to this Judgment, and it seeks to acquire
16 Production Rights.

17 2. 45MG 8ME has entered into an agreement to acquire Production Rights
18 from Bruce Burrows and 300 A 40 H, LLC, already Parties to this Action, consisting of
19 one (1) acre-foot of Permanent Production Right and two hundred fifty (250) acre-feet of
20 Carry Over water rights.

21 3. The Watermaster Engineer has found that no Material Injury will result to
22 the Basin from this transaction;

23 4. The Antelope Valley Watermaster Board has unanimously approved this
24 transaction, and has required 45MG 8ME to intervene and become a Party to the
25 Judgment; and

26 5. The Watermaster has stated that he will file a Notice of Non-Opposition to
27 the Motion to Intervene.

28 6. In addition to the above-noted reasons and procedures that were anticipated

1 and incorporated into the Judgment itself; all of the requirements for both mandatory *and*
2 permissive intervention (as set forth in Code of Civil Procedure Section 387) are also
3 present in this case; thereby providing triplicate cause to grant this Motion to Intervene.

4 This Motion is based on the Declarations of Veena P. Beglinger and Theodore A.
5 Chester, Jr., and the Memorandum of Points and Authorities, all of which are attached
6 hereto; the Judgment itself (which specifically authorized the filing of this Motion); and
7 other pleadings and documents filed in this Action; together with any additional evidence
8 and legal argument which may be presented at or prior to the hearing of this Motion.

9 DATED: May, 7 2026

COX, CASTLE & NICHOLSON LLP

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11 By: Kenneth B. Bley
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13 Attorneys for Intervenor
14 45MG 8ME LLC, a Delaware
15 Limited liability Company
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