

# EXHIBIT 13

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053

*Exclus. Jurisdiction of*

C O P Y

WAR DEPARTMENT  
Washington

April 16, 1943

Honorable Earl Warren,  
Governor of California,  
Sacramento, California.

Dear Governor Warren:

The laws of the State of California, (Section 33 of the Political Code of California, and section 34 of said code as amended by an act of the legislature of California approved July 5, 1939 (Cal. Stat., 1939, chap. 710, p. 2231), permit the assumption of exclusive Federal jurisdiction over lands within that State, acquired by the United States for military and certain other purposes.

Under section 355, Revised Statutes, as amended by the act of February 1, 1940 (54 Stat. 19), and by the act of October 9, 1940 (54 Stat. 1085; 40 U.S.C. 255), it is provided in effect that unless and until the United States has accepted jurisdiction over lands acquired or in which any interest shall have been acquired after February 1, 1940, it shall be conclusively presumed that no such jurisdiction has been accepted.

Accordingly, notice is hereby given that the United States accepts exclusive jurisdiction over all lands acquired by it for military purposes within the State of California, title to which has heretofore vested in the United States, and over which exclusive jurisdiction has not heretofore been obtained.

It is requested that you return the inclosed copy of this letter, with an indorsement thereon over your signature stating the date of your receipt of this notice.

Sincerely yours,

(signed)

Henry L. Stimson  
Secretary of War

*Jurisdiction of Lands*

California State Archives

AN: 2008-218

**ID# - Agency/Source - Record Title - Dates**

Governor Earl Warren  
Federal Land Files

1943-1953

Loc: B 2593	Box	1	of	1	24933
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Jurisdiction of Lands

October 23, 1943

L. Stinson  
of War  
D.C.  
Secretary:

Governor Warren has directed me to  
further concerning your letter of  
accepting in behalf of the United  
jurisdiction over all lands acquired  
military purposes in the State of  
a. District Attorney Arthur J. An-  
Lassen County has called to the  
attention the fact that the town  
is situated on land owned by the  
States Government. He asks that the  
request information from you as to  
the town is part of the Sierra Ord-  
not under the exclusive jurisdiction  
ited States Government.

For your information a copy of Mr.  
n's letter is enclosed. The Governor  
preciate any assistance your depart-  
be able to give him in this matter.

Sincerely,

(Miss) Helen R. MacGregor  
Private Secretary

erney  
l Kenny

(215 pgs)

WAR DEPARTMENT  
WASHINGTON, D. C.

RECEIVED  
OCT 4 1944  
- 25 -

SEP 29 1944

C9186

Honorable Earl Warren,  
Governor of California,  
Sacramento, California.

Dear Governor Warren:

Reference is made to my letter of August 16, 1944, accepting exclusive jurisdiction over certain lands acquired by the United States for military purposes, in which it was stated that information was being assembled to assist you in complying with an act of the Legislature of California approved May 17, 1943 (Calif. Stat., 1943, Chap. 336).

There has now been prepared and is inclosed a list of military reservations in the State of California acquired either in whole or in part by the United States from February 1, 1940, to August 16, 1944, inclusive. For convenience in locating and identifying these establishments, the counties in which they are located and former designation, if any, are also furnished.

It is believed that this list is complete and accurate. However, because of the large number of land acquisitions in California, it cannot be warranted to be complete and is not to be considered as limiting the scope of my letters accepting exclusive jurisdiction dated April 16, 1945, January 3, 1944, and August 16, 1944.

Sincerely yours,

*Henry L. Stimson*

Secretary of War.

1 Incl.  
List of reservations.





SEP 29 1944

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Governor of California,  
Sacramento, California.

Dear Governor Warren:

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There has now been prepared and is inclosed a list of military reservations in the State of California acquired either in whole or in part by the United States from February 1, 1940, to August 16, 1944, inclusive. For convenience in locating and identifying these establishments, the counties in which they are located and former designation, if any, are also furnished.

It is believed that this list is complete and accurate. However, because of the large number of land acquisitions in California, it cannot be warranted to be complete and is not to be considered as limiting the scope of my letters accepting exclusive jurisdiction dated April 16, 1943, January 3, 1944, and August 16, 1944.

Sincerely yours,

HENRY L. STIMSON

Secretary of War.

1 Incl.  
List of reservations.

OSM 600.2 California (9/29/44).

LIST OF MILITARY RESERVATIONS IN THE STATE OF CALIFORNIA  
ACQUIRED EITHER IN WHOLE OR IN PART  
FROM FEBRUARY 1, 1940, TO AUGUST 16, 1944, INCLUSIVE

<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Alameda Intransit Depot	Alameda	
Ansa, Camp	Riverside	Formerly Arlington Staging Area
Bakersfield Army Air Field	Kern	Formerly Gildale Field
Beale, Camp	Tuba and Nevada	
Benicia Arsenal	Solano	
Birmingham General Hospital	Los Angeles	Formerly Van Nuys General Hospital
Blythe Army Air Field	Riverside	
Cal-Aero Academy	San Bernardino	
California Quartermaster Depot	Alameda	
Campbell Auxiliary Field	Tehama	Now. 24 to Chico A. A. Field
Chico Army Air Field	Butte	
Clover Field	Los Angeles	
Concord Army Air Field	Contra Costa	Formerly Buchanan Field
Cooke, Camp	San Luis obispo and Santa Barbara	
Delano Army Air Field	Kern	
Desert Army Air Field	Riverside	
Dewitt General Hospital	Placer	Formerly Auburn General Hospital
Divula General Hospital	San Mateo	Formerly Palo Alto General Hospital



<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Conlay Auxiliary Field	Kern	Aux. #4 to Minter Field
Eagle Field	Fresno	
Elk Grove Auxiliary Field	Sacramento	Aux. #5 to Mather Field
Estrella Army Air Field	San Luis Obispo	
Eureka Auxiliary Field	Humboldt	Aux. to Hamilton Field
Fairfield-Suisun Army Air Field	Solano	
Fontana Ordnance Manufacturing Plant	San Bernardino	
Franklin Auxiliary Field	Sacramento	Aux. #6 to Mather Field
Fresno Reception Center	Fresno	
Gardner Field	Kern	
Glendale Ordnance Plant	Los Angeles	Formerly Hinger Motors
Golden Gate National Cemetery	San Mateo	
Hean, Camp	Riverside	
Half Moon Bay Flight Strip	San Mateo	
Hamilton Field	Marin	
Hamilton Gunnery Range	Sanoma (Tubbs Island)	
Hamer Field	Fresno	Formerly Fresno Air Base
Hammond General Hospital	Stanislaus	
Hayward Army Air Field	Alameda	Formerly Russell City Army Air Field
Holendale Auxiliary Field	San Bernardino	Aux. #7 to Victorville Army Air Field
Hols Auxiliary Field	Fresno	Aux. #8 to Langore A. A. Field
Hoff General Hospital	Santa Barbara	
Howard Auxiliary Field	Merced	Aux. #9 to Merced A. A. Field
Hunter-Direct Military Res.	Monterey	



<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Huron Auxiliary Field	Fresno	Aux. #2 to Lamore A. A. Field. Formerly Coalinga Air Field
Indian Dwellings Field	Fresno	Aux. #3 to Lamore A. A. Field
Inyokern Auxiliary Field	Kern	Aux. to Huron A. A. Field
Irwin, Camp	San Bernardino	Formerly Mojave Desert A. A. Range
Kingsbury Auxiliary Field	San Joaquin	Aux. #1 to Stockton Air Base
Kirkwood Auxiliary Field	Glenn	Aux. #2 to Chico A. A. Field. Formerly Malton Aux. Field
Kohler, Camp	Sacramento	
Lathrop Engineer Depot	San Joaquin	Formerly Stockton Holding and Recon- signment Depot
Lemoore Army Air Field	Kings	
Lincoln Auxiliary Field	Flacer	Aux. #2 to Eather Field
Lockett, Camp	San Diego	
Lockheed Air Terminal	Los Angeles	
Lomita Flight Strip	Los Angeles	
Long Beach Army Air Field	Los Angeles	
Los Angeles Back Up Storage	San Bernardino	Formerly Fontana Back Up Storage Depot
Los Angeles Harbor Defense	Orange & Los Angeles	7 Installations
Los Angeles Intransit Depot	Los Angeles	
Los Angeles Port of Embarkation	Los Angeles	
Lost Hills Auxiliary Field	Kern	Aux. #A-1 to Winter Field
Maroon Field	Riverside	
Marysville Army Air Field	Yuba	

<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Marysville Reception Center	Yuba	
Mather Field	Sacramento	
McClellan Field	Sacramento	
✓ Mequade, Camp	Monterey	
Merced Army Air Field	Merced	
Merced, Camp	Merced	Formerly Reception Center
Winter Field	Kern	
Mira Loma Engineer Sub Depot	San Bernardino	Formerly Quarter-master Depot
Maroo Army Air Field	San Bernardino, Kern and Los Angeles	
New Jerusalem Auxiliary Field	San Joaquin	Aux. #3 to Stockton Air Base
Oakland Army Air Field	Alameda	
Oakland Port of Embarkation	Alameda	
Ontario Army Air Field	San Bernardino	
✓ Ord, Fort	Monterey	
Oriand Auxiliary Field	Gleason	Aux. #1 to Chico A. A. Field
Oroville Army Air Field	Butte	
Oroville Auxiliary Field	Butte	Aux. #5 to Chico A. A. Field
Onare Flight Strip	Ventura	
Pasadena Station Hospital	Pasadena	Formerly Vista Del Arroyo General Hosp.
Pala Springs Army Air Field	Riverside	
Polaris Flying Academy	Los Angeles	
Pomona Ordnance Depot	Los Angeles	
Pomona Ammunition Station	Los Angeles	Formerly fellows lunch
Porterville Army Air Field	Tulare	
Poso Auxiliary Field	Kern	Aux. #6 to Winter Field
Potter Auxiliary Field	Merced	Aux. #5 to Merced A. A. Field



<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Hedding Army Air Field	Shasta	
Rice Army Air Field	Riverside	
Roberts, Camp	Monterey and San Luis Obispo	
Sacramento Army Air Field	Sacramento	Formerly Sutterville Field
Salinas Army Air Base	Monterey	
San Bernardino Air Depot	San Bernardino	
San Bernardino Army Air Field	San Bernardino	Formerly Barron Field
San Diego Harbor Defenses	San Diego	6 Installations
San Francisco Harbor Defenses	Marin, San Francisco and San Mateo	3 Installations
San Francisco Port of Subordination	San Francisco	Includes Classifi- cation Yards
San Luis Obispo Camp	San Luis Obispo	
Santa Ana Army Air Base	Orange	
Santa Maria Army Air Field	Santa Barbara	
Santa Ana Army Air Field	Sonoma	
Sea-Tropic Auxiliary Field	Kern	Aux. #5 to Winter Field Formerly Seaco Aux. Field
Shavers Summit Auxiliary Field	Riverside	Aux. to Thermal A. A. Field
Sierra Ordnance Depot	Lassen	
Stockton Intransit Depot	San Joaquin	Formerly 2nd Aviation Base and Ord. Mater Base and A.E. and Ord. Depot
Stockton Army Air Field	San Joaquin	
Stowman, Camp	Contra Costa	Formerly Pittsburg Staging Area
Summit Lake Auxiliary Field	Alago	Aux. #7 to Desore A. A. Field
Thermal Area Air Field	Riverside	
Torrey General Hospital	Riverside	

<u>Designation</u>	<u>County</u>	<u>Remarks</u>
Tracy Auxiliary Field	San Joaquin	Aux. #5 to Stockton Air Base
Tracy Quartermaster Depot	San Joaquin	
Turlock Rehabilitation Center	Stanislaus	
Two Rocks Station	Sonoma	
✓ Van Nuys Army Air Field	Los Angeles	
Victorville Army Air Field	San Bernardino	
Victorville Auxiliary Fields 1 and 3	San Bernardino	
Vina Auxiliary Field	Tehama	Aux. #3 to Chico A. A. Field. Formerly Copeland Aux. Field
Visalia Army Air Field	Tulare	Formerly Sequio Field
West Auxiliary Field	Fresno	Aux. #4 to Lemoore A. A. Field. Formerly Buron Aux. Field
Winters Flight Strip	Yolo	Aux. to Hamilton Field. Formerly Winters-Davis Field
Yermo Holding and deconsignment Depot	San Bernardino	
Young, Camp	Riverside	



California State Archives

AN: 2008-218

**ID# - Agency/Source - Record Title - Dates**

Governor Earl Warren  
Federal Land Files

1943-1953

Loc: B 2593	Box	1	of	1	24933
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EARL WARREN  
GOVERNOR

# State of California

GOVERNOR'S OFFICE

SACRAMENTO 14

October 11, 1944

To Recorders of all  
Counties in California:

This is with reference to the letter from this office dated September 5, 1944, with which was transmitted a notice of acceptance of exclusive jurisdiction by the United States, through the Secretary of War, over lands acquired for military purposes. Governor Warren has recently received a letter from Secretary Stimson with more detailed information as to the lands over which jurisdiction was accepted. With it Mr. Stimson sent a list of the military reservations in the State of California acquired either in whole or in part by the United States from February 1, 1940, to August 16, 1944. A certified copy of the letter and list is enclosed.

The Governor wishes to direct your attention to the last paragraph of Mr. Stimson's letter, which reads as follows:

"It is believed that this list is complete and accurate. However, because of the large number of land acquisitions in California, it cannot be warranted to be complete and is not to be considered as limiting the scope of my acceptance of exclusive Federal jurisdiction on April 16, 1943, January 3, 1944, and August 16, 1944."

Will you kindly advise the Governor of the date on which you file the enclosed letter and list.

Sincerely,

*Helen R. MacGregor*  
(Miss) Helen R. MacGregor  
Private Secretary

Enclosure



California State Archives	AN: 2008-218
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ID# - Agency/Source - Record Title - Dates
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Governor Earl Warren  
Federal Land Files

1943-1953

Loc: 62593	Box 1	of 1	24933
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*Endorsed*

*Acknowledgement  
Lands, jurisdiction*

WAR DEPARTMENT

90376

Washington, D.C.

03 21 9

*Letter of Acknowledgment*  
DEPT. OF WAR

May 23, 1945

*File  
Sty for  
H. L. Stinson*

Honorable Earl Warren  
Governor of California  
Sacramento, California

Dear Governor Warren:

The laws of the State of California (Section 33 of the Political code of California, and Section 34 of said code as amended by an act of the legislature of California approved July 5, 1939 (Cal.Stat., 1939, Chap. 710, P. 2231) permit the assumption of exclusive Federal jurisdiction over lands within that State acquired by the United States for military and certain other purposes.

Under Section 355, Revised Statutes, as amended by the act of February 1, 1940, (54 Stat. 19), and by the act of October 9, 1940 (54 Stat. 1083; 40 U.S.C. 255), it is provided in effect that unless and until the United States has accepted jurisdiction over lands acquired or in which any interest shall have been acquired after February 1, 1940, it shall be conclusively presumed that no such jurisdiction has been accepted.

Accordingly, notice is hereby given that the United States accepts exclusive jurisdiction over all lands acquired by it for military purposes within the State of California, title to which has heretofore vested in the United States and over which exclusive jurisdiction has not heretofore been obtained.

Information is being assembled to assist you in complying with an act of the Legislature of California approved May 17, 1943 (Cal. Stat., 1943, Chap 536), and will be forwarded under separate cover.

Return of the duplicate copy of this letter, with your indorsement thereon designating time of receipt of this acceptance by your office, would be appreciated.

Sincerely yours,

/s/ Henry L. Stinson  
Secretary of War

MAY 24 11 40 AM '45

(Acknowledgment mailed  
May 31, 1945)

RECEIVED  
MAY 24 1945



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WAR DEPARTMENT  
WASHINGTON, D. C.

*Lands, Jurisdiction*  
MAY 23 1945  
RECEIVED  
GOVERNOR'S OFFICE

1945 MAY 28 AM 10 50

Honorable Earl Warren  
Governor of California  
Sacramento, California

Dear Governor Warren:

The laws of the State of California (Section 33 of the Political Code of California, and Section 34 of said code as amended by an act of the legislature of California approved July 5, 1939 (Cal. Stat., 1939, Chap. 710, p. 2231) permit the assumption of exclusive Federal jurisdiction over lands within that State acquired by the United States for military and certain other purposes.

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Information is being assembled to assist you in complying with an act of the Legislature of California approved May 17, 1943 (Cal. Stat., 1943, Chap. 536), and will be forwarded under separate cover.

*O.K.*  
*5/21/45*  
Return of the duplicate copy of this letter, with your indorsement thereon designating time of receipt of this acceptance by your office, would be appreciated.

Sincerely yours,

*Henry L. Stimson*  
Secretary of War



~~(the original of this letter was received in the~~

*California - Federal Government - Jurisdiction of Lands*  
*Folded 3 (5-11-45)*

California State Archives | AN: 2008-218

ID# - Agency/Source - Record Title - Dates

Governor Earl Warren  
Federal Land Files

1943-1953

Loc: 2593	Box 1	of 1	24933
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# EXHIBIT 14

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053

Following stalled arms control negotiations in Reagan's early years, talks resumed in his second term. Reagan's November 1985 summit with Gorbachev accomplished little for immediate arms control; however, it signaled the resumption of summits, a popular move with the American public, and a tentative step toward the resolution of the Cold War.

### **3.3.5 The End of the Cold War: 1989-1991**

In January 1989, the American position on the ending of the Cold War was still one of caution, with National Security Adviser, Brent Scowcroft, stressing, "The Cold War is not over" (Walker 1993:310). During summer and fall 1989, however, events in Eastern Europe demonstrated the change in Soviet foreign policy with far more clarity than any announcement by Gorbachev. Free elections held in Poland on 4 June 1989, the first in a generation, resulted in a triumph for Solidarity and a defeat for Polish communists. Additional change quickly followed, with communist governments in Hungary, East Germany, and Czechoslovakia being peacefully replaced with popular governments in which communists were minority members. Presented with ample opportunity to intervene, the Soviet Union allowed the people of Eastern Europe to express their choice, even though that choice was undoubtedly painful to the Soviet government. By the Malta Summit of 3 December 1989, between President George Bush and Gorbachev, there was public acknowledgment by both the Soviet Union and the United States that the Cold War was over. The opening of the Berlin Wall almost 1 month earlier, on 9 November 1989, was a dramatic symbol of the resolution.

In November 1990, the United States and the Soviet Union concluded the Treaty on Conventional Forces in Europe. On 1 July 1991, the Soviet Union announced the dissolution of the Warsaw Pact, and on 6 September 1991, recognized the independence of the Baltic Republics. On 17 September 1991, President Bush ordered the SAC Alert Force to stand down, a task that was completed at 2:59 p.m. on 18 September 1991 (U.S. Air Force 1991:48-50).

On 16 December 1991, Gorbachev announced that the Soviet Union would be dissolved and that the Commonwealth of Independent States would be its constitutional heir. By 31 December 1991, the Soviet Union had ceased to exist as an independent nation.

## **3.4 A HISTORY OF AIR FORCE PLANT 42**

As shown in Photograph 3-1 (located at the end of this chapter), the Palmdale Airport was used by Army aviation units as early as January 1935. The airport served as a bivouac site for squadrons, such as the 95th Pursuit Squadron, March Field, Riverside, California, that were training at nearby Muroc Dry Lake (now Rogers Dry Lake, Edwards AFB). The airport itself



# EXHIBIT 15

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053

DEPARTMENT OF THE AIR FORCE

SUBMITTED BY H. S. USAF

ACQUISITION PROJECT NO. FY-52-1

*File*  
*Palmdale*

Submitted pursuant to Public Law 155, 82nd Congress.

Station Designation: Palmdale Airport, Los Angeles County, California

Use: Fighter aircraft final assembly and flight testing.

Area: Approximately 4,870 acres. Estimated cost: \$1,000,000

Authorization Act: (PL 911  
81st Congress) Appropriation Act: (PL 911  
73rd Congress)

It is proposed to acquire the Palmdale Airport, designate it as an industrial facility and utilize it for the final assembly and flight testing of jet fighter type aircraft now being produced by several West Coast aircraft manufacturers for the Air Force. At present three of the largest aircraft manufacturers producing jet fighter type aircraft are located in highly congested residential areas of Southern California. Flight testing of this type aircraft equipped with thrust augmentation devices, such as afterburners, operating almost continually, as would be required, would create such a nuisance due to inability to suppress the noise that flight activity in these areas would undoubtedly be restricted, if not prohibited. The project requires the acquisition of approximately 4,870 acres of land located in Los Angeles County, California, approximately fifty miles from Burbank, California, on the western fringes of the Mojave Desert, a location distant enough from residential areas that the noise from operation of the jet aircraft would not present a problem.

During World War II, title to approximately 950 acres of the 4,870 acres to be acquired was held in fee simple by the Army Air Forces. Disposal was made to Los Angeles County, California by quitclaim deed dated May 23, 1949. Under the provisions of this deed, the United States Government has the right to recapture not only the original 950 acres but all the additional acreage that has been acquired by the County of Los Angeles as additions to the original airport property which, based on information immediately available, is 3,950 acres. Of the balance, or 870 acres, reports indicate that 710 acres can be acquired without difficulty. Of the residue, 160 acres, one parcel of 80 acres presents an acquisition resistance and the other parcel of 80 acres is involved in the settlement of a bankrupt estate.



ACQUISITION PROJECT NO. FY-52-1

Approximately 27 temporary type, World War II, U. S. Army Corps of Engineers buildings are presently located on the property. In addition, other improvements consist of three concrete runways, two of which are 5,200 feet and one runway 7,000 feet in length, together with fencing, utilities and roadways. Preliminary investigation indicates that the entire 4,870 acres, plus the improvements mentioned in the description above, can be acquired for approximately \$1,000,000.

Tax losses to the County of Los Angeles and the State of California have not been computed as this property, being largely County owned, is tax exempt.

Although, as indicated above, the property in question is recapturable, it is desired to point out that it is the intent of the Air Force to make substantial improvements to this property and to retain it as a permanent installation. If the recapture provisions of the conveying deed are invoked, the entire property, plus the substantial improvements thereon, would revert to the County of Los Angeles at such time as the President or the Congress determine the national emergency to be terminated. There have been no peculiar circumstances reported to this Department with regard to local problems, highways, or power and utilities relocation.

Certification is hereby given that there is not presently available any Government-owned or leased property suitable for this project. This property is to be acquired by the Department of the Air Force and is not space coming under GSA procurement.

It is respectfully requested that approval of the Committee for the acquisition herein outlined be given.

RG 341 Headquarters U.S. Air Force (Air Staff)

Assistant Chief of Staff, Installations. Real Estate Division.

REAL ESTATE FILES, 1941-1955

Monterey Language School, CA, 1948

To

Parks AFB, CA, 1953

Box 9

NN3-341-096-001



1945-1955  
Palm Springs Airport, California

# EXHIBIT 16

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053



BOOK 13894 PAGE 316

THIS INSTRUMENT PARTIALLY AFFECTS REGISTERED LAND  
Last Certificates of Registration Nos. WN-81977, WK-81188 and UN-66562, and WK-81189.  
Registered Owner: County of Los Angeles on all numbers.

GRANT DEED

IN CONSIDERATION OF THE SUM OF \$1,285,000.00, receipt of which is hereby acknowledged,

COUNTY OF LOS ANGELES,

a body politic and corporate and a political Subdivision of the State of California, does hereby GRANT TO

UNITED STATES OF AMERICA

the real property in the County of Los Angeles, State of California, described as follows:

Those portions of Sections 1, 2, 11, 12, and 13, Township 6 North, Range 12 West, S.B.B. & M., those portions of Sections 4, 5, 6, 8 and 18, Township 6 North, Range 11 West, S.B.B. & M., and all of Section 7, said last mentioned township and range, described as a whole as follows (basis of bearings being California Coordinate System, Zone 7, Chapter 1307, Statutes of 1947):

Beginning at the intersection of the northerly line of the southwest quarter of the southwest quarter of said Section 2 with the easterly line of the 200 foot right of way granted to the Southern Pacific Railroad Company by Act of Congress approved March 3, 1871; thence South 7°34'50" East along said easterly line 5414.25 feet to the southerly line of the northeast quarter of the southwest quarter of said Section 11; thence North 88°56'57" East along said southerly line 717.54 feet to the southeasterly corner of the northeast quarter of the southwest quarter of said Section 11; thence North 88°57'07" East 2668.11 feet to the southeasterly corner of the northeast quarter of the southeast quarter of said Section 11; thence North 89°13'05" East 2695.04 feet to the southeasterly corner of the northeast quarter of the southwest quarter of said Section 12; thence South 0°30'42" East 1330.88 feet to the southwesterly corner of the southeast quarter of said Section 12; thence South 0°20'30" East 5286.41 feet to the southwesterly corner of the southeast quarter of said Section 13; thence North 87°51'32" East 2665.73 feet to the southeasterly corner of said Section 13; thence South 89°14'00" East 4367.12 feet to a point in the southerly line of said Section 18 distant easterly thereon 1650.00 feet from the southwesterly corner of the southeast quarter of said Section 18; thence North 0°15'35" West, parallel with the easterly line of said Section 18, a distance of 2112.00 feet; thence North 89°44'30" West, parallel with the northerly line of the northeast quarter of the southeast quarter of said Section 18, a distance of 308.93 feet to the westerly line of the east half of the southeast quarter of said Section 18; thence North 0°11'36" West along said westerly line 539.26 feet to the northwesterly corner of the east half of the southeast quarter of said Section 18; thence North 0°11'36" West 2648.51 feet to the northwesterly corner of the northeast quarter of the northeast quarter of said Section 18; thence North 89°44'50" East 1332.21 feet to the northeasterly corner of said Section 18; thence North 89°55'35" East along the southerly line of said Section 8 a distance of 1881.27 feet to a line parallel with and 800.00 feet westerly, measured at right angles, from the easterly line of the southwest quarter of said Section 8; thence North 0°28'44" West along said last mentioned parallel line 2663.83 feet to the southerly line of the northwest quarter of said Section 8; thence North

REPRODUCED FROM THE HOLDINGS OF THE NATIONAL ARCHIVES AT RIVERSIDE  
2-12-77  
WILLIAM J. FOX  
COUNTY CLERK  
BY: *D. Phelan*

BOOK 43894 PAGE 317

89°49'10" East 800.01 feet to the southeasterly corner of the northwest quarter of said Section 8; thence North 0°28'44" West 1998.93 feet to the southwesterly corner of the northwest quarter of the northwest quarter of the northeast quarter of said Section 8; thence North 89°44'19" East 672.42 feet to the southeasterly corner of the northwest quarter of the northwest quarter of the northeast quarter of said Section 8; thence North 0°27'29" West 666.63 feet to the northeasterly corner of the northwest quarter of the northwest quarter of the northeast quarter of said Section 8; thence North 89°42'43" East 2018.01 feet to the northeasterly corner of said Section 8; thence South 89°55'05" East 2688.70 feet to the southeasterly corner of the southwest quarter of said Section 4; thence North 0°24'25" West 5313.18 feet to the northeasterly corner of the northwest quarter of said Section 4; thence South 89°47'49" West 2684.16 feet to the northwesterly corner of said Section 4; thence South 89°51'41" West 2679.40 feet to the northeasterly corner of the northwest quarter of said Section 5; thence South 89°51'36" West 1339.89 feet to the easterly line of the west half of Lot 2 in the northwest quarter of said Section 5; thence South 0°10'41" East along said last mentioned easterly line 1336.24 feet to the southerly line of said Lot 2; thence South 89°56'18" West 1341.26 feet to the southwesterly corner of said Lot 2; thence South 0°07'10" East 1326.45 feet to the northeasterly corner of the southeast quarter of said Section 6; thence South 89°45'53" West 2659.58 feet to the northwesterly corner of the southeast quarter of said Section 6; thence North 0°09'11" West 2659.01 feet to the northeasterly corner of the northwest quarter of said Section 6; thence South 89°43'33" West 2701.06 feet to the northwesterly corner of said Section 6; thence South 89°39'31" West 2692.13 feet to the northwesterly corner of the northeast quarter of said Section 1; thence South 0°04'17" East 3993.83 feet to the northeasterly corner of the southeast quarter of the southwest quarter of said Section 1; thence South 89°29'40" West 2693.21 feet to the northwesterly corner of the southwest quarter of the southwest quarter of said Section 1; thence South 89°28'08" West 2637.91 feet to the northwesterly corner of the southwest quarter of the southeast quarter of said Section 2; thence South 89°28'20" West 1425.92 feet to the point of beginning.

Excepting therefrom Lot 2 in the southwest quarter of said Section 18.

Also excepting therefrom the east half of the northeast quarter of the southwest quarter of the southeast quarter of said Section 6.

Also excepting therefrom that portion of the east half of the northeast quarter of the northeast quarter of said Section 11 which lies westerly of the westerly line of the easterly 495.00 feet of said Section 11.

Also excepting therefrom the northerly 30 feet of above mentioned Section 7.

Also excepting therefrom the northerly 30 feet of the northwest quarter of above mentioned Section 6.

Contains 4552.07 Acres, more or less.

Together with all personal property listed in that certain inventory made by the United States Army Corps of Engineers, Western Air Procurement District U.S.A.F., and County of Los Angeles, dated May 11 to 14, 1953.



BOOK 43894 PAGE 318

SUBJECT TO:

- (a) Existing easements for public roads and highways, public utilities, railroads and pipelines, and all leases, rental or lease agreements existing on said land.
- (b) Interest of the Antelope Valley Cattle and Milling Company, a corporation, in the most easterly well and pipeline on the land described as Lot 2 in the northwest quarter of Section 4, the east half of Lot 2 in the northeast quarter of Section 5, and the east half of the west half of Lot 2 in the northeast quarter of Section 5, all in Township 6 North, Range 11 West, San Bernardino meridian, in the County of Los Angeles, State of California, according to the official plat of the survey of said land on file in the Bureau of Land Management, as excepted in Decree of Condemnation recorded August 22, 1949 in Book 30819, page 54, Official Records.

It is agreed that said leases, rental or lease agreements, and the interest of the County of Los Angeles in the insurance policies on the premises of the lessees or renters thereunder shall be transferred and assigned to the United States of America.

It is further agreed that rents on all said leases, rental or lease agreements shall be apportioned between the Vendor and the United States of America as of the date of the recording of the Grant Deed hereunder in the office of the County Recorder of Los Angeles County, California.

Dated February 2, 1954

COUNTY OF LOS ANGELES

By John A. Ford  
Chairman, Board of Supervisors

ATTEST:

HAROLD J. OSTLY, County Clerk  
and ex-officio Clerk of the  
Board of Supervisors of the  
County of Los Angeles

By Ray E. Lee  
Deputy

Approved as to form  
HAROLD W. KATHLEIN  
County Counsel  
By Ray E. Lee  
Deputy

BOOK 43894 PAGE 319

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } ss

On this 2nd day of February, 1954, before me,  
Harold J. Ostly, County Clerk and ex officio Clerk of the Board of  
Supervisors of the County of Los Angeles, State of California, person-  
ally appeared JOHN ANSON FORD, known to me to be the  
Chairman of said Board who executed the within instrument on behalf  
of said County therein named, and acknowledged to me that the County  
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal the day and year in this certificate first above written.

HAROLD J. OSTLY, County Clerk

By [Signature]  
Deputy

DOCUMENT No. 1584  
RECORDED AT REQUEST OF  
TITLE INSURANCE & TRUST CO

FEB 23 1954 AT 8 A. M.  
BOOK 43894 PAGE 311  
IN OFFICIAL RECORDS  
County of Los Angeles, California  
Fee \$ 4.20  
MARGE B. BEATTY, County Recorder  
[Signature] Deputy

485/1584

420300

4



RG 77 RECORDS OF THE OFFICE OF THE CHIEF  
OF ENGINEERS

Los Angeles District

CALIFORNIA  
MILITARY LAND ACQUISITION FILES  
1849-1994

From: Air Force Plant 42  
To: Air Force Plant 42

Box No. 2

Holdings Maintenance  
Completed 1997

# EXHIBIT 17

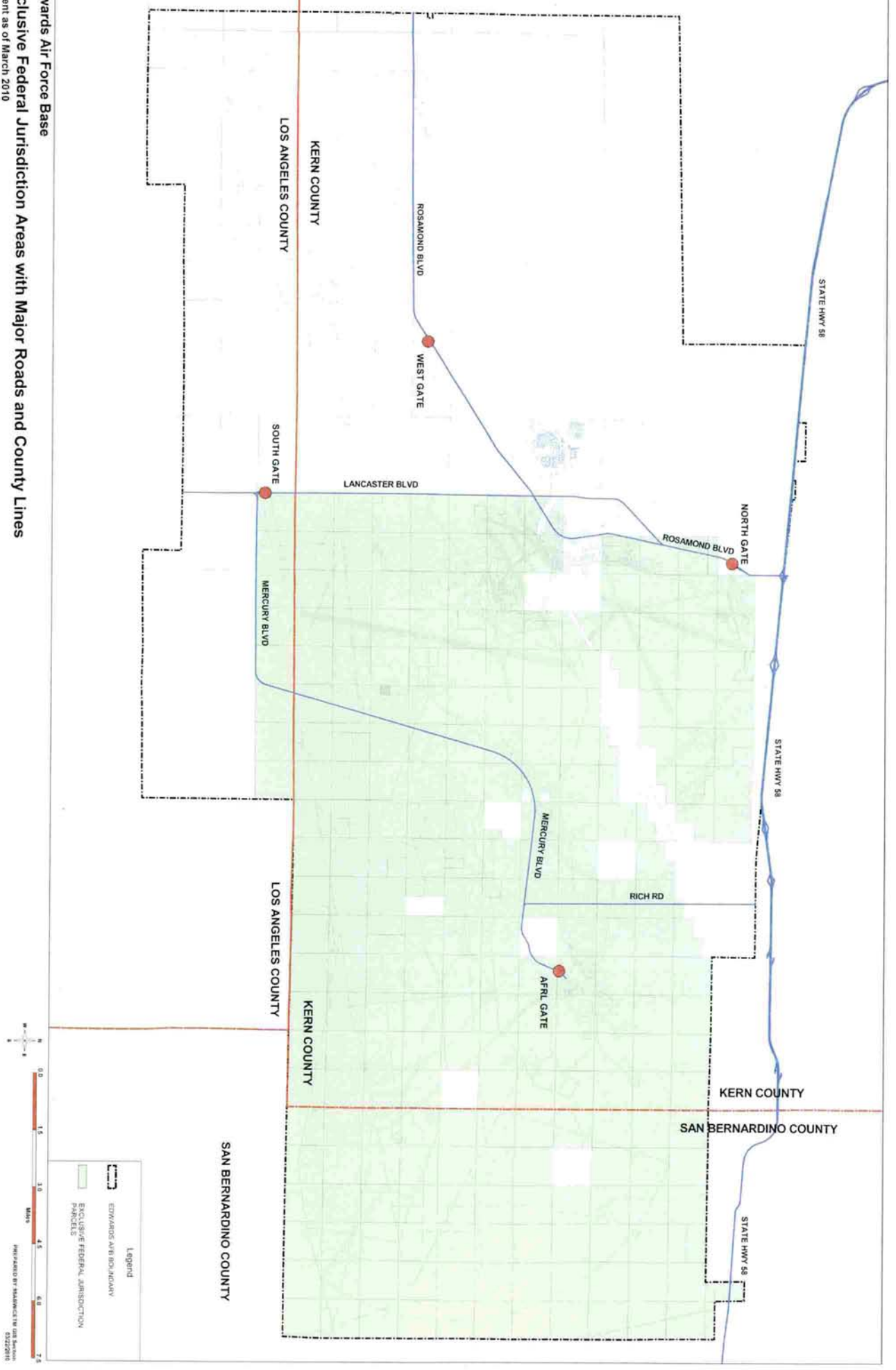
TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053



**Edwards Air Force Base**  
**Exclusive Federal Jurisdiction Areas with Major Roads and County Lines**  
 Current as of March 2010



# EXHIBIT 18

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053



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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA CLARA

-----)  
ANTELOPE VALLEY ) Santa Clara Case No.  
GROUNDWATER CASES, ) 1-05-CV-049053  
)  
-----

DEPOSITION OF  
BRIGADIER GENERAL MICHAEL THOMAS BREWER  
Los Angeles, California  
Wednesday, March 6, 2013  
Volume I

Reporter by:  
JANICE SCHUTZMAN, CSR No. 9509  
Job No. 1618963  
  
PAGES 1 - 111

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Q. Okay. Why don't you start with telling us your full name for the record.

A. Michael Thomas Brewer.

Q. Have you gone by any other names before?

A. Mike. And I have a call sign, but --

Q. Okay. And your current employment is what?

A. I am the 412th Test Wing Commander.

Q. And what does that job entail?

A. I am the installation commander at Edwards Air Force Base.

Q. And how long have you held that title?

A. I took command in July last year.

Q. July of 2012?

A. Yes, sir.

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Q. Understood.  
Paragraph 16, the first sentence says:  
"What is noteworthy about Edwards Air



1 Force Base is that we are free from  
2 constraints on future growth that uniformly  
3 limit other bases."

4 Is that a true statement?

5 A. I think so, yes.

6 Q. And by "constraints," are you referring to  
7 land mass constraints?

8 A. I think we already discussed those, air space,  
9 land mass, distance from populated, so remoteness, lake  
10 bed.

11 Q. How about water? Would you view water as a  
12 constraint on future growth?

13 A. All natural resources are a constraint on --  
14 are important to ensure that we maintain the capability,  
15 yes.

16 Q. As I understand it now, the base relies on  
17 pumping some groundwater; correct?

18 A. Yes. And the proportions, we'd need to get  
19 with our civil engineering folks to give you those  
20 proportions.

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# EXHIBIT 19

TO

MEMORANDUM IN SUPPORT OF UNITED STATES RESPONSE TO  
AGWA'S MOTION FOR SUMMARY ADJUDICATION

Civil No. 05-cv-49053

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA CLARA

-----)  
ANTELOPE VALLEY ) Santa Clara Case No.  
GROUNDWATER CASES, ) 1-05-CV-049053  
)  
-----

DEPOSITION OF  
LIEUTENANT COLONEL GENE FRANKLIN CUMMINS  
Los Angeles, California  
Thursday, March 7, 2013  
Volume I

Reporter by:  
JANICE SCHUTZMAN, CSR No. 9509  
Job No. 1618964  
PAGES 1 - 57



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Q. Do you understand why you've been called to deposition today?

A. Yes.

Q. Why is that?

1           A.    I'm currently the director for Air Force  
2 Plant 42, and the operating location there manages and  
3 maintains the plant, and those individuals report to me.

4           Q.    And which individuals are those?

5           A.    I have 195 civil service billets that report  
6 to me.

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Q. How long have you held the title of director at Plant 42?

A. Approximately eight months.

Q. Sure.

I just want to understand -- my general understanding is that there are three aerospace contractors which are tenants and lease space at Plant 42; correct?

A. Yes, that is correct.



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Q. Do you have any understanding of the water supplies and distribution system for Plant 42?

A. In general terms, I know that we purchase water from the City of Palmdale. We have drinking water wells in addition to fire protection wells on Air Force Plant 42.

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Q. So do you know why the volume of water is calculated? For example, do you charge your tenants for water?

A. Each of the tenants is responsible for paying their own water.

Q. And what's the source of the tenants' water?

A. If they do not pump the water -- one of the tenants across the south side of the plant have access to City of Palmdale water. The north side of the plant, they are -- each have wells for drinking water.

Q. South side of the plant has access to Palmdale Water District water?

A. Yes, sir, that is correct.

Q. But the north half does not?

A. That's correct.