

1 seeks a remedy that is in violation of the doctrine of separation of powers set forth in Article 3  
2 section 3 of the California Constitution.

3 **Seventeenth Affirmative Defense**

4 18. Cross-Complainants are barred from asserting their prescriptive claims by  
5 operation of law as set forth in Civil Code sections 1007 and 1214.

6 **Eighteenth Affirmative Defense**

7 19. Each Cross-Complainant is barred from recovery under each and every cause of  
8 action contained in the Cross-Complaint by the doctrine of unclean hands and/or unjust  
9 enrichment.

10 **Nineteenth Affirmative Defense**

11 20. The Cross-Complaint is defective because it fails to name indispensable parties in  
12 violation of California Code of Civil Procedure Section 389(a).

13 **Twentieth Affirmative Defense**

14 21. The governmental entity Cross-Complainants are barred from taking, possessing  
15 or using cross-defendants' property without first paying just compensation.

16 **Twenty-First Affirmative Defense**

17 22. The governmental entity Cross-Complainants are seeking to transfer water right  
18 priorities and water usage which will have significant effects on the Antelope Valley  
19 Groundwater basin and the Antelope Valley. Said actions are being done without complying with  
20 and contrary to the provisions of California's Environmental Quality Act (CEQA) (Pub.Res.C.  
21 2100 *et seq.*).

22 **Twenty-Second Affirmative Defense**

23 23. The governmental entity Cross-Complainants seek judicial ratification of a project  
24 that has had and will have a significant effect on the Antelope Valley Groundwater Basin and the  
25 Antelope Valley that was implemented without providing notice in contravention of the  
26 provisions of California's Environmental Quality Act (CEQA) (Pub.Res.C. 2100 *et seq.*).

27 **Twenty-Third Affirmative Defense**

28 24. Any imposition by this court of a proposed physical solution that reallocates the  
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