

SCOTT K. KUNEY, Esq., SBN 111115
 ERNEST A. CONANT, Esq., SBN 089111
 THE LAW OFFICES OF YOUNG WOOLDRIDGE, LLP
 1800 30th Street, Fourth Floor
 Bakersfield, CA 93301
 Telephone: (661) 327-9661
 Facsimile: (661) 327-0720
 Attorneys for Craig Van Dam

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF LOS ANGELES**

Coordination Proceeding
 Special Title (Rule 1550(b))

**ANTELOPE VALLEY
 GROUNDWATER CASES**

Included Actions:

Los Angeles County Waterworks District
 No. 40 v. Diamond Farming Co.
 Superior Court of California
 County of Los Angeles, Case No. BC
 325201

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

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

Judicial Council Coordination Proceeding
 No. 4408

SC Case No. 105CV 049053
 Assigned to Hon. Jack Komar

**RESPONSE OF CRAIG VAN DAM TO
 COURT ORDERED DISCOVERY FOR
 PHASE 4 TRIAL**

1 RESPONDING PARTY: CROSS-DEFENDANT, CRAIG VAN DAM

2 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

3 CROSS-DEFENDANT, CRAIG VAN DAM, hereby provides the following responses
4 pursuant to the Discovery Order for Phase 4 Trial dated, December 12, 2012.

5 **GENERAL RESPONSE AND OBJECTIONS**

6 CROSS-DEFENDANT has not fully completed its investigation of the facts relating to
7 this case, has not completed discovery in this action, and has not completed preparation for
8 trial. All of the responses contained herein are specifically known to CRAIG VAN DAM and
9 discloses only those contentions which presently occur to CRAIG VAN DAM.

10 It is anticipated that further discovery, independent investigation, legal research, and
11 analysis will supply additional facts, add meaning to the known facts, as well as establish
12 entirely new factual conclusions and legal contentions, all of which may lead to substantial
13 additions to, changes in, and variations from the contentions herein set forth.

14 The following responses are given without prejudice to CRAIG VAN DAM's right to
15 produce evidence of subsequently discovered fact or facts which CRAIG VAN DAM may later
16 recall or discover. CRAIG VAN DAM accordingly reserves the right to change and
17 supplement any and all answers herein as additional facts are ascertained, analyses are made,
18 legal research is completed and contentions are made. The answers contained herein are made
19 in a good faith effort to supply as much factual information and as much specification of legal
20 contentions as are presently known, but should in no way be to the prejudice of CRAIG VAN
21 DAM in relation to further discovery, research or analysis.

22 Furthermore, to the extent that any of these questions violates the attorney-client
23 privilege, the attorney work product doctrine and the constitutional right to privacy, CRAIG
24 VAN DAM refuses to answer and hereby asserts these privileges and protections.

25 **RESPONSES**

26 I. **FOR ALL PARTIES CLAIMING AN OVERLYING GROUNDWATER RIGHT,
27 INCLUDING PUBLIC WATER AND OTHER PRODUCERS WHO ALSO
28 CLAIM A PRESCRIPTIVE RIGHT UNDER CATEGORY II BELOW**

REQUEST NO. 1.(A):

For each parcel of real property the responding party owns or occupies or otherwise controls in the Antelope Valley Adjudication Area, please state with particularity the following information:

The Kern County Treasurer Tax Collector's "Assessor Tax Number" or the Los Angeles County Office of the Assessor "Assessor's Identification Number" of the parcel. If the identifying parcel number has changed since 1999, please state both the current and previous number and the date the new identifying parcel number was assigned.

RESPONSE TO REQUEST NO. 1.(A):

3220-006-015 – Los Angeles County

In 2006 this parcel split into the following: 3220-06-098; 3220-006-099; 3220-06-100; 3220-06-97; 3220-06-006.

3384-001-001 – Los Angeles County

3384-001-002 – Los Angeles County

3384-01-003 – Los Angeles County

REQUEST NO. 1.(B):

All record title owners of the parcel from 2000 to present.

RESPONSE TO REQUEST NO. 1.(B):

3220-006-015:

Year	Record Title Owner
2000	CRAIG VAN DAM, ET AL.
2001	CRAIG VAN DAM, ET AL.
2002	CRAIG VAN DAM, ET AL.
2003	CRAIG VAN DAM, ET AL.
2004	CRAIG VAN DAM, ET AL.
2005	CRAIG VAN DAM, ET AL.

///

3220-06-098: (formerly 3220-006-015)

Year	Record Title Owner
2006	CRAIG VAN DAM, ET AL.
2007	CRAIG VAN DAM, ET AL.
2008	CRAIG VAN DAM, ET AL.
2009	CRAIG VAN DAM, ET AL.
2010	CRAIG VAN DAM, ET AL.
2011	CRAIG VAN DAM, ET AL.
2012	CRAIG VAN DAM, ET AL.

3220-006-099: (formerly 3220-006-015)

Year	Record Title Owner
2006	CRAIG VAN DAM, ET AL.
2007	CRAIG VAN DAM, ET AL.
2008	CRAIG VAN DAM, ET AL.
2009	CRAIG VAN DAM, ET AL.
2010	CRAIG VAN DAM, ET AL.
2011	CRAIG VAN DAM, ET AL.
2012	CRAIG VAN DAM, ET AL.

3220-06-100: (formerly 3220-006-015)

Year	Record Title Owner
2006	CRAIG VAN DAM, ET AL.
2007	CRAIG VAN DAM, ET AL.
2008	CRAIG VAN DAM, ET AL.
2009	CRAIG VAN DAM, ET AL.
2010	CRAIG VAN DAM, ET AL.

3220-06-100: (formerly 3220-006-015)

Year	Record Title Owner
2011	CRAIG VAN DAM, ET AL.
2012	CRAIG VAN DAM, ET AL.

3220-06-97: (formerly 3220-006-015)

Year	Record Title Owner
2006	CRAIG VAN DAM, ET AL.
2007	CRAIG VAN DAM, ET AL.
2008	CRAIG VAN DAM, ET AL.
2009	CRAIG VAN DAM, ET AL.
2010	CRAIG VAN DAM, ET AL.
2011	CRAIG VAN DAM, ET AL.
2012	CRAIG VAN DAM, ET AL.

3220-006-006: (formerly 3220-006-015)

Year	Record Title Owner
2006	ROSALBA R. KITA LIVING TRUST, ET AL.
2007	CRAIG VAN DAM, ET AL.
2008	CRAIG VAN DAM, ET AL.
2009	CRAIG VAN DAM, ET AL.
2010	CRAIG VAN DAM, ET AL.
2011	CRAIG VAN DAM, ET AL.
2012	CRAIG VAN DAM, ET AL.

///

///

3384-001-001:

Year	Record Title Owner
2000	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2001	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2002	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2003	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2004	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2005	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2006	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2007	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2008	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2009	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2010	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2011	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2012	CRAIG VAN DAM

3384-001-002:

Year	Record Title Owner
2000	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2001	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2002	LEO L. SIMI, JR. CHILDS EXEMPT TRUST;

3384-001-002:

Year	Record Title Owner
	SIMI SURVIVOR'S TRUST
2003	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2004	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2005	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2006	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2007	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2008	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2009	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2010	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2011	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2012	CRAIG VAN DAM

3384-001-003:

Year	Record Title Owner
2000	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2001	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2002	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2003	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2004	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST

3384-001-003:

2005	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2006	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2007	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2008	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2009	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2010	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2011	LEO L. SIMI, JR. CHILDS EXEMPT TRUST; SIMI SURVIVOR'S TRUST
2012	CRAIG VAN DAM

REQUEST NO. 1.(C):

Whether a groundwater well existed on the parcel in any or all of calendar years 2000, 2001, 2002, 2003, 2004, 2011 or 2012.

RESPONSE TO REQUEST NO. 1.(C):

ATN/AIN	Year	<u>Well Existed</u>
3220-006-015	2000	YES
3220-006-015	2001	YES
3220-006-015	2002	YES
3220-006-015	2003	YES
3220-006-015	2004	YES
3220-006-098	2000	YES
3220-006-098	2001	YES
3220-006-098	2002	YES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATN/AIN	Year	Well Existed
3220-006-098	2003	YES
3220-006-098	2004	YES
3220-006-098	2011	YES
3220-006-098	2012	YES
3220-006-099	2000	YES
3220-006-099	2001	YES
3220-006-099	2002	YES
3220-006-099	2003	YES
3220-006-099	2004	YES
3220-006-099	2011	YES
3220-006-099	2012	YES
3220-006-100	2000	YES
3220-006-100	2001	YES
3220-006-100	2002	YES
3220-006-100	2003	YES
3220-006-100	2004	YES
3220-006-100	2011	YES
3220-006-100	2012	YES
3220-006-97	2000	YES
3220-006-97	2001	YES
3220-006-97	2002	YES
3220-006-97	2003	YES
3220-006-97	2004	YES
3220-006-97	2011	YES
3220-006-97	2012	YES

1	ATN/AIN	Year	Well <u>Existed</u>
2			
3	3220-006-006	2000	YES
4	3220-006-006	2001	YES
5	3220-006-006	2002	YES
6	3220-006-006	2003	YES
7	3220-006-006	2004	YES
8	3220-006-006	2011	YES
9	3220-006-006	2012	YES
10	3384-001-001	2000	YES
11	3384-001-001	2001	YES
12	3384-001-001	2002	YES
13	3384-001-001	2003	YES
14	3384-001-001	2004	YES
15	3384-001-001	2011	YES
16	3384-001-001	2012	YES
17	3384-001-002	2000	YES
18	3384-001-002	2001	YES
19	3384-001-002	2002	YES
20	3384-001-002	2003	YES
21	3384-001-002	2004	YES
22	3384-001-002	2011	YES
23	3384-001-002	2012	YES
24	3384-001-003	2000	YES
25	3384-001-003	2001	YES
26	3384-001-003	2002	YES
27	3384-001-003	2003	YES
28			

ATN/AIN	Year	Well <u>Existed</u>
3384-001-003	2004	YES
3384-001-003	2011	YES
3384-001-003	2012	YES

REQUEST NO. 1.(D):

Whether a groundwater well was operated on the parcel in any or all of calendar years 2000, 2001, 2002, 2003, 2004, 2011 or 2012.

RESPONSE TO REQUEST NO. 1.(D):

ATN/AIN	Year	Well <u>Operated</u>
3220-006-015	2000	YES
3220-006-015	2001	YES
3220-006-015	2002	YES
3220-006-015	2003	YES
3220-006-015	2004	YES
3220-006-098	2000	YES
3220-006-098	2001	YES
3220-006-098	2002	YES
3220-006-098	2003	YES
3220-006-098	2004	YES
3220-006-098	2011	YES
3220-006-098	2012	YES
3220-006-099	2000	YES
3220-006-099	2001	YES
3220-006-099	2002	YES
3220-006-099	2003	YES

1	ATN/AIN	Year	Well <u>Operated</u>
2			
3	3220-006-099	2004	YES
4	3220-006-099	2011	YES
5	3220-006-099	2012	YES
6	3220-006-100	2000	YES
7	3220-006-100	2001	YES
8	3220-006-100	2002	YES
9	3220-006-100	2003	YES
10	3220-006-100	2004	YES
11	3220-006-100	2011	YES
12	3220-006-100	2012	YES
13	3220-006-97	2000	YES
14	3220-006-97	2001	YES
15	3220-006-97	2002	YES
16	3220-006-97	2003	YES
17	3220-006-97	2004	YES
18	3220-006-97	2011	YES
19	3220-006-97	2012	YES
20	3220-006-006	2000	YES
21	3220-006-006	2001	YES
22	3220-006-006	2002	YES
23	3220-006-006	2003	YES
24	3220-006-006	2004	YES
25	3220-006-006	2011	YES
26	3220-006-006	2012	YES
27	3384-001-001	2000	YES
28			

ATN/AIN	Year	Well <u>Operated</u>
3384-001-001	2001	YES
3384-001-001	2002	YES
3384-001-001	2003	YES
3384-001-001	2004	YES
3384-001-001	2011	YES
3384-001-001	2012	YES
3384-001-002	2000	YES
3384-001-002	2001	YES
3384-001-002	2002	YES
3384-001-002	2003	YES
3384-001-002	2004	YES
3384-001-002	2011	YES
3384-001-002	2012	YES
3384-001-003	2000	YES
3384-001-003	2001	YES
3384-001-003	2002	YES
3384-001-003	2003	YES
3384-001-003	2004	YES
3384-001-003	2011	YES
3384-001-003	2012	YES

REQUEST NO. 1.(E):

The amount of groundwater produced from the parcel for calendar years 2000, 2001, 2002, 2003, 2004, 2011, and/or 2012.

///

///

RESPONSE TO REQUEST NO. 1.(E):

ATN/AIN	Year	Amount GW Produced (AF)
3220-006-015	2000	301
3220-006-015	2001	309
3220-006-015	2002	304
3220-006-015	2003	231
3220-006-015	2004	317
3220-006-098	2000	301
3220-006-098	2001	309
3220-006-098	2002	304
3220-006-098	2003	231
3220-006-098	2004	317
3220-006-098	2011	8
3220-006-098	2012	12
3220-006-099	2000	301
3220-006-099	2001	309
3220-006-099	2002	304
3220-006-099	2003	231
3220-006-099	2004	317
3220-006-099	2011	8
3220-006-099	2012	12
3220-006-100	2000	301
3220-006-100	2001	309
3220-006-100	2002	304
3220-006-100	2003	231

1	ATN/AIN	Year	Amount GW Produced (AF)
2			
3	3220-006-100	2004	317
4	3220-006-100	2011	8
5	3220-006-100	2012	12
6	3220-006-97	2000	301
7	3220-006-97	2001	309
8	3220-006-97	2002	304
9	3220-006-97	2003	231
10	3220-006-97	2004	317
11	3220-006-97	2011	8
12	3220-006-97	2012	12
13	3220-006-006	2000	301
14	3220-006-006	2001	309
15	3220-006-006	2002	304
16	3220-006-006	2003	231
17	3220-006-006	2004	317
18	3220-006-006	2011	8
19	3220-006-006	2012	12
20	3384-001-001	2000	457
21	3384-001-001	2001	878
22	3384-001-001	2002	481
23	3384-001-001	2003	936
24	3384-001-001	2004	969
25	3384-001-001	2011	47
26	3384-001-001	2012	46
27	3384-001-002	2000	457
28			

ATN/AIN	Year	Amount GW Produced (AF)
3384-001-002	2001	878
3384-001-002	2002	481
3384-001-002	2003	936
3384-001-002	2004	969
3384-001-002	2011	47
3384-001-002	2012	46
3384-001-003	2000	457
3384-001-003	2001	878
3384-001-003	2002	481
3384-001-003	2003	936
3384-001-003	2004	969
3384-001-003	2011	47
3384-001-003	2012	46

REQUEST NO. 1.(F):

The uses(s) to which the groundwater produced from the parcel was put on said parcel in any or all calendar years 2000, 2001, 2002, 2003, 2004, 2011, or 2012.

RESPONSE TO REQUEST NO. 1.(F):

ATN/AIN	Year	Use of GW Produced from this Parcel
3220-006-015	2000	FARMING/IRRIGATION
3220-006-015	2001	FARMING/IRRIGATION
3220-006-015	2002	FARMING/IRRIGATION
3220-006-015	2003	FARMING/IRRIGATION
3220-006-015	2004	FARMING/IRRIGATION

ATN/AIN	Year	Use of GW Produced from this Parcel
3220-006-098	2000	FARMING/IRRIGATION
3220-006-098	2001	FARMING/IRRIGATION
3220-006-098	2002	FARMING/IRRIGATION
3220-006-098	2003	FARMING/IRRIGATION
3220-006-098	2004	FARMING/IRRIGATION
3220-006-098	2011	FARMING/IRRIGATION
3220-006-098	2012	FARMING/IRRIGATION
3220-006-099	2000	FARMING/IRRIGATION
3220-006-099	2001	FARMING/IRRIGATION
3220-006-099	2002	FARMING/IRRIGATION
3220-006-099	2003	FARMING/IRRIGATION
3220-006-099	2004	FARMING/IRRIGATION
3220-006-099	2011	FARMING/IRRIGATION
3220-006-099	2012	FARMING/IRRIGATION
3220-006-100	2000	FARMING/IRRIGATION
3220-006-100	2001	FARMING/IRRIGATION
3220-006-100	2002	FARMING/IRRIGATION
3220-006-100	2003	FARMING/IRRIGATION
3220-006-100	2004	FARMING/IRRIGATION
3220-006-100	2011	FARMING/IRRIGATION
3220-006-100	2012	FARMING/IRRIGATION
3220-006-97	2000	FARMING/IRRIGATION
3220-006-97	2001	FARMING/IRRIGATION
3220-006-97	2002	FARMING/IRRIGATION
3220-006-97	2003	FARMING/IRRIGATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATN/AIN	Year	Use of GW Produced from this Parcel
3220-006-97	2004	FARMING/IRRIGATION
3220-006-97	2011	FARMING/IRRIGATION
3220-006-97	2012	FARMING/IRRIGATION
3220-006-006	2000	FARMING/IRRIGATION
3220-006-006	2001	FARMING/IRRIGATION
3220-006-006	2002	FARMING/IRRIGATION
3220-006-006	2003	FARMING/IRRIGATION
3220-006-006	2004	FARMING/IRRIGATION
3220-006-006	2011	FARMING/IRRIGATION
3220-006-006	2012	FARMING/IRRIGATION
3384-001-001	2000	FARMING/IRRIGATION
3384-001-001	2001	FARMING/IRRIGATION
3384-001-001	2002	FARMING/IRRIGATION
3384-001-001	2003	FARMING/IRRIGATION
3384-001-001	2004	FARMING/IRRIGATION
3384-001-001	2011	FARMING/LIVESTOCK
3384-001-001	2012	FARMING/LIVESTOCK
3384-001-002	2000	FARMING/IRRIGATION
3384-001-002	2001	FARMING/IRRIGATION
3384-001-002	2002	FARMING/IRRIGATION
3384-001-002	2003	FARMING/IRRIGATION
3384-001-002	2004	FARMING/IRRIGATION
3384-001-002	2011	FARMING/LIVESTOCK
3384-001-002	2012	FARMING/LIVESTOCK
3384-001-003	2000	FARMING/IRRIGATION

ATN/AIN	Year	Use of GW Produced from this Parcel
3384-001-003	2001	FARMING/IRRIGATION
3384-001-003	2002	FARMING/IRRIGATION
3384-001-003	2003	FARMING/IRRIGATION
3384-001-003	2004	FARMING/IRRIGATION
3384-001-003	2011	FARMING/LIVESTOCK
3384-001-003	2012	FARMING/LIVESTOCK

REQUEST 1.(G):

If groundwater produced from another parcel was used on the parcel during any or all calendar years 2000, 2001, 2002, 2003, 2004, 2011, or 2012, please state the Kern County Treasurer Tax Collector's "Assessor Tax Number" or the Los Angeles County Office of the Assessor "Assessor's Identification Number" of the parcel(s) from which the subject groundwater was produced and identify the owner thereof.

RESPONSE TO REQUEST NO. 1.(G):

None; Not applicable.

REQUEST NO. 1.(H):

The use(s) to which the parcel was put during each of calendar years 2011, and 2012.

RESPONSE TO REQUEST NO. 1.(H):

ATN/AIN	Year	Parcel Uses
3220-006-015	2000	FARMING/IRRIGATION
3220-006-015	2001	FARMING/IRRIGATION
3220-006-015	2002	FARMING/IRRIGATION
3220-006-015	2003	FARMING/IRRIGATION
3220-006-015	2004	FARMING/IRRIGATION
3220-006-098	2011	FARMING/IRRIGATION

ATN/AIN	Year	Parcel Uses
3220-006-098	2012	FARMING/IRRIGATION
3220-006-099	2011	FARMING/IRRIGATION
3220-006-099	2012	FARMING/IRRIGATION
3220-006-100	2011	FARMING/IRRIGATION
3220-006-100	2012	FARMING/IRRIGATION
3220-006-97	2011	FARMING/IRRIGATION
3220-006-97	2012	FARMING/IRRIGATION
3220-006-006	2011	FARMING/IRRIGATION
3220-006-006	2012	FARMING/IRRIGATION
3384-001-001	2011	FARMING/LIVESTOCK
3384-001-001	2012	FARMING/LIVESTOCK
3384-001-002	2011	FARMING/LIVESTOCK
3384-001-002	2012	FARMING/LIVESTOCK
3384-001-003	2011	FARMING/LIVESTOCK
3384-001-003	2012	FARMING/LIVESTOCK

REQUEST NO. 1.(I):

The crop type, if any, grown on the parcel during each of the calendar years 2000, 2001, 2002, 2003, 2004, 2011, and 2012.

RESPONSE TO REQUEST NO. 1.(I):

ATN/AIN	Year	Crop Type
3220-006-015	2000	CARROTS
3220-006-015	2001	CARROTS
3220-006-015	2002	ONIONS
3220-006-015	2003	CARROTS

ATN/AIN	Year	Crop Type
3220-006-015	2004	ONIONS
3220-006-098	2000	CARROTS
3220-006-098	2001	CARROTS
3220-006-098	2002	ONIONS
3220-006-098	2003	CARROTS
3220-006-098	2004	ONIONS
3220-006-098	2011	BARLEY
3220-006-098	2012	BARLEY
3220-006-099	2000	CARROTS
3220-006-099	2001	CARROTS
3220-006-099	2002	ONIONS
3220-006-099	2003	CARROTS
3220-006-099	2004	ONIONS
3220-006-099	2011	BARLEY
3220-006-099	2012	BARLEY
3220-006-100	2000	CARROTS
3220-006-100	2001	CARROTS
3220-006-100	2002	ONIONS
3220-006-100	2003	CARROTS
3220-006-100	2004	ONIONS
3220-006-100	2011	BARLEY
3220-006-100	2012	BARLEY
3220-006-97	2000	CARROTS
3220-006-97	2001	CARROTS
3220-006-97	2002	ONIONS

ATN/AIN	Year	Crop Type
3220-006-97	2003	CARROTS
3220-006-97	2004	ONIONS
3220-006-97	2011	BARLEY
3220-006-97	2012	BARLEY
3220-006-006	2000	CARROTS
3220-006-006	2001	CARROTS
3220-006-006	2002	ONIONS
3220-006-006	2003	CARROTS
3220-006-006	2004	ONIONS
3220-006-006	2011	BARLEY
3220-006-006	2012	BARLEY
3384-001-001	2000	ALFALFA/CARROTS
3384-001-001	2001	ALFALFA/CARROTS/POTATOES
3384-001-001	2002	ALFALFA/ONIONS/POTATOES
3384-001-001	2003	ALFALFA/CARROTS/POTATOES
3384-001-001	2004	CARROTS/POTATOES
3384-001-001	2011	LIVESTOCK/SHEEP
3384-001-001	2012	LIVESTOCK/SHEEP
3384-001-002	2000	ALFALFA/CARROTS
3384-001-002	2001	ALFALFA/CARROTS/POTATOES
3384-001-002	2002	ALFALFA/ONIONS/POTATOES
3384-001-002	2003	ALFALFA/CARROTS/POTATOES
3384-001-002	2004	CARROTS/POTATOES
3384-001-002	2011	LIVESTOCK/SHEEP
3384-001-002	2012	LIVESTOCK/SHEEP

ATN/AIN	Year	Crop Type
3384-001-003	2000	ALFALFA/CARROTS
3384-001-003	2001	ALFALFA/CARROTS/POTATOES
3384-001-003	2002	ALFALFA/ONIONS/POTATOES
3384-001-003	2003	ALFALFA/CARROTS/POTATOES
3384-001-003	2004	CARROTS/POTATOES
3384-001-003	2011	LIVESTOCK/SHEEP
3384-001-003	2012	LIVESTOCK/SHEEP

REQUEST NO. 1.(J):

If the responding party contends the parcel has groundwater rights based upon something other than groundwater production or use, please state the amount of that claim for each of the calendar years 2000, 2001, 2002, 2003, 2004, 2011, and 2012, and its legal and factual basis therefor.

RESPONSE TO REQUEST NO. 1.(J):

Please see Response to Request No. 1(K)(a) below. Additionally, as explained more completely in the General Response and Objections stated above, CRAIG VAN DAM has not fully completed its investigation of the facts relating to this case, has not completed discovery in this action, and has not completed preparation for the Phase 4 Trial. These responses have been prepared by CRAIG VAN DAM in a good faith effort to supply as much factual information and as much specification as possible given the time requirements but CRAIG VAN DAM reserves the right to change and supplement its answers as additional facts are ascertained and analyses are made.

REQUEST NO. 1.(K)a:

State the amount of water rights claimed as the reasonable and beneficial use for each such parcel.

///

RESPONSE TO REQUEST NO. 1.(K)a:

CRAIG VAN DAM asserts to the fullest extent provided by law a prior and paramount overlying water right to any native groundwater existing in the aquifer underlying the real property it owns, occupies or otherwise controls. (*Katz v. Walkinshaw* (1903) 141 Cal. 116, 135-136; *City of Barstow v. Mojave Water Agency* (2000) 23 Cal. 4th 1224, 1240-41). CRAIG VAN DAM claims the maximum amount of groundwater capable of being pumped from the native groundwater supply underlying the real property identified in these Responses for any past, present or future reasonable beneficial use to the fullest extent authorized by the California Constitution, Article X, Section 2 and other applicable law.

For example, but without any limitation whatsoever, such maximum amount (annually) in consideration of all the years referenced in the Court Ordered Discovery (2000-2004, 2011 and 2012) is shown in Table 1 below and amounts to 1,286 acre-feet per year.

<u>APN</u>	<u>YEAR</u>	<u>MAXIMUM AMOUNT EACH PARCEL</u>
3220-006-015 [Presently: 3220-006-098; 3220-006-099; 3220-006-100; 3220-006-097; 3220-006-006]	2004	317 acre-feet
3384-001-001; 3384-001-002; 3384-001-003	2004	969 acre-feet
		TOTAL 1,286 /AF

Likewise, the maximum amount (annually) for all of the real property identified in these responses for each of the years referenced in the Court Ordered Discovery (2000-2004, 2011 and 2012) is shown in Table 2 below:

Table 2

	2000	2001	2002	2003	2004	2011	2012
AF Produced	758	1,187	785	1,167	1,286	55	58

1
2 Additionally, in years 2005 and 2006 respectively, overlying parcels 3384-001-001,
3 3384-001-002 and 3384-001-003, pumped a total of 1,178 acre-feet (2005) and 1,058 acre-feet
4 (2006), for reasonable beneficial uses of farming/irrigation in the production of carrots and
5 potatoes.

6 Historic reasonable beneficial use is indicative of potential future reasonable
7 beneficial use of available groundwater underlying the real property identified in these
8 Responses. Any such maximum amounts may be used on any or all overlying parcels identified
9 in these Responses to the fullest extent physically and legally possible.

10 **REQUEST NO. 1.(K)b:**

11 At the responding party's election any other facts that the responding party contends will
12 assist the Count in determining the amount of groundwater produced from each parcel of land
13 owned or controlled by the responding party in any or all calendar years 2000, 2001, 2002, 2003,
14 2004, 2011, and 2012.

15 **RESPONSE TO REQUEST NO. 1.(K)b:**

16 Please see Response to Request 3(A), (B) and (C) below. Additionally, as explained
17 more completely in the General Response and Objections stated above, CRAIG VAN DAM has
18 not fully completed its investigation of the facts relating to this case, has not completed
19 discovery in this action, and has not completed preparation for the Phase 4 Trial. These
20 responses have been prepared by CRAIG VAN DAM in a good faith effort to supply as much
21 factual information and as much specification as possible given the time requirements but
22 CRAIG VAN DAM reserves the right to change and supplement its answers as additional facts
23 are ascertained and analyses are made.

24 **REQUEST NO. 2.(A):**

25 Whether the responding party leased any or all of the parcel.

26 ///

27 ///

28 ///

1 RESPONSE TO REQUEST NO. 2.(A):

2	ATN/AIN	Year	Parcel Leased
3			
4	3220-006-015	2000	NO
5	3220-006-015	2001	NO
6	3220-006-015	2002	NO
7	3220-006-015	2003	NO
8	3220-006-015	2004	NO
9	3220-006-098	2000	NO
10	3220-006-098	2001	NO
11	3220-006-098	2002	NO
12	3220-006-098	2003	NO
13	3220-006-098	2004	NO
14	3220-006-098	2011	NO
15	3220-006-098	2012	NO
16	3220-006-099	2000	NO
17	3220-006-099	2001	NO
18	3220-006-099	2002	NO
19	3220-006-099	2003	NO
20	3220-006-099	2004	NO
21	3220-006-099	2011	NO
22	3220-006-099	2012	NO
23	3220-006-100	2000	NO
24	3220-006-100	2001	NO
25	3220-006-100	2002	NO
26	3220-006-100	2003	NO
27	3220-006-100	2004	NO
28			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATN/AIN	Year	Parcel Leased
3220-006-100	2011	NO
3220-006-100	2012	NO
3220-006-97	2000	NO
3220-006-97	2001	NO
3220-006-97	2002	NO
3220-006-97	2003	NO
3220-006-97	2004	NO
3220-006-97	2011	NO
3220-006-97	2012	NO
3220-006-006	2000	NO
3220-006-006	2001	NO
3220-006-006	2002	NO
3220-006-006	2003	NO
3220-006-006	2004	NO
3220-006-006	2011	NO
3220-006-006	2012	NO
3384-001-001	2000	YES
3384-001-001	2001	YES
3384-001-001	2002	YES
3384-001-001	2003	YES
3384-001-001	2004	YES
3384-001-001	2011	YES
3384-001-001	2012	YES
3384-001-002	2000	YES
3384-001-002	2001	YES

ATN/AIN	Year	Parcel Leased
3384-001-002	2002	YES
3384-001-002	2003	YES
3384-001-002	2004	YES
3384-001-002	2011	YES
3384-001-002	2012	YES
3384-001-003	2000	YES
3384-001-003	2001	YES
3384-001-003	2002	YES
3384-001-003	2003	YES
3384-001-003	2004	YES
3384-001-003	2011	YES
3384-001-003	2012	YES

REQUEST NO. 2.(B):

The name of the lessee.

RESPONSE TO REQUEST NO. 2.(B):

ATN/AIN	Year	Lessee
3384-001-001	2000	GRIMMWAY FARMS
3384-001-001	2001	GRIMMWAY FARMS
3384-001-001	2002	GRIMMWAY FARMS
3384-001-001	2003	GRIMMWAY FARMS
3384-001-001	2004	GRIMMWAY FARMS
3384-001-001	2011	VINCENTE NARAGUMES LIVESTOCK
3384-001-001	2012	VINCENTE NARAGUMES LIVESTOCK
3384-001-002	2000	GRIMMWAY FARMS

ATN/AIN	Year	Lessee
3384-001-002	2001	GRIMMWAY FARMS
3384-001-002	2002	GRIMMWAY FARMS
3384-001-002	2003	GRIMMWAY FARMS
3384-001-002	2004	GRIMMWAY FARMS
3384-001-002	2011	VINCENTE NARAGUMES LIVESTOCK
3384-001-002	2012	VINCENTE NARAGUMES LIVESTOCK
3384-001-003	2000	GRIMMWAY FARMS
3384-001-003	2001	GRIMMWAY FARMS
3384-001-003	2002	GRIMMWAY FARMS
3384-001-003	2003	GRIMMWAY FARMS
3384-001-003	2004	GRIMMWAY FARMS
3384-001-003	2011	VINCENTE NARAGUMES LIVESTOCK
3384-001-003	2012	VINCENTE NARAGUMES LIVESTOCK

REQUEST NO. 2.(C):

If the parcel was leased, the Kern County Treasurer Tax Collector's "Assessor Tax Number" or the Los Angeles County Office of the Assessor "Assessor's Identification Number" of the Parcel. If the identifying parcel number has changed since 1999, please state both the current and previous number and the date the new identifying parcel number was assigned.

RESPONSE TO REQUEST NO. 2.(C):

See response to Request No. 2.(B).

REQUEST NO. 2.(D):

How, if at all, the lease or other written agreement allocated credits for the groundwater produced by the lessee.

///

///

RESPONSE TO REQUEST NO. 2.(D):

ATN/AIN	Year	Allocation of Credits for GW Produced by Lessee
3384-001-001	2000	Stays with the Property
3384-001-001	2001	Stays with the Property
3384-001-001	2002	Stays with the Property
3384-001-001	2003	Stays with the Property
3384-001-001	2004	Stays with the Property
3384-001-001	2011	Stays with the Property
3384-001-001	2012	Stays with the Property
3384-001-002	2000	Stays with the Property
3384-001-002	2001	Stays with the Property
3384-001-002	2002	Stays with the Property
3384-001-002	2003	Stays with the Property
3384-001-002	2004	Stays with the Property
3384-001-002	2011	Stays with the Property
3384-001-002	2012	Stays with the Property
3384-001-003	2000	Stays with the Property
3384-001-003	2001	Stays with the Property
3384-001-003	2002	Stays with the Property
3384-001-003	2003	Stays with the Property
3384-001-003	2004	Stays with the Property
3384-001-003	2011	Stays with the Property
3384-001-003	2012	Stays with the Property

REQUEST NO. 2.(E):

How much, if any, groundwater was produced by the lessee and delivered to another parcel. If so, the Kern County Treasurer Tax Collector's "Assessor Tax Number" or the Los

Angeles County Office of the Assessor "Assessor's Identification Number" of the parcel for the year(s) in which such groundwater was produced and delivered.

RESPONSE TO REQUEST NO. 2.(E):

None.

REQUEST NO. 2.(F):

If known, the use(s) to which groundwater was put on the leased parcel for calendar years 2011 and 2012.

RESPONSE TO REQUEST NO. 2.(F):

ATN/AIN	Year	Use of GW on Leased Parcel in 2011 and 2012
3384-001-001	2011	FARMING/LIVESTOCK
3384-001-001	2012	FARMING/LIVESTOCK
3384-001-002	2011	FARMING/LIVESTOCK
3384-001-002	2012	FARMING/LIVESTOCK
3384-001-003	2011	FARMING/LIVESTOCK
3384-001-003	2012	FARMING/LIVESTOCK

REQUEST NO. 3.(A):

For all parcels of land identified in response to Request No. 1 above, please state with particularity the following information:

All materials constituting the responding party's *prima facie* showing of the amount of groundwater produced from each parcel of land owned or controlled by the responding party in calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 3.(A):

The materials constituting CRAIG VAN DAM's *prima facie* showing of the amount of groundwater produced as well as the use(s) that the water has been put for each parcel of land owned, or controlled by CRAIG VAN DAM in calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012 includes, but is not limited to the concurrently filed materials, such as the

1 attached public utility records of Southern California Edison Company (customer account
 2 electric meter records, kilowatt hour usage (KWH), monthly and annual acre-feet water
 3 production based on well pump test in 2012), annual notices of groundwater extraction and
 4 diversion (State Water Resources Control Board) G193477 (State Well Number 08N/R13W-21K
 5 S) for years 2005, 2009-2011, and monthly and annual water meter usage records (see Exhibit
 6 "A" attached hereto, Bates pages CVD000001 to CVD000025). Additional materials, including
 7 but not limited to, the available deeds, leases, miscellaneous historical materials relating to the
 8 establishment of the Simi Ranch in 1918, crop records and maps, livestock records, well
 9 completion reports, pump test reports, electric well log reports, photographs, etc. also comprise
 10 CRAIG VAN DAM's *prima facie* showing. All such materials referenced and relied upon with
 11 regard to these matters are available for inspection and photocopying at legal counsel's offices
 12 by any Party during regular business hours at the time and in the manner prescribed by the
 13 California Code of Civil Procedure and as ordered by the Court, or as otherwise mutually agreed
 14 upon.

15 **REQUEST NO. 3.(B):**

16 All materials constituting the responding party's *prima facie* showing of the use(s) to
 17 which the responding party put each parcel of land controlled by the responding party in calendar
 18 years 2011 and 2012.

19 **RESPONSE TO REQUEST NO. 3.(B):**

20 Please see Response to Request No. 3(A) above.

21 **REQUEST NO. 3.(C):**

22 At the responding party's election, any additional materials that will assist the Court in
 23 determining the amount of groundwater produced from each parcel of land by the responding
 24 party in any of all calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

25 **RESPONSE TO REQUEST NO. 3.(C):**

26 Please see Response to Request No. 3(A) above. Additionally, as explained more
 27 completely in the General Response and Objections stated above, CRAIG VAN DAM has not
 28 fully completed its investigation of the facts relating to this case, has not completed discovery in

1 this action, and has not completed preparation for the Phase 4 Trial. These responses have been
 2 prepared by CRAIG VAN DAM in a good faith effort to supply as much factual information and
 3 as much specification as possible given the time requirements but CRAIG VAN DAM reserves
 4 the right to change and supplement its answers as additional facts are ascertained and analyses
 5 are made.

6
 7 **II. FOR ALL PARTIES CLAIMING A NON-OVERLYING RIGHT, INCLUDING**
 8 **APPROPRIATIVE, PRESCRIPTIVE OR OTHERWISE**

9 **REQUEST NO. 1.(A):**

10 Please state with particularity the following information:

11 The amount of groundwater pumping that constitutes the production of return flows from
 12 **water imported** into the Basin.

13 **RESPONSE TO REQUEST NO. 1.(A):**

14 Not Applicable.

15 **REQUEST NO. 1.(B):**

16 The amount of return flows from **imported water** the responding party claims to have
 17 had a right to pump for each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

18 **RESPONSE TO REQUEST NO. 1.(B):**

19 Not Applicable.

20 **REQUEST NO. 1.(C):**

21 The methodology used for determining the amount of return flows from **imported water**
 22 the responding party claims to have had a right to pump for each of calendar years 2000, 2001,
 23 2002, 2003, 2004, 2011 and 2012.

24 **RESPONSE TO REQUEST NO. 1.(C):**

25 Not Applicable.

26 **REQUEST NO. 1.(D):**

27 The total amount of **water imported** by the responding party in each of calendar years
 28 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(D):

Not Applicable.

REQUEST NO. 1.(E):

Water quality information and water constituents for any and all **imported water** for which the responding party claims a right in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(E):

Not Applicable.

REQUEST NO. 1.(F):

Identify the use(s) to which **imported water** was (were) put in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(F):

Not Applicable.

REQUEST NO. 1.(G):

The date(s) on which any and all **imported water** in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(G):

Not Applicable.

REQUEST NO. 1.(H):

The geological conditions below the parcels for which the responding party claims return flow credits/rights from **imported water** in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(H):

Not Applicable.

REQUEST NO. 1.(I):

The distance to the groundwater aquifer from the point any and all claimed **imported water** was deposited and the soil types under the deposition point.

///

RESPONSE TO REQUEST NO. 1.(I):

Not Applicable.

REQUEST NO. 1.(J):

The amount of time the responding party contends the claimed return flows took to reach the groundwater aquifer from the time of importation to the Antelope Valley.

RESPONSE TO REQUEST NO. 1.(J):

Not Applicable.

REQUEST NO. 1.(K):

Any physical evidence in the responding party's custody, control or possession that return flows augmented the Basin. If such information is in the possession of others, and not produced by the responding party, please provide the contact information of such party.

RESPONSE TO REQUEST NO. 1.(K):

Not Applicable.

REQUEST NO. 1.(L):

The geographic location(s) claimed by the responding party that return flows enter the groundwater aquifer.

RESPONSE TO REQUEST NO. 1.(L):

Not Applicable.

REQUEST NO. 1.(M):

The portion, if any, that the responding party's claimed return flows water entered a municipal sewer system.

RESPONSE TO REQUEST NO. 1.(M):

Not Applicable.

REQUEST NO. 1.(N):

The geographic location(s) that municipal wastewater from local public wastewater systems augment the Basin.

RESPONSE TO REQUEST NO. 1.(N):

Not Applicable.

IV. FOR THE FEDERAL PARTIES**REQUEST NO. 1.(A):**

The United States shall produce a statement on its claims to water based on federal law consistent with security concerns:

The amount of its claimed Federal Reserved Right in acre feet of water per year.

RESPONSE TO REQUEST NO. 1.(A):

Not Applicable.

REQUEST NO. 1.(B):

A statement containing the legal theory upon which its claims to federal reserved water rights are based, including citations of pertinent legal or case authorities and Congressional acts.

RESPONSE TO REQUEST NO. 1.(B):

Not Applicable.

REQUEST NO. 1.(C):

The factual basis for its claim including a reference to pertinent reservation documents..

RESPONSE TO REQUEST NO. 1.(C):

Not Applicable.

REQUEST NO. 1.(D):

For lands within Edwards Air Force Base and Air Force Plant 42 that were purchased or otherwise acquired from non-federal sources, the United States will provide detailed information on the acquisitions..

RESPONSE TO REQUEST NO. 1.(D):

Not Applicable.

REQUEST NO. 1.(E):

A statement on the quantity of water reserved necessary to satisfy the purpose(s) of the reservation.

RESPONSE TO REQUEST NO. 1.(E):

Not Applicable.

///

REQUEST NO. 1.(F):

Whether the claimed reservation of groundwater by the Federal Government is expressed or implied.

RESPONSE TO REQUEST NO. 1.(F):

Not Applicable.

REQUEST NO. 1.(G):

The identity of all lands set aside for the reservation by the Federal Government, including the Kern County Tax Collector's "Assessor Tax Number" or the Los Angeles County Office of the Assessor "Assessor's Identification Number" of the parcel(s).

RESPONSE TO REQUEST NO. 1.(G):

Not Applicable.

REQUEST NO. 1.(H):

Whether the Federal Government claims any portion of Edwards Air Force Base is an original reservation of land that never entered the public domain. If so, describe such portion(s) and why it (they) never entered the public domain.

RESPONSE TO REQUEST NO. 1.(H):

Not Applicable.

REQUEST NO. 1.(I):

Please provide specific acquisitions of property and the dates of such acquisitions.

RESPONSE TO REQUEST NO. 1.(I):

Not Applicable.

REQUEST NO. 1.(J):

The amount of surplus groundwater, if any, the Federal Government contends remained in the ANTELOPE VALLEY ADJUDICATION AREA at the time of the reservations of land by the Federal Government for Edwards Air Force Base and the factual basis for such claim.

RESPONSE TO REQUEST NO. 1.(J):

Not Applicable.

///

REQUEST NO. 1.(L):

The amount of ground water used on [t]he reserved lands in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(L):

Not Applicable.

REQUEST NO. 1.(M):

The amount of groundwater used on Edwards Air Force Base that are not part of the reserved lands in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(M):

Not Applicable.

REQUEST NO. 1.(N):

The amount of groundwater used to irrigate and operate Muroc Lake Golf Course in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(N):

Not Applicable.

REQUEST NO. 1.(O):

The amount of water used on Edwards Air Force Base by all persons and entities other than the Federal Government in each of calendar years 2000, 2001, 2002, 2003, 2004, 2011 and 2012.

RESPONSE TO REQUEST NO. 1.(O):

Not Applicable.

V. FOR ALL RESPONDING PARTIES**REQUEST NO. 1:**

For each of the items above, please identify the person(s) most qualified to testify on its behalf to the facts alleged and materials produced.

///

RESPONSE TO REQUEST NO. 1:

Craig Van Dam.

Dated: December 21, 2012

LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

By:


SCOTT K. KUNEY, Attorneys for CRAIG VAN DAM,

VERIFICATIONSTATE OF CALIFORNIA, COUNTY OF ^{Kern} ~~LOS ANGELES~~

I have read the foregoing **RESPONSE OF CRAIG VAN DAM TO COURT ORDERED DISCOVERY FOR PHASE 4 TRIAL** and know its contents.

/ X / I am a party to the action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

// I am the _____ of _____, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. / / I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. / X / I am informed and believe and on that ground allege that the matters stated in the foregoing document are stated on information and belief, and as to those matters I believe them to be true.

/ / I am one of the attorneys for _____ plaintiff in this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on December 21, 2012, at Bakersfield, California.

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


CRAIG VAN DAM

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF KERN

I, ERIN L. LINDSEY, declare: I am and was at the times of the service hereunder mentioned, over the age of eighteen (18) years, and not a party to the within cause. My business address is 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

On December 21, 2012, I caused the below listed document(s) entitled as: **RESPONSE OF CRAIG VAN DAM TO COURT ORDERED DISCOVERY FOR PHASE 4 TRIAL** to be served on the parties via the following service:

X (BY POSTING) I posted the document listed above to the Santa Clara Superior Court website regarding the Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service posting completed through www.scefilng.org.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 21, 2012, at Bakersfield, California.



ERIN L. LINDSEY