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Granite Construction Company

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

**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. Lancaster, Diamond  
Farming Co. v. Palmdale Water Dist., Superior  
Court of California, County of Riverside, Case  
No. RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

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

**DECLARATION OF BOB H. JOYCE  
IN OPPOSITION TO LANE  
FAMILY'S MOTION FOR POST  
JUDGMENT SUPPLEMENT ORDER  
RE GRANITE CONSTRUCTION  
COMPANY**

Date: March 21, 2016  
Time: 1:30 p.m.  
Dept.: TBA  
Court: San Jose Superior Court  
191 N. First Street  
San Jose, CA 95113

I, BOB H. JOYCE, declare as follows:

1. I am an attorney at law licensed to practice in all courts of the State of California  
and a member of the law firm of LeBeau-Thelan, LLP. I am the attorney of record for

1 DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, GRIMMWAY  
2 ENTERPRISES, INC. and LAPIS LAND COMPANY, LLC.

3 2. I have personal knowledge of the facts stated in this Declaration and, if called as a  
4 witness, would testify to those facts.

5 3. In February 2014, the Court suspended the Phase 5 trial on Federal Reserve  
6 Rights and Right to Return Flow of Imported Water, and ordered the parties into settlement  
7 discussions at the offices of Best, Best & Krieger (**BBK**) in Los Angeles, California. Over the  
8 next several weeks, I, along with more than 40 lawyers, participated in negotiating the  
9 substantive framework for the current settlement and water allocation among the various parties.  
10

11 4. On or about March 31, 2014, lawyers representing more than 100 parties met at  
12 the BBK offices for continued settlement negotiations. I was present for my clients. Robert G.  
13 Kuhs was present representing Tejon Ranchcorp and Granite Construction Company (**Granite**).  
14 Ted Chester was also present representing his clients Littlerock Sand and Gravel, Inc. (**LS&G**),  
15 Landinv, Inc., Frank and Yvonne Lane 1993 Trust, George and Charlene Lane Family Trust,  
16 A.V. Materials, Inc., Littlerock Aggregate Co., Holliday Rock Co., Inc., Monte Vista Building  
17 Sites, Inc., and Bruce Burrows and 300 A 40 H, LLC.  
18

19 5. I understood based in part on the Phase 4 evidence that Granite operated two  
20 quarries within the AVAA, the Big Rock Quarry and the Little Rock Quarry. I also understood  
21 that Granite owns the land under the Big Rock Quarry in fee, and that the land under the Little  
22 Rock Quarry is owned in part by Granite, and in part by LS&G and leased to Granite. Granite,  
23 not LS&G, was using the water.  
24

25 6. As part of the global settlement, and in particular the allocations of native safe  
26 yield on Exhibit 4 to the Stipulation for Entry of Judgment and Physical Solution, I along with  
27 the other stipulating parties, agreed to allocate 126 acre-feet to Granite for its Big Rock Quarry,  
28

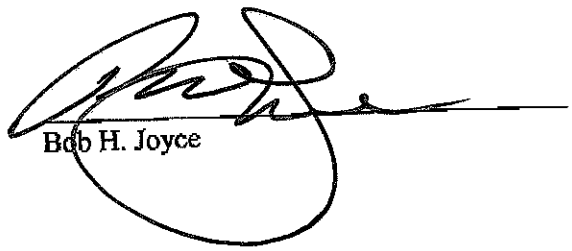
1 and 234 acre-fee related to Granite's operation at the Little Rock Quarry. As a necessary part of  
2 the allocation settlement between the stipulating parties, Ted Chester and Robert Kuhs reached  
3 an agreed allocation of the 234 acre-feet as between Granite and LS&G. I specifically told Mr.  
4 Chester that my clients would not agree to an allocation of water for Mr. Chester's other client  
5 Bruce Burrows/300 A40 H LLC, unless doing so resulted in a global settlement among all  
6 stipulating parties.  
7

8 7. On April 4, 2014, as reflected in the minute order, counsel appeared before the  
9 Court and reported that all parties had reached a global settlement. (Docket # 8932)

10 8. On behalf of my clients, I intended to settle the claims between my clients and all  
11 of the stipulating parties including Granite and LS&G. Any change in the allocation on Exhibit 4  
12 would jeopardize the Judgment and Physical Solution.  
13

14 I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct.

16 Executed this 7<sup>th</sup> day of March, 2016, at Bakersfield, California.

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20 Bob H. Joyce  
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