

1 Bob H. Joyce, (SBN 84607)  
2 LAW OFFICES OF  
3 **LEBEAU • THELEN, LLP**  
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Post Office Box 12092  
Bakersfield, California 93389-2092  
(661) 325-8962; Fax (661) 325-1127

5 Attorneys for DIAMOND FARMING COMPANY,  
6 a California corporation, CRYSTAL ORGANIC  
7 FARMS, a limited liability company, GRIMMWAY  
ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **IN AND FOR THE COUNTY OF LOS ANGELES**

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

Judicial Council Coordination No. 4408

13 ANTELOPE VALLEY GROUNDWATER  
14 CASES

Case No.: 1-05-CV-049053

15 Included actions:

**SUPPLEMENTAL DECLARATION OF  
CARL F. VOSS, JR., FOR PHASE 6  
TRIAL FILED ON BEHALF OF  
DIAMOND FARMING COMPANY,  
INC., CRYSTAL ORGANIC FARMS,  
LLC, GRIMMWAY ENTERPRISES,  
INC. AND LAPIS LAND COMPANY,  
LLC**

16 Los Angeles County Waterworks District No.  
17 40 vs. Diamond Farming Company  
Los Angeles Superior Court  
Case No. BC 325201

Trial Date: September 28, 2015  
Time: 10:00 a.m.  
Room: 222

18 Los Angeles County Waterworks District No.  
19 40 vs. Diamond Farming Company  
Kern County Superior Court  
Case No. S-1500-CV 254348 NFT

20 Diamond Farming Company vs. City of  
21 Lancaster  
22 Riverside County Superior Court  
Lead Case No. RIC 344436 [Consolidated  
w/Case Nos. 344668 & 353840]

23  
24 **AND RELATED CROSS-ACTIONS.**

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1 I, CARL F. VOSS, JR., declare as follows:

2 1. I make this declaration of my own personal knowledge and if called upon to testify, I  
3 could and would testify as follows:

4 2. I am an employee of Grimmway Enterprises, Inc. ("Grimmway"). I have worked for  
5 Grimmway since 1995. From 1995 to the present, I have been Grimmway's land manager. As the land  
6 manager, in addition to other responsibilities, I am responsible for all water issues that pertain to the  
7 land held and/or utilized by Grimmway or its affiliates and subsidiaries.

8 3. I make this declaration as a supplement to my May 27, 2013 declaration identified by  
9 Docket #81667 and filed on May 30, 2013. A true and correct copy of my declaration is attached hereto  
10 and incorporated herein by reference as Exhibit A.

11 4. I make this declaration as a supplement to my May 28, 2013 supplemental declaration  
12 identified by Docket #81656 and filed on May 30, 2013. A true and correct copy of my declaration is  
13 attached hereto and incorporated herein by reference as Exhibit B.

14 5. The exhibit identified as 6-GRIMM-110, attached hereto, is a true and correct copy of  
15 a spreadsheet prepared and maintained by our farming department in the ordinary course of business,  
16 and by content reflects on a yearly basis groundwater production for the crop years 1998 - 2012, for the  
17 Kotchian Ranch (Diamond Farming Company, LLC) and Willows Springs (Crystal Organic Farms,  
18 LLC). Additionally, the surface water used as delivered from AVEK is also reflected for the same years.

19 6. During the calendar year 2010, 1,574.250 acre feet of groundwater was pumped by and  
20 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
21 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

22 7. During the calendar year 2009, 1,524.530 acre feet of groundwater was pumped by and  
23 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
24 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

25 8. During the calendar year 2008, 2,935.520 acre feet of groundwater was pumped by and  
26 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
27 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

1           9.       During the calendar year 2007, 1,513.690 acre feet of groundwater was pumped by and  
2 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
3 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

4           10.       During the calendar year 2006, 1,983.940 acre feet of groundwater was pumped by and  
5 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
6 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

7           11.       During the calendar year 2005, 1,802.952 acre feet of groundwater was pumped by and  
8 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
9 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

10          12.       During the calendar year 2004, 1,725.634 acre feet of groundwater was pumped by and  
11 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
12 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

13          13.       During the calendar year 2003, 1,693.310 acre feet of groundwater was pumped by and  
14 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
15 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

16          14.       During the calendar year 2002, 1,639.690 acre feet of groundwater was pumped by and  
17 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
18 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

19          15.       During the calendar year 2010, 1,024.320 acre feet of groundwater was pumped by and  
20 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
21 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

22          16.       During the calendar year 2009, 2,131.365 acre feet of groundwater was pumped by and  
23 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
24 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

25          17.       During the calendar year 2008, 2,218.031 acre feet of groundwater was pumped by and  
26 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
27 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

1           18.     During the calendar year 2007, 2,498.582 acre feet of groundwater was pumped by and  
2 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
3 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

4           19.     During the calendar year 2006, 2,179.710 acre feet of groundwater was pumped by and  
5 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
6 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

7           20.     During the calendar year 2005, 2,204.694 acre feet of groundwater was pumped by and  
8 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
9 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

10          21.     During the calendar year 2004, 1,914.501 acre feet of groundwater was pumped by and  
11 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
12 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

13          22.     During the calendar year 2003, 1,106.121 acre feet of groundwater was pumped by and  
14 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
15 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

16          23.     During the calendar year 2002, 1,433.162 acre feet of groundwater was pumped by and  
17 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
18 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

19          24.     During the calendar year 2001, 1,742.521 acre feet of groundwater was pumped by and  
20 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
21 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

22          25.     During the calendar year 2000, 1,528.789 acre feet of groundwater was pumped by and  
23 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.

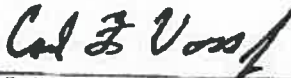
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1 A true and correct copy of the spreadsheet is attached hereto as Exhibit 6-GRIMM-110.

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

4 Executed this 29<sup>th</sup> day of September, 2015 at Bakersfield, California.

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7 CARL F. VOSS, JR.

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**EXHIBIT "A"**



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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF LOS ANGELES**

Coordination Proceeding Special Title  
(Rule 1550 (b))

Judicial Council Coordination No. 4408

ANTELOPE VALLEY GROUNDWATER  
CASES

Case No.: 1-05-CV-049053

Included actions:

**DECLARATION OF CARL F. VOSS JR.**

Los Angeles County Waterworks District No.  
40 vs. Diamond Farming Company  
Los Angeles Superior Court  
Case No. BC 325201

Los Angeles County Waterworks District No.  
40 vs. Diamond Farming Company  
Kern County Superior Court  
Case No. S-1500-CV 254348 NFT

Diamond Farming Company vs. City of  
Lancaster  
Riverside County Superior Court  
Lead Case No. RIC 344436 [Consolidated  
w/Case Nos. 344668 & 353840]

AND RELATED CROSS-ACTIONS.

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1 I, CARL F. VOSS, JR., declare as follows:

2 1. I make this declaration of my own personal knowledge and if called upon to testify, I  
3 could and would testify as follows:

4 2. I am an employee of Grimmway Enterprises, Inc. ("Grimmway"). I have worked for  
5 Grimmway since 1995. From 1995 to the present, I have been Grimmway's land manager. As the land  
6 manager, in addition to other responsibilities, I am responsible for all water issues that pertain to the  
7 land held and/or utilized by Grimmway or its affiliates and subsidiaries.

8 3. Diamond Farming Company, Crystal Organic Farms, and Lapis Land Co., LLC, are each  
9 affiliates or subsidiaries of Grimmway Enterprises, Inc. As part of my duties as Grimmway's land  
10 manager, I am responsible for all water issues that pertain to the lands held and/or used by each of these  
11 affiliates or subsidiaries (together with the Grimmway Enterprises' property, the property held by these  
12 affiliates/subsidiaries is collectively referred to as the "Grimmway Properties"). The properties owned  
13 by Grimmway Enterprises, Inc. and Lapis Land Co., LLC do not pump groundwater.

14 4. The water issues that I handle for the Grimmway Properties covers all issues relating to  
15 making sure that the properties have a water source. This entails working with water districts and  
16 groundwater sources or both. In the case of ground water, I am responsible for making sure that all  
17 pumping equipment down and inside the hole is maintained. I also track the water that is produced from  
18 the wells, as well as monitoring the expenses associated with the well usage. All wells are metered.

19 5. Of the four named cross-defendants, only two own land within the Area of Adjudication  
20 which is actively farmed, and from which groundwater is produced and used for irrigation, specifically,  
21 Diamond Farming Company and Crystal Organic Farms, LLC.

22 6. Diamond Farming Company owns 530.09 acres within the area of adjudication which  
23 is actively farmed and from which groundwater is pumped and put to use for irrigation.

24 7. Crystal Organic Farms, LLC owns 627.37 acres within the area of adjudication which is  
25 actively farmed and from which groundwater is pumped and put to use for irrigation.

26 8. The exhibit identified as 4-GRIMM-1, attached hereto, is a true and correct copy of a map  
27 of what is internally referred to as the Kotchian Ranch, and which depicts that property owned by  
28 Diamond Farming Company.



1           9.       The exhibit identified as 4-GRIMM-2, 3, & 4, attached hereto, is a true and correct copy  
2 of the deed granting the parcel identified as APN 3378-001-003 from Kotchian Properties to Diamond  
3 Farming Company. This document was recorded in Los Angeles County on November 24, 1999 as  
4 document number 99-2183556.

5           10.       The exhibit identified as 4-GRIMM-5 & 6, attached hereto, is a true and correct copy of  
6 the County of Los Angeles Assessors map 3378 showing the Diamond Farming Company's properties.

7           11.       The exhibit identified as 4-GRIMM-7, 8, 9 & 10, attached hereto, is a true and correct  
8 copy of the deed granting the parcel identified as APN 3376-032-001 from the Calandri Trust to  
9 Diamond Farming Company. This document was recorded in Los Angeles County on December 20,  
10 2004 as document number 04-3371087.

11          12.       The exhibit identified as 4-GRIMM-11, attached hereto, is a true and correct copy of the  
12 County of Los Angeles Assessors map 3376 showing the Diamond Farming Company property  
13 identified at APN 3376-032-001.

14          13.       In 2012, there were only three active wells from which Diamond Farming Company was  
15 pumping water. These wells are identified on Exhibit 4-GRIMM-1 as wells DW-133, DW224 and DW-  
16 134.

17          14.       The exhibit identified as 4-GRIMM-14 & 16, attached hereto, is a true and correct copy  
18 of a spreadsheet prepared and maintained by Diamond Farming Company, in the ordinary course of  
19 business, and by content reflect on a monthly basis groundwater production for the crop year 2011 (Ex.  
20 4-GRIMM-14) and crop year 2012 (Ex. 4-GRIMM-16). This contains the information for the water  
21 usage on Kotchian Properties from wells DW-133, DW224 and DW-134 as identified on Exhibit 4-  
22 GRIMM-1. The total production for the crop year 2011 was 1,751.852 acre feet. The total production  
23 for the crop year 2012 was 1,645.379 acre feet.

24          15.       The exhibit identified as 4-GRIMM-17, attached hereto, is a true and correct copy of a  
25 map of what is internally referred to as the Willow Springs Ranch, and which depicts that property  
26 owned by Diamond Farming Company.

27          16.       For the year 2011, groundwater was pumped by wells situated on that real property owned  
28 by DIAMOND FARMING COMPANY and used to irrigate mustard, carrots and potatoes.

1           17.     During the crop year 2011, 1,649.273 acre feet of groundwater was pumped by and from  
2 groundwater wells situated upon that real property owned by Diamond Farming Company.

3           18.     For the year 2012, groundwater was pumped by wells situated on that real property owned  
4 by DIAMOND FARMING COMPANY and used to irrigate wheat and potatoes.

5           19.     For the crop year 2012, 2,221.522 acre feet of groundwater was pumped by and from  
6 groundwater wells situated upon that real property owned by Diamond Farming Company.

7           20.     Exhibits 4-GRIMM-104 and 105 are true and correct copies of the spread sheets prepared  
8 and retained in the ordinary course of business and reflect on a monthly basis pumping for crop years  
9 2011 and 2012.

10          21.     The exhibit identified as 4-GRIMM-18-19, attached hereto, is a true and correct copy of  
11 the deed granting the parcels identified as APNs 346-031-02, 346-031-03, 346-031-04 from the Duncan  
12 Trusts to Grimmway Enterprises, Inc. This document was recorded in Kern County on October 31, 2007  
13 as document number 0207218386. The properties are identified in blue on Exhibit 4-GRIMM-17.

14          22.     The exhibit identified as 4-GRIMM-28 & 29, attached hereto, is a true and correct copy  
15 of the deed granting the parcel identified as APN 358-052-01 from the D.C. Duncan Family Trust to  
16 Lapis Land Company, LLC. This document was recorded in Kern County on October 31, 2007 as  
17 document number 0207218380. The property is identified in yellow on Exhibit 4-GRIMM-17.

18          23.     The exhibit identified as 4-GRIMM-42, 43 & 44, attached hereto, is a true and correct  
19 copy of the deed granting the parcels identified as APNs 346-031-08, 346-031-10 and 346-031-11 from  
20 the Duncan Family Trusts to Crystal Organic Farms, LLC. This document was recorded in Kern County  
21 on January 19, 2006 as document number 0206013742. The property is identified in green on Exhibit  
22 4-GRIMM-17.

23          24.     For the crop year 2011, groundwater was pumped by wells situated on that real property  
24 owned by CRYSTAL ORGANIC FARMS, LLC and used to irrigate barley, carrots, and onions.

25          25.     During the crop year 2011, 1,649.273 acre feet of groundwater was pumped by and from  
26 groundwater wells situated upon that real property owned by Crystal Organic Farms, LLC.

27          26.     For the crop year 2012, groundwater was pumped by wells situated on that real property  
28 owned by Crystal Organic Farms, LLC and used to irrigate barley, carrots, and onions.


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27. Through the crop year 2012, 2,221.522 acre feet of groundwater was pumped by and from groundwater wells situated upon that real property owned by Crystal Organic Farms, LLC.

28. The exhibit identified as 4-GRIMM-104-105, attached hereto, is a true and correct copy of spreadsheets prepared and maintained by Crystal Organic Farms, LLC, in the ordinary course of business, and by content reflect on a monthly basis groundwater production for the crop year 2011 and the crop year 2012.

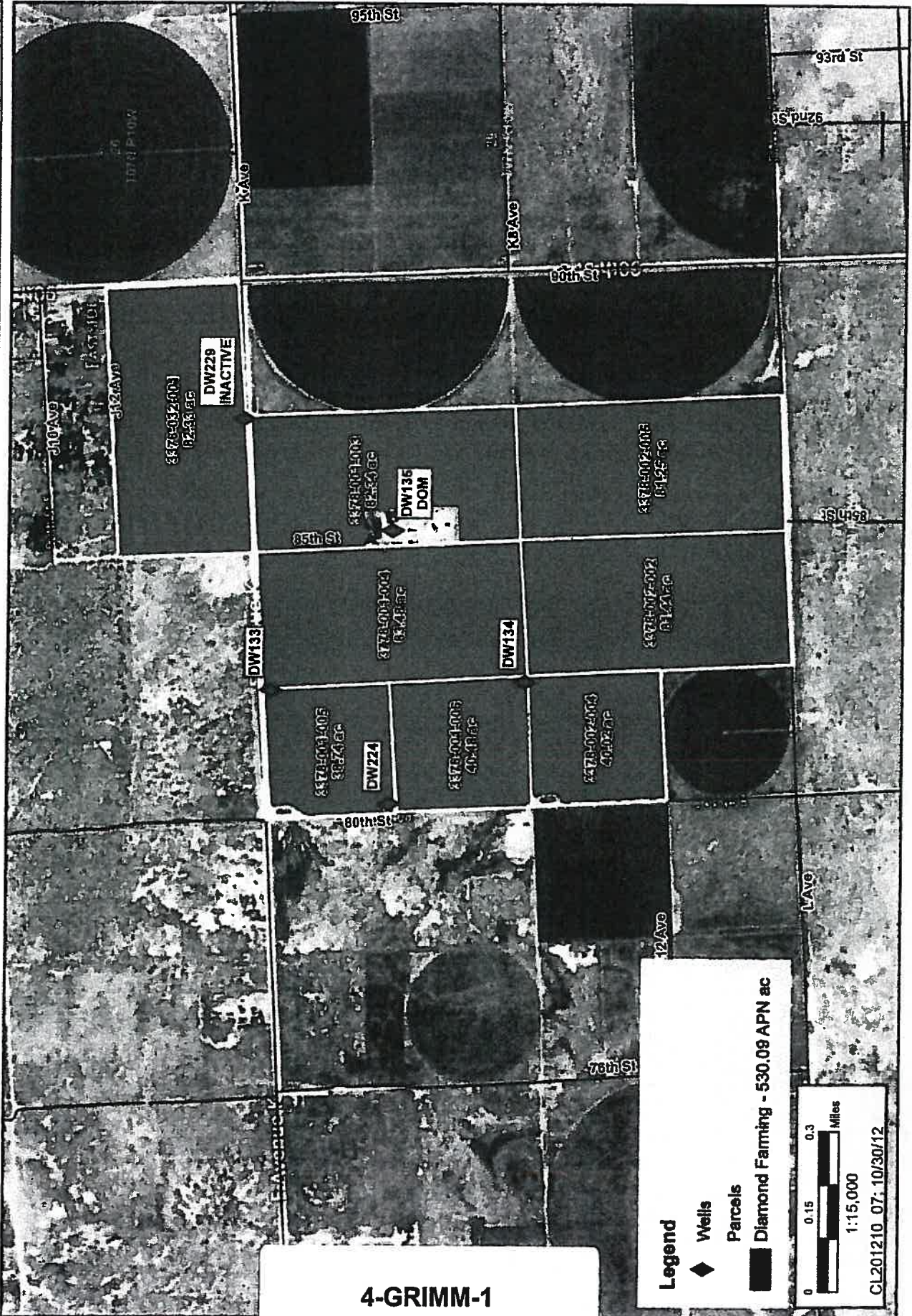
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of May, 2013 at Bakersfield, California.

  
\_\_\_\_\_  
CARL F. VOSS, JR.



# KOTCHIAN OWNED PROPERTY AND DEEP WELLS



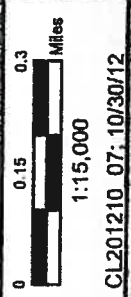
4-GRIMM-1

**Legend**

◆ Wells

■ Parcels

■ Diamond Farming - 530.09 APN ac



99 2183556

RECORDED/FILED IN OFFICIAL RECORDS  
RECORDER'S OFFICE  
LOS ANGELES COUNTY  
CALIFORNIA  
NOV 24 1999  
AT 8AM.

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

DEED

FEE CODE	N/A	N/A	0	20	9	19	04	19
REC. FEE	NO. PAGES	NO. TITLES	PCOR	D.A. FEE	SURVEY MON.	NOTIF.	INVOL LIEN	NON CONF.
	3							

EXAMINER'S INT.

Assessor's Identification Number (AIN)  
To Be Completed By Examiner Or Title Company In Black Ink

3378-001-003

Number of Parcels Shown

008



Revision V

RECORDING REQUESTED BY  
CHICAGO TITLE COMPANY  
AND WHEN RECORDED MAIL TO

99 2183556

Mr. Jeffrey A. Green  
DIAMOND FARMING COMPANY  
P. O. BOX 81498  
BAKERSFIELD, CA 93380-1498

SURVEY, MONUMENT FEE \$10. CODE 9 01

FEE \$10 1  
2

Escrow No. 669752 - MLM  
Order No. 669752 -

SPACE ABOVE THIS LINE FOR ATTORNEYS USE

3378-001-003

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
DOCUMENTARY TRANSFER TAX IS \$ \_\_\_\_\_

unincorporated area  City of \_\_\_\_\_

computed on the full value of the interest or property conveyed, or is

computed on the full value less the value of liens or encumbrances remaining at time of sale, and

TRANSFER TAX  
NOT A PUBLIC RECORD

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

KOTCHIAN PROPERTIES, A CALIFORNIA LIMITED PARTNERSHIP

hereby GRANT(S) to

DIAMOND FARMING COMPANY, A CALIFORNIA CORPORATION

the following described real property in the  
County of LOS ANGELES, State of California:

LEGAL DESCRIPTION SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Dated October 7, 1999

STATE OF ~~CALIFORNIA~~ NEVADA  
COUNTY OF DOUGLAS ) SS  
On OCTOBER, 29, 1999 before me,  
PATRICIA M. LORD  
a Notary Public in and for said County and State, personally appeared  
CARL KOTCHIAN

KOTCHIAN PROPERTIES,  
a California limited partnership

BY: Carl Kotchian  
Carl Kotchian, General PARTNER

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

PATRICIA M. LORD  
Notary Public - State of Nevada  
Appointment Recorded in Douglas County  
No. SA 07665 - EXPIRES 12/24, 2002

Witness my hand and official seal.

Patricia M. Lord  
Signature of Notary

2-24-2002  
Date My Commission Expires

FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name \_\_\_\_\_ Street Address \_\_\_\_\_ City, State, & Zip \_\_\_\_\_

SD 1-15/90/9/95x



EXHIBIT "A"  
DESCRIPTION

PARCEL 1

THE WEST ONE-HALF OF THE WEST ONE-HALF OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30.

ALSO EXCEPT THEREFROM AN UNDIVIDED ONE-SIXTEENTH INTEREST IN AND TO ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS LYING BENEATH THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, AS RESERVED BY THE STATE OF CALIFORNIA IN PATENT RECORDED ON JANUARY 3, 1928 IN BOOK 7780 PAGE 151, OF OFFICIAL RECORDS AS INSTRUMENT NO. 664.

PARCEL 2

THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

AS SHOWN ON THE CERTIFICATE OF COMPLIANCE RECORDED AUGUST 18, 1989 AS INSTRUMENT NO. 89-1333368, OFFICIAL RECORDS

PARCEL 3

THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

AS SHOWN ON THE CERTIFICATE OF COMPLIANCE RECORDED AUGUST 18, 1989 AS INSTRUMENT NO. 89-1333369, OFFICIAL RECORDS.

EXCEPT THEREFROM AN UNDIVIDED ONE-SIXTEENTH INTEREST IN AND TO ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS LYING BENEATH THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, AS RESERVED BY THE STATE OF CALIFORNIA IN PATENT RECORDED ON DECEMBER 31, 1924 IN BOOK 3564 PAGE 217, OFFICIAL RECORDS AS INSTRUMENT NO. 993.

ALSO EXCEPT THEREFROM AN UNDIVIDED ONE-SIXTEENTH INTEREST IN AND TO ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS LYING BENEATH THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, AS RESERVED BY THE STATE OF CALIFORNIA IN PATENT RECORDED ON JANUARY 3, 1928 IN BOOK 7780 PAGE 151 OF OFFICIAL RECORDS AS INSTRUMENT NO. 664.

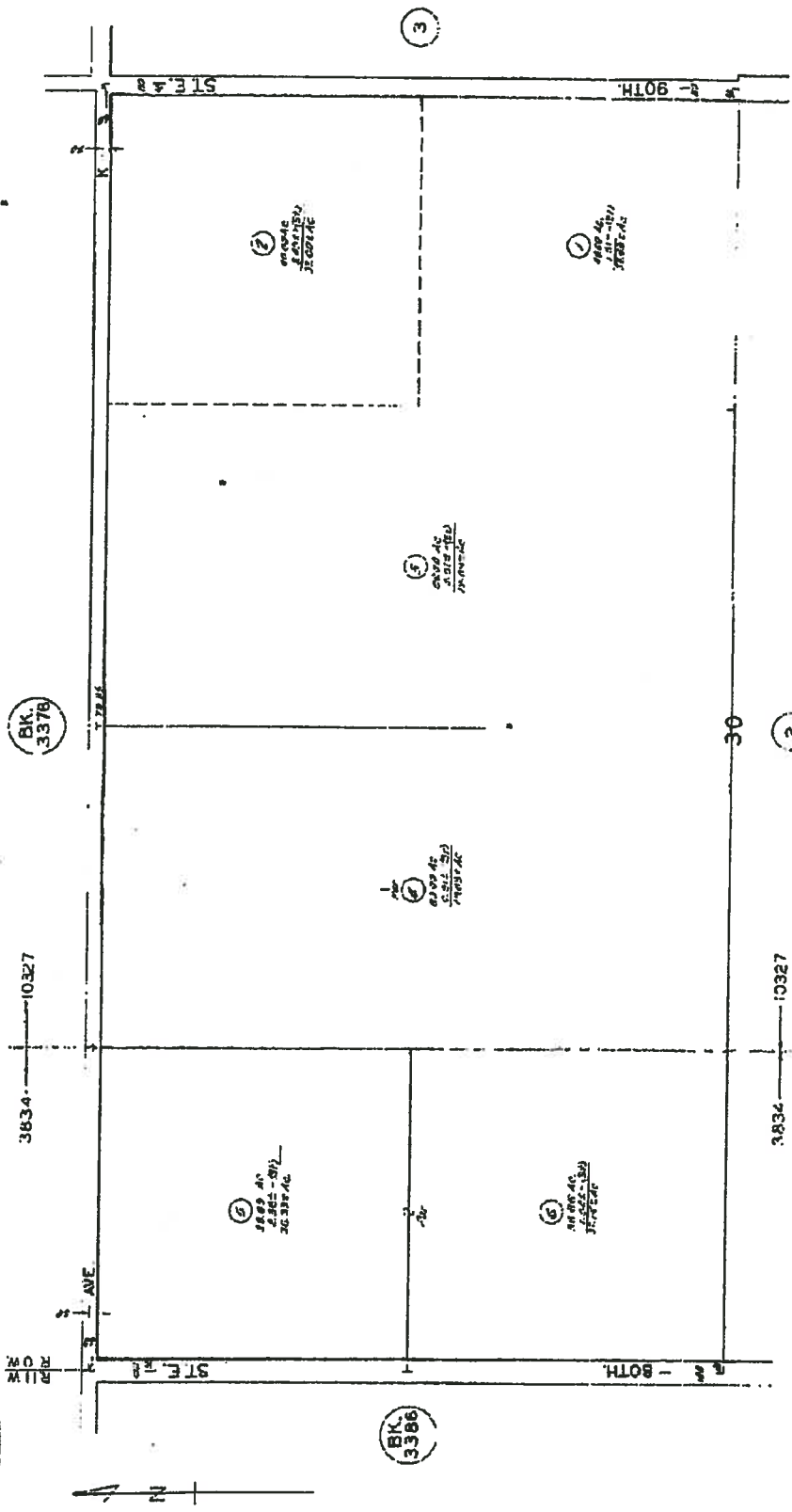
EXCEPT THEREFROM AS TO LOT 1, IN THE SOUTHWEST QUARTER OF SAID SECTION 30, 50 PERCENT OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND, AS RESERVED BY ALEXANDER M. MC CREA AND MAUDE E. MC CREA, HIS WIFE, IN DEED RECORDED AUGUST 9, 1941 IN BOOK 18678 PAGE 72, OFFICIAL RECORDS.

County of Los Angeles: Rick Auerbach, Assessor

3378 | 1

SCALE 1" = 400'

1995



CODE  
 3834  
 10327

T. 7 N., R. 10 W.

FOR PREV. ASSMNT SEE: 312-33

ASSESSOR'S MAP  
 COUNTY OF LOS ANGELES, CALIF.

4-GRIMM-5

County of Los Angeles: Rick Auerbach, Assessor

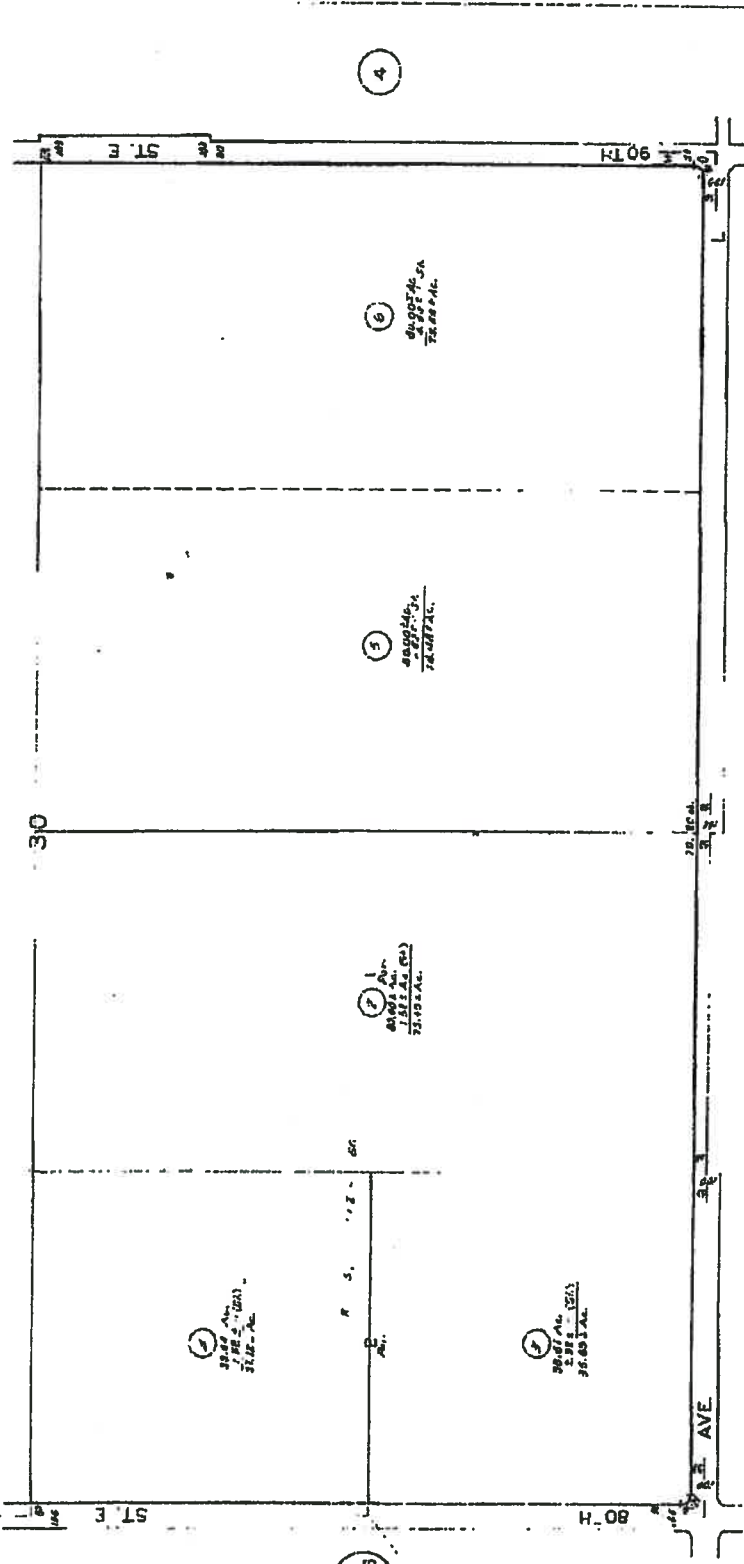
1995

3378 2  
SCALE 1" = 400'

000000000  
000000000  
000000000  
000000000

3934 10327

1



4-GRIMM-6

CODE  
3034  
0327

FOR PREV. ASSM'T SEE:  
11A - 22

T 7 N., R. 10 W.

ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.

This page is part of your document - DO NOT DISCARD

04 3371087

RECORDED/FILED IN OFFICIAL RECORDS  
RECORDER'S OFFICE  
LOS ANGELES COUNTY  
CALIFORNIA  
12/29/04 AT 08:00am

TITLE(S) : DEED



FEE

FEE \$13	SS
	3

TRANSFER TAX  
NOT A PUBLIC RECORD

D.T.T

CODE  
20

CODE  
19

CODE  
9

SURVEY, MONUMENT FEE \$10. CODE 9 <sup>9</sup>

NOTIFICATION SENT \$4

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

3376 032 001

001

THIS FORM NOT TO BE DUPLICATED

1/10/05  
Carl Shalik

12/29/04

RECORDED AT THE REQUEST OF  
CHICAGO TITLE COMPANY  
RECORDING REQUESTED BY

04 3371087

AND WHEN RECORDED MAIL TO:  
Diamond Farming Company  
c/o Jeffrey A. Green Esquire  
6900 Mountain View Road  
Bakersfield, CA 93307

A.P.N.: 3376-032-001      Order No.: 46094140-H13      Space Above This Line for Recorder's Use Only      Escrow No.: 579651

**GRANT DEED**

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY:  
[ X ] computed on full value of property conveyed, or  
[ ] computed on full value less value of liens or encumbrances remaining at time of sale,  
[ ] unincorporated area; [ X ] City of Lancaster, and

TRANSFER TAX  
NOT A PUBLIC RECORD

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,  
John A. Calandri and Shannon C. Calandri, Co-Trustees of the John and Shannon Calandri 1992 Trust under  
amended Declaration Dated August 2, 1996

hereby GRANT(S) to Diamond Farming Company, a California corporation

the following described property in the City of Lancaster, County of Los Angeles State of California:

The South half of the Southeast Quarter of Section 19, Township 7 North, Range 10 West, San Bernardino Meridian,  
in the City of Lancaster, County of Los Angeles, State of California, according to the Official Plat of said land  
approved by the Surveyor General on June 19, 1856.

GRANT DEED CONTINUED ON NEXT PAGE

Mail Tax Statements to: SAME AS ABOVE or Address Noted Below

12/29/04

A.P.N.: 3376-032-001

CONTINUATION OF GRANT DEED

John A. Calandri and Shannon C. Calandri, Co-Trustees of the John and Shannon Calandri 1992 Trust under amended Declaration Dated August 2, 1996

By: John A. Calandri Co-Trustee  
John A. Calandri, Co-Trustee

By: Shannon C. Calandri Co-Trustee  
Shannon C. Calandri, Co-Trustee

Document Date: December 20, 2004

STATE OF CALIFORNIA )  
COUNTY OF Los Angeles )

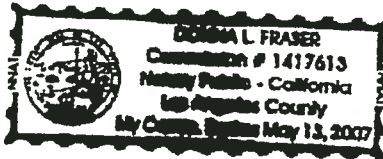
On December 23, 2004 before me, Donna L. Fraser

personally appeared John A. Calandri and Shannon C. Calandri

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Donna L. Fraser



04 3371087



12/29/04

4

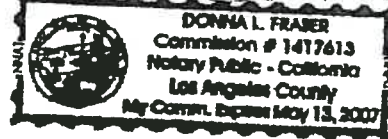
### CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA  
COUNTY OF Los Angeles } SS

On December 23, 2004 before me, Donna L. Fraser

personally appeared John A. Calandri and Shannon C. Calandri  
personally known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/it executed the same in his/her/its authorized capacity(ies) and that by such signature(s) on the instrument  
the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.  
Signature: Donna L. Fraser



This area for official notarial seal.

#### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document*

#### DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) other than named above \_\_\_\_\_

#### CAPACITY(IES) CLAIMED BY SIGNER(S)

- INDIVIDUAL
- CORPORATE OFFICER(S)  
TITLE(S) \_\_\_\_\_
- PARTNER(S)-  LIMITED  
 GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER \_\_\_\_\_

Right Thumbprint of Signer
Top of thumb here

- INDIVIDUAL
- CORPORATE OFFICER(S)  
TITLE(S) \_\_\_\_\_
- PARTNER(S)-  LIMITED  
 GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER \_\_\_\_\_

Right Thumbprint of Signer
Top of thumb here

SIGNER IS REPRESENTING:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

04 3371087

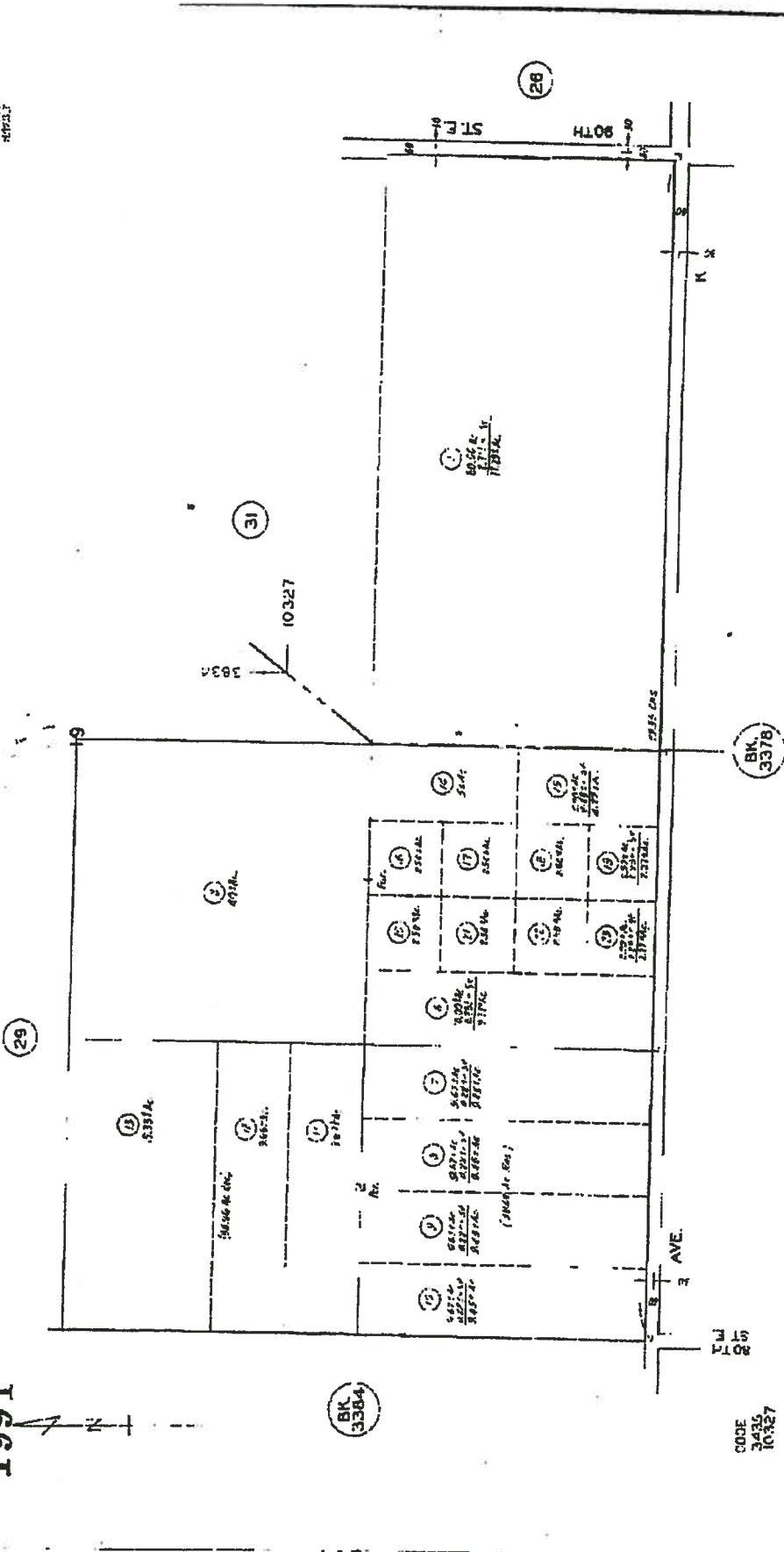
County of Los Angeles: Rick Averbach, Assessor

3376 32

SCALE 1" = 400'

1991

5/20/2012 AD  
 REGISTERED BY  
 80121  
 5/12/21



T. 7N., R. 10W.

FOR PREV. ASSMT SEE  
 3 30-29

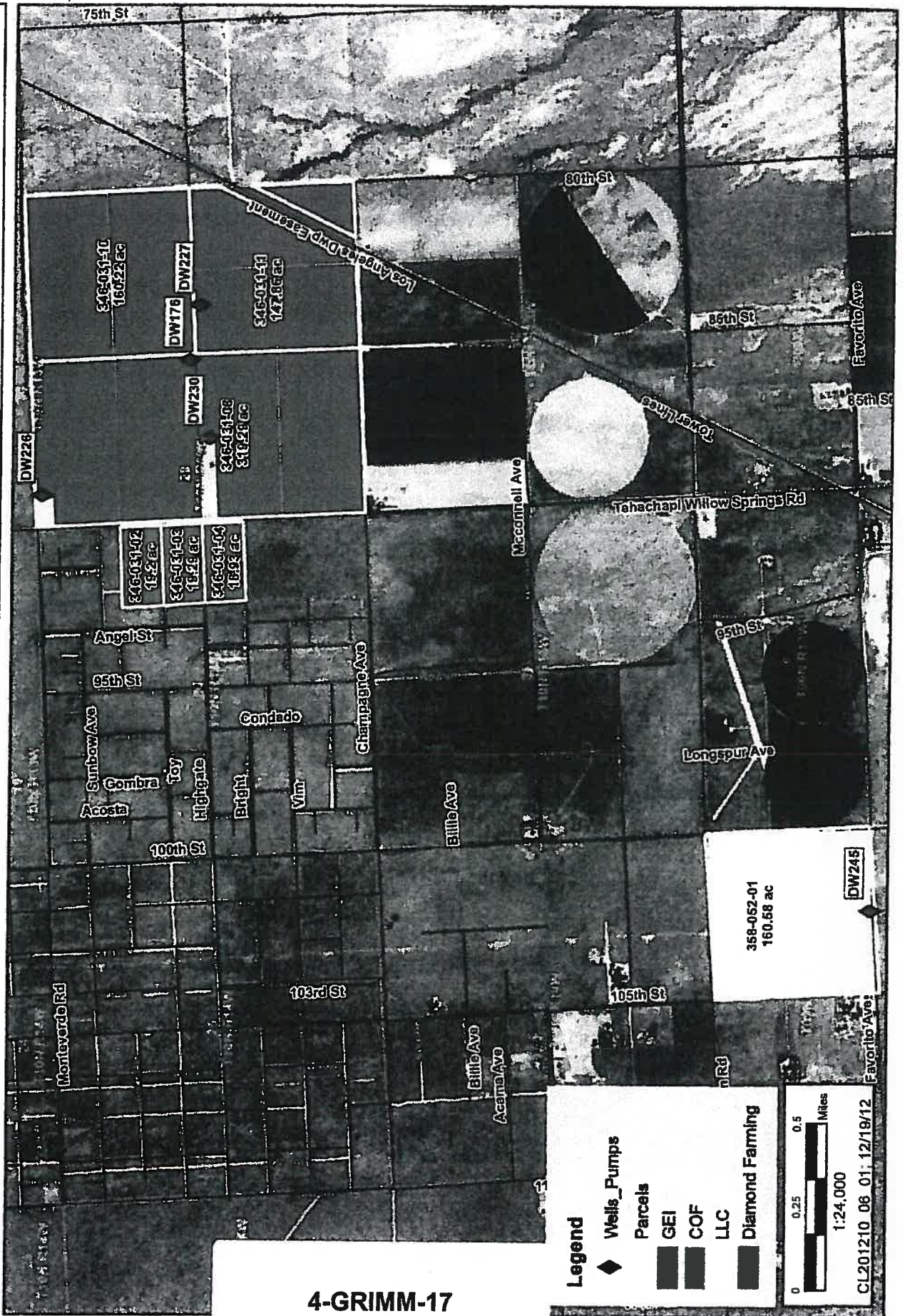
ASSESSOR'S MAP  
 COUNTY OF LOS ANGELES, CALIF.







# WILLOW SPRINGS OWNED PROPERTY AND DEEP WELLS



4-GRIMM-17

COPY

Willow Springs Compost Yard

RECORDING REQUESTED BY:  
Chicago Title Company  
Escrow No.: 06-55002489-M8  
Locate No.: CACT17715-7715-4550-0055002489  
Title No.: 06-55002489-JH

James W. Fitch, Assessor - Recorder JASON  
Kern County Official Records 10/31/2007  
Recorded at the request of 8:08 AM  
Chicago Title

When Recorded Mail Document  
and Tax Statement To:  
Grimmway Enterprises, Inc.

DOC#: 0207218386

Stat Types: 1 Pages: 2



Fees 11.00  
Taxes Conf.  
Others 0.00  
PAID \$11.00

P. O. Box 81498  
Bakersfield, CA 93380-1498

APN: 346-031-02, 346-031-03, 346-031-04

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)  
Documentary transfer tax is \$

- [ X ] computed on full value of property conveyed, or
- [ ] computed on full value less value of liens or encumbrances remaining at time of sale,
- [ X ] Unincorporated Area City of unincorporated area,

TRANSFER TAX UNDISCLOSED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Michael B. Duncan, Trustee of the M.B. Duncan Separate Property Trust dated July 12, 2001, and  
Daniel C. Duncan and Susan G. Duncan, Trustees of the D.C. <sup>Duncan</sup> Family Trust dated June 23, 1995

hereby GRANT(S) to Grimmway Enterprises, Inc., a California Corporation

the following described real property in the unincorporated area, County of Kern, State of California:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: October 28, 2007

STATE OF CALIFORNIA )  
COUNTY OF KERN )  
ON OCTOBER 30, 2007 before me,  
MARIA F. BIERNAT, Notary Public

(here insert name and title of the officer), personally  
appeared MICHAEL B. DUNCAN,  
DANIEL C. DUNCAN AND SUSAN G. DUNCAN,  
~~personally known to me~~ (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted,  
executed the instrument.

The M.B. Duncan Separate Property Trust dated July 12,  
2001

By: Michael B. Duncan  
Michael B. Duncan, Trustee

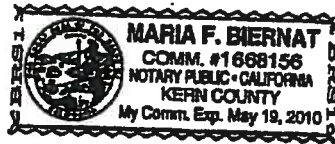
<sup>Duncan</sup>  
The D.C. Family Trust dated June 23, 1995

By: Daniel C. Duncan  
Daniel C. Duncan, Trustee

By: Susan G. Duncan  
Susan G. Duncan, Trustee

Witness my hand and official seal.

Signature Maria F. Biernat (Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

FD-213 (Rev 7/96)  
(grant)(08-07)

GRANT DEED

4-GRIMM-18



Escrow No.: 06-55002489-MB  
Locate No.: CACTI7715-7715-4550-0055002489  
Title No.: 06-55002489-JH

## EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

**Parcel 1**

The South half of the Southeast quarter of the Northeast quarter of Section 30, Township 10 North, Range 13 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the official plat thereof.

**Parcel 2**

The North half of the Southeast quarter of the Northeast quarter of Section 30, Township 10 North, Range 13 West, San Bernardino Meridian, in the unincorporated area, County of Kern, State of California, according to the official plat thereof.

**Parcel 3**

The North half of the Northeast quarter of the Southeast quarter of Section 30, Township 10 North, Range 13 West, San Bernardino Meridian, in the unincorporated area, County of Kern, State of California, according to the official plat thereof.

APN: 346-031-02, 346-031-03, 346-031-04

COPY

Willow Springs West Ranch

RECORDING REQUESTED BY:  
Chicago Title Company  
Escrow No.: 06-55002488-MB  
Locata No.: CACTI7715-7715-4550-0055002488  
Title No.: 06-55002488-JH

James W. Fitch, Assessor - Recorder JASON  
Kern County Official Records 10/31/2007  
Recorded at the request of 9:08 AM  
Chicago Title

When Recorded Mail Document  
and Tax Statement To:  
Lapis Land Company, LLC  
c/o Grimmway Enterprises, Inc.  
P. O. Box 81498  
Bakersfield, CA 93380-1498

DOC#: 0207218380

Stat Types: 1 Pages: 2



Fees 11.00  
Taxes \*\* Conf \*\*  
Others 8.00  
PAID \$11.00

APN: 358-052-01

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)  
Documentary transfer tax is \$

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated Area City of Unincorporated area,

TRANSFER TAX UNDISCLOSED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Michael B. Duncan, Trustee of the M.B. Duncan Separate Property Trust dated July 12, 2001, and

Daniel C. Duncan and Susan G. Duncan, Trustees of the D.C. Duncan Family Trust dated June 23, 1995

hereby GRANT(S) to Lapis Land Company, LLC, a California Limited Liability Company

the following described real property in the Unincorporated area, County of Kern, State of California:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: October 28, 2007

STATE OF CALIFORNIA )  
COUNTY OF KERN )  
ON OCTOBER 30, 2007 before me,  
MARIA F. BIERNAT, Notary Public

The M.B. Duncan Separate Property Trust dated July 12, 2001

By: Michael B. Duncan  
Michael B. Duncan, Trustee

(here insert name and title of the officer), personally  
appeared MICHAEL B. DUNCAN,  
DANIEL C. DUNCAN AND SUSAN G. DUNCAN,  
~~personally known to me~~ (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted,  
executed the instrument.

The D.C. Duncan Family Trust dated June 23, 1995

By: Daniel C. Duncan  
Daniel C. Duncan, Trustee  
By: Susan G. Duncan  
Susan G. Duncan, Trustee

Witness my hand and official seal

Signature Maria F. Biernat (Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED

FD-213 (Rev 7/96)  
(grant)(08-07)

Escrow No.: 06-55002488-MB  
Locate No.: CACTI7715-7715-4550-0055002488  
Title No.: 06-55002488-JH

## EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF AND IS DESCRIBED AS FOLLOWS:

### PARCEL 1:

The Northeast 1/4 of Section 1, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area, County of Kern, State of California, as per the Official Plat thereof on file in the Office of the Surveyor General.

Excepting therefrom 1/2 of all gas and other hydrocarbon substances in and under said land as reserved by Lawrence L. Layne & Lena R. Layne, husband and wife, in Deed recorded July 14, 1950 in Book 1689, Page 465 of Official Records.

Also excepting therefrom the interest in all oil, gas, mineral and hydrocarbon substances below a depth of 500 feet but without the right of surface entry as reserved by Anita M. Albrect in Deed recorded February 14, 1989 in Book 6209, Page 219 of Official Records.

### PARCEL 2:

EASEMENT RIGHTS FOR INGRESS AND EGRESS, OVER THE EAST 30 FEET OF THE SOUTHEAST 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 1; AND THE EAST 30 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 1 AS VARIOUSLY CONVEYED AND RESERVED TO THE PUBLIC IN GENERAL IN DEEDS RECORDED SEPTEMBER 5, 1979 IN BOOK 5226 PAGE 1062; DECEMBER 10, 1954 IN BOOK 2334 PAGE 548; DECEMBER 10, 1954 IN BOOK 2334 PAGE 551; JULY 17, 1961 IN BOOK 3396 PAGE 500; SEPTEMBER 13, 1955 IN BOOK 2486 PAGE 274; MAY 16, 1986 IN BOOK 5873 PAGE 1739; JUNE 2, 1987 IN BOOK 6011 PAGE 1180; APRIL 17, 1957 IN BOOK 2766 PAGE 513; NOVEMBER 19, 1965 IN BOOK 3893 PAGE 860; AND APRIL 17, 1957 IN BOOK 2766 PAGE 513.

APN: 358-052-01

RECORDING REQUESTED BY:  
Chicago Title Company  
Escrow No.: 05-55000953-MB  
Locate No.: CACTI7715-7715-4550-0055000953  
Title No.: 05-55000953-JH

When Recorded Mail Document  
and Tax Statement To:  
Crystal Organic Farms, LLC  
6900 Mountain View Road  
P. O. Box 81498  
Bakersfield, CA 93380

James W. Fitch, Assessor - Recorder  
Kern County Official Records  
Recorded at the request of  
Chicago Title

RAWSONM  
1/19/2008  
8:00 AM

DOC#: 0206013742



Stat Types: 1 Pages: 3

Fees 13.00  
Taxes .. Cont ..  
Others 0.00  
PAID 13.00

APN: 346-031-08, 346-031-10, 346-031-11

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)  
Documentary transfer tax is \$

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated Area City of ,

Grantors request that Documentary Transfer Tax not be made a part of the public record.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Daniel C. Duncan and Susan G. Duncan, Trustees of the D.C. Duncan Family Trust dated June 23, 1995, and

Michael B. Duncan, Trustee of the M.B. Duncan Separate Property Trust dated July 12, 2001

hereby GRANT(S) to Crystal Organic Farms, LLC, a California Limited Liability Company

the following described real property in the \_\_\_\_\_, County of Kern, State of California:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: December 29, 2005

STATE OF CALIFORNIA  
COUNTY OF KERN  
ON December 30, 2005 before me,  
the undersigned Notary Public personally appeared  
Daniel C. Duncan and  
Susan G. Duncan

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

The D.C. Duncan Family Trust dated June 23, 1995

By: Daniel C. Duncan  
Daniel C. Duncan, Trustee

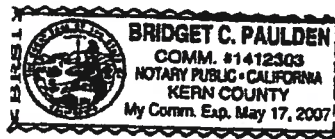
By: Susan G. Duncan  
Susan G. Duncan, Trustee

The M.B. Duncan Separate Property Trust dated July 12, 2001

By: Michael B. Duncan  
Michael B. Duncan, Trustee

Witness my hand and official seal.

Signature Bridget C. Paulden



MAIL TAX STATEMENTS AS DIRECTED ABOVE

Escrow No.: 05-55000953-MB  
Locate No.: CACTI7715-7715-4550-0055000953  
Title No.: 05-55000953-JH

## EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KERN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

### PARCEL 1:

The West half of Section 29, Township 10 North, Range 13 West, San Bernardino Base and Meridian, in the unincorporated area, County of Kern, State of California, according to the Official Plat thereof.

APN: 346-031-08

### PARCEL 2:

The Northeast quarter of Section 29, Township 10 North, Range 13 West, San Bernardino Base and Meridian, in the unincorporated area, County of Kern, State of California, according to the Official Plat thereof.

EXCEPTING THEREFROM an undivided 1/4th interest in and to all oil, gas or other hydrocarbons and minerals in and under said land, as provided in the Deed from Donald H. Kay and Helen L. Kay, husband and wife, recorded November 25, 1952 in Book 2008 Page 383 of Official Records.

APN: 346-031-10

### PARCEL 3:

The Southeast quarter of Section 29, Township 10 North, Range 13 West, San Bernardino Base and Meridian, in the unincorporated area, County of Kern, State of California, according to the Official Plat thereof.

EXCEPT THEREFROM all that portion of the Southeast quarter of Section 29, described in Deed recorded in Book 2762 Page 515 of Official Records of Kern County, lying within a strip of land 250 feet in width, the sidelines of said strip of land being parallel with and distant Southeasterly 75 feet and Northwesterly 175 feet, measured at right angles, from that certain line described in Lis Pendens in Superior Court, Case No. 52961, recorded in Book 1598 Page 429 of said Official Records, a portion of that said certain line being more particularly described as follows:

Beginning at a point on the South line of said Section 29 distant thereon North 89° 56' 24" West, 974.31 feet from an iron pipe with brass cap set to mark the Southeast corner of said Section 29; thence from a said point of beginning North 28° 35' 36" East, 2034.33 feet to a point on the East line of said Section 29, distant thereon South 0° 00' 54" East, 863.60 feet from an Iron pipe with brass cap set to mark the East quarter corner of said Section 29, the sidelines of said strip of land being prolonged and shortened respectively so as to begin and terminate in the said South and East lines of Section 29.

APN: 346-031-11

4-GRIMM-43

Initials: *MW KEO S*





12/19/2012

WATER SOURCE		SEA/ CROP	FIELD NAME	FLD. AC.	WELL #	2011 WATER USAGE												ACCU. ACFT / ACRE			
						LANCASTER AREA (Organic)															
						MONTH															
						NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	ACCU. ACFT	ACRE	
						73.01	21.690	21.690	0.260	30.340	54.060	62.930	17.750	56.690	102.380	66.110	00.840	48.820	667.000		
						0.505	0.000	54.770	10.718	76.748	76.426	62.193	158.301	124.010	107.760	53.568	5.038	14.513	748.668		
						0	0.000	0.000	14.042	6.403	16.814	28.184	23.271	24.398	19.604	18.460	4.000	0	157.384		
						0	0.000	0.000	0.000	2.622	28.448	10.582	21.140	19.521	0.007	0.000	0.000	0	78.321		
						73.515	21.690	76.460	25.038	118.313	177.768	183.698	226.462	250.807	226.661	158.158	66.878	83.333	1648.273		
TOTAL																					

Units AC from power meter readings

Lancaster Organic (2011)  
Water Usage 2011 (Lancaster)

12/16/2012

WATER SOURCE	SEA / CROP	FIELD NAME	FLD. AC.	WELL #	2012 WATER USAGE												ACCU. ACFT.	ACFT. ACRE		
					LANCASTER AREA (Organic)															
					MONTH															
					NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV			
ORGANICS																				
WILLOW SPRINGS				DW220 PE1330 (VARD)	5.390	126.040	16.640	1.170	26.960	38.660	59.920	141.707	141.087	167.160	141.033	65.453	25.216			978.676
WILLOW SPRINGS				DW227 PE260 (EAST)	14.513	26.315	7.950	35.674	62.193	69.240	77.221	137.981	145.687	218.697	135.425	67.772	19.672			1006.650
WILLOW SPRINGS				DW176 PE221 (CENTER)	0	3.898	8.571	20.904	20.282	15.647	27.042	58.411	44.598	19.924	14.587	0.668	0.000			224.130
WILLOW SPRINGS				DW226 PE1266 (N RESS)	0	0.000	0.241	0.299	0.000	0.000	0.000	0.911	0.016	0.660	0.000	0.000	0.000			1.166
TOTAL					19.903	158.351	33.402	58.247	109.465	112.747	164.183	338.120	331.477	426.611	281.026	134.213	44.878			2221.522

Used AC from power meter readi-qs

Lancaster Organic (2012)  
Water Usage 2012 (Lancaster)

12/17/12

**PROOF OF SERVICE**

1 ANTELOPE VALLEY GROUNDWATER CASES  
2 JUDICIAL COUNCIL PROCEEDING NO. 4408  
3 CASE NO.: 1-05-CV-049053

4 I am a citizen of the United States and a resident of the county aforesaid; I am over the age  
5 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter  
6 Drive, Suite 300, Bakersfield, California 93309. On May 30, 2013, I served the within  
7 **DECLARATION OF CARL F. VOSS, JR.**

8  **(BY POSTING)** I am "readily familiar" with the Court's Clarification Order.  
9 Electronic service and electronic posting completed through [www.scefilings.org](http://www.scefilings.org) ; All papers filed  
10 in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

11 Los Angeles County Superior Court  
12 111 North Hill Street  
13 Los Angeles, CA 90012  
14 Attn: **Department 1**  
15 (213) 893-1014

16 Chair, Judicial Council of California  
17 Administrative Office of the Courts  
18 Attn: Appellate & Trial Court Judicial Services  
19 (Civil Case Coordinator)  
20 Carlotta Tillman  
21 455 Golden Gate Avenue  
22 San Francisco, CA 94102-3688  
23 Fax (415) 865-4315

24  **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and  
25 processing correspondence for mailing. Under that practice it would be deposited with the U.S.  
26 Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in  
27 the ordinary course of business.

28  **(OVERNIGHT/EXPRESS MAIL)** By enclosing a true copy thereof in a sealed  
envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United  
Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary  
business practices from Kern County. I am readily familiar with this business' practice of  
collecting and processing correspondence for overnight/express/UPS mailing. On the same day  
that the correspondence is placed for collection and mailing, it is deposited in the ordinary course  
of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with  
delivery fees paid/provided for at the facility regularly maintained by United States Postal Service  
(Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an  
authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal  
Express/United Postal Service to receive documents].

**(STATE)** I declare under penalty of perjury under the laws of the State of  
California that the above is true and correct, and that the foregoing was executed on May 30,  
2013, in Bakersfield, California.

  
LEQUETTA HANSEN

**EXHIBIT “B”**

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Bob H. Joyce, (SBN 84607)  
LAW OFFICES OF  
**LEBEAU • THELEN, LLP**  
5001 East Commercenter Drive, Suite 300  
Post Office Box 12092  
Bakersfield, California 93389-2092  
(661) 325-8962; Fax (661) 325-1127

Attorneys for DIAMOND FARMING COMPANY,  
a California corporation, CRYSTAL ORGANIC  
FARMS, a limited liability company, GRIMMWAY  
ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF LOS ANGELES**

Coordination Proceeding Special Title  
(Rule 1550 (b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

Included actions:

Los Angeles County Waterworks District No.  
40 vs. Diamond Farming Company  
Los Angeles Superior Court  
Case No. BC 325201

Los Angeles County Waterworks District No.  
40 vs. Diamond Farming Company  
Kern County Superior Court  
Case No. S-1500-CV 254348 NFT

Diamond Farming Company vs. City of  
Lancaster  
Riverside County Superior Court  
Lead Case No. RIC 344436 [Consolidated  
w/Case Nos. 344668 & 353840]

Judicial Council Coordination No. 4408

Case No.: 1-05-CV-049053

**SUPPLEMENTAL DECLARATION OF  
CARL F. VOSS JR.**

AND RELATED CROSS-ACTIONS.

///  
///  
///



1 I, CARL F. VOSS, JR., declare as follows:

2 1. I make this declaration of my own personal knowledge and if called upon to testify, I  
3 could and would testify as follows:

4 2. I am an employee of Grimmway Enterprises, Inc. ("Grimmway"). I have worked for  
5 Grimmway since 1995. From 1995 to the present, I have been Grimmway's land manager. As the land  
6 manager, in addition to other responsibilities, I am responsible for all water issues that pertain to the  
7 land held and/or utilized by Grimmway or its affiliates and subsidiaries. I make this declaration as a  
8 supplement to my May 27, 2013 declaration.

9 3. During the calendar year 2011, 1,591.769 acre feet of groundwater was pumped by and  
10 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
11 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 4-GRIMM-106.


12 4. During the calendar year 2012, 1,986.096 acre feet of groundwater was pumped by and  
13 from groundwater wells situated upon that real property owned by CRYSTAL ORGANIC FARMS,  
14 LLC. A true and correct copy of the spreadsheet is attached hereto as Exhibit 4-GRIMM-107.

15 5. During the calendar year 2011, 1,641.285 acre feet of groundwater was pumped by and  
16 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
17 A true and correct copy of the spreadsheet is attached hereto as Exhibit 4-GRIMM-108.

18 6. During the calendar year 2012, 1,491.989 acre feet of groundwater was pumped by and  
19 from groundwater wells situated upon that real property owned by DIAMOND FARMING COMPANY.  
20 A true and correct copy of the spreadsheet is attached hereto as Exhibit 4-GRIMM-109.

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

23 Executed this 28<sup>th</sup> day of May, 2013 at Bakersfield, California.

24  
25   
26 \_\_\_\_\_  
27 CARL F. VOSS, JR.  
28

Willow Springs Well Water Extraction 2011

WATER SOURCE	SEA./CROP	FIELD NAME	FLD AC.	WELL #	2011												ACFT / ACRE
					JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
WILLOW SPRINGS		ORGANIC			21.690	0.280	30.540	54.060	62.930	17.750	56.880	102.380	86.110	90.840	48.820	5.380	577.690
WILLOW SPRINGS				WELL PE260 (N & S RES.)	54.770	10.716	76.748	76.426	62.193	196.301	124.010	107.760	53.588	5.038	14.513	28.315	774.378
WILLOW SPRINGS				WELL PE221 (N & S RES.)	0.000	14.042	8.403	16.814	28.194	23.271	24.396	19.804	18.460	4.000	0	3.966	161.390
WILLOW SPRINGS				WELL ELEC (N & S RES.)	0.000	0.000	2.622	26.449	10.582	21.140	15.521	0.007	0.000	0.000	0	0.000	78.321
TOTAL					76.460	25.038	118.313	177.769	163.899	220.462	220.807	229.951	158.158	99.878	63.333	37.701	1591.769

Used AC from power meter readings

4-GRIMM-106

Willow Springs Well Water Extraction 2012

WATER SOURCE	SEA/ CROP	FIELD NAME	FLD. AC	WELL #	MONTHS												ACCU. ACFT / ACRE
					JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
WILLOW SPRINGS		ORGANIC			16.640	1.170	26.980	38.660	59.920	80.620	144.220	144.760	185.750	144.760	25.206	35.450	758.776
WILLOW SPRINGS				DW230 PE1330 (YARD)	7.950	35.874	82.193	56.240	77.221	137.991	145.687	135.425	135.425	67.772	19.672	2.388	989.110
WILLOW SPRINGS				DW176 PE221 (CENTER)	8.571	20.904	20.292	15.647	27.042	58.411	44.688	19.024	14.567	0.988	0.000	26.910	257.044
WILLOW SPRINGS				DW226 PE1266 (N RES.)	0.241	0.299	0.000	0.000	0.000	0.011	0.015	0.600	0.000	0.000	0.000	0.000	1.166
TOTAL					33.402	58.247	109.465	112.747	164.183	277.033	334.810	257.521	315.742	213.520	44.878	64.748	1986.096

Used AC from power meter readings

4-GRIMM-107

		Kotchian Well Water Extraction 2011												ACCU M	
WATER SOURCE	WELL #	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ACFT	ACRE
KOTCHIAN	CONVENTIONAL														
	WELL DW133-PE1365	0.000	0.000	37.092	31.635	63.133	110.817	71.603	21.660	0.000	0.000	0.000	18.865	352.823	
	WELL DW134-PE201	7.182	2.343	37.711	63.185	144.653	198.176	175.887	56.675	18.539	0.134	0.000	0.000	722.165	
	WELL DW274-PE202	0.000	0.000	25.356	50.367	119.288	190.387	133.614	47.006	0.000	0.000	0.000	0.000	966.187	
	TOTAL	7.182	2.343	100.158	166.187	326.934	499.380	381.194	125.349	18.539	0.134	0.000	18.865	1641.286	

4-GRIMM-108

1/8/09

Kotchian Well Water Extraction 2012

WATER SOURCE	SEA/ CROP	FIELD NAME	FLD. AC.	WELL #	CONVENTIONAL	MONTHS												ACFT / ACRE
						JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
KOTCHIAN				WELL DW133-PE1365		0.000	14.795	21.567	50.204	24.607	0.203	8.360	2.404	0.000	0.000	15.374	50.562	188.096
KOTCHIAN				WELL DW134-PE261		69.583	9.622	30.772	139.248	185.036	159.518	103.684	41.083	83.793	0.000	0.001	871.125	
KOTCHIAN				WELL DW224-PE262		17.910	8.351	30.145	57.414	120.326	123.353	71.491	3.736	0.000	0.000	0.000	432.768	
<b>TOTAL</b>						<b>87.493</b>	<b>32.970</b>	<b>82.484</b>	<b>156.203</b>	<b>284.181</b>	<b>308.632</b>	<b>239.389</b>	<b>109.824</b>	<b>41.083</b>	<b>63.793</b>	<b>15.374</b>	<b>50.563</b>	<b>1481.989</b>



PROOF OF SERVICE

ANTELOPE VALLEY GROUNDWATER CASES  
JUDICIAL COUNCIL PROCEEDING NO. 4408  
CASE NO.: 1-05-CV-049053

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On <sup>30</sup>May 28, 2013, I served the within

SUPPLEMENTAL DECLARATION OF CARL F. VOSS, JR.

■ (BY POSTING) I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through [www.scefilng.org](http://www.scefilng.org) ; All papers filed in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

Los Angeles County Superior Court  
111 North Hill Street  
Los Angeles, CA 90012  
Attn: **Department 1**  
(213) 893-1014

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial Services  
(Civil Case Coordinator)  
Carlotta Tillman  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
Fax (415) 865-4315

□ (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of business.

■ (STATE) I declare under penalty of perjury under the laws of the State of <sup>30</sup>California that the above is true and correct, and that the foregoing was executed on May 28, 2013, in Bakersfield, California.

  
LEQUETTA HANSEN

**EXHIBIT “6-GRIMM-110”**

ANTELOPE VALLEY / WILLOW SPRINGS IRRIGATED FARMLAND

Ranch Name	1-Dec 2012	Pumped Ground Water in ACFT													
		2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998
Kolchian Ranch	1599.539	1641.285	1024.320	2131.365	2218.031	2498.582	2179.710	2204.694	1914.501	1106.121	1433.162	1742.521	1528.789		
Willow Springs	2043.268	1649.273	1574.250	1524.530	2935.520	1513.690	1983.940	1802.952	1725.634	1693.310	1639.690				
Other Wells	3074.972	5552.222	5758.374	9180.193	10688.475	6741.474	11555.179	10889.095	11691.352	6542.793	8517.051	8639.116	10527.369	11035.137	6168.656
<b>Groundwater Totals</b>	<b>6,717.78</b>	<b>8,842.78</b>	<b>8,356.94</b>	<b>12,836.09</b>	<b>15,842.03</b>	<b>10,753.75</b>	<b>15,718.83</b>	<b>14,896.74</b>	<b>15,331.49</b>	<b>9,342.22</b>	<b>11,589.90</b>	<b>10,381.64</b>	<b>12,056.16</b>	<b>11,035.14</b>	<b>6,168.66</b>
									<b>2001-2005 61541.992</b>					<b>1991-2000 29259.951</b>	
<b>Surface Water AVEK</b>	<b>2148.51</b>	<b>2262.000</b>	<b>738.670</b>	<b>501.810</b>	<b>1718.790</b>	<b>3699.608</b>	<b>5862.410</b>	<b>1298.590</b>	<b>1525.268</b>	<b>1385.599</b>	<b>6633.118</b>	<b>2109.119</b>	<b>3020.482</b>	<b>4537.350</b>	<b>1548.150</b>
									<b>2001-2005 12951.694</b>					<b>1991-2000 9105.982</b>	
<b>Grand Total</b>	<b>2006-2012 95999.990</b>								<b>2001-2005 74493.686</b>					<b>1991-2000 38365.933</b>	

ANTELOPE VALLEY / WILLOW SPRINGS IRRIGATED FARMLAND

Surface Water	AVEK Water in ACFT											
	1-Dec 2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001
AVEK	2148.510	2262.000	738.670	501.810	1718.790	3699.608	5862.410	1298.590	1525.268	1385.599	6633.118	2109.119

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Grand Total 2001-2012 29883.492

**PROOF OF SERVICE**

1 ANTELOPE VALLEY GROUNDWATER CASES  
2 JUDICIAL COUNCIL PROCEEDING NO. 4408  
3 CASE NO.: 1-05-CV-049053

4 I am a citizen of the United States and a resident of the county aforesaid; I am over the age  
5 of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter  
6 Drive, Suite 300, Bakersfield, California 93309. On September 29, 2015, I served the within  
7 **SUPPLEMENTAL DECLARATION OF CARL F. VOSS, JR., FOR PHASE 6 TRIAL FILED  
ON BEHALF OF DIAMOND FARMING COMPANY, INC., CRYSTAL ORGANIC FARMS,  
LLC, GRIMMWAY ENTERPRISES, INC. AND LAPIS LAND COMPANY, LLC**

8  (BY POSTING) I am "readily familiar" with the Court's Clarification Order.  
9 Electronic service and electronic posting completed through [www.scefilng.org](http://www.scefilng.org) ; All papers filed  
in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

10 Los Angeles County Superior Court  
11 111 North Hill Street  
12 Los Angeles, CA 90012  
13 Attn: **Department 1**  
14 (213) 893-1014

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial Services  
(Civil Case Coordinator)  
Carlotta Tillman  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
Fax (415) 865-4315

15  (BY MAIL) I am "readily familiar" with the firm's practice of collection and  
16 processing correspondence for mailing. Under that practice it would be deposited with the U.S.  
17 Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in  
the ordinary course of business.

18  (OVERNIGHT/EXPRESS MAIL) By enclosing a true copy thereof in a sealed  
19 envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United  
20 Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary  
21 business practices from Kern County. I am readily familiar with this business' practice of  
22 collecting and processing correspondence for overnight/express/UPS mailing. On the same day  
23 that the correspondence is placed for collection and mailing, it is deposited in the ordinary course  
24 of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with  
delivery fees paid/provided for at the facility regularly maintained by United States Postal Service  
(Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an  
authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal  
Express/United Postal Service to receive documents].

25  (STATE) I declare under penalty of perjury under the laws of the State of  
26 California that the above is true and correct, and that the foregoing was executed on September  
27 29, 2015, in Bakersfield, California.

28   
LEQUETTA HANSEN