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	1 2 3 4 5 6 7 8	BEST BEST & KRIEGER LLP ERIC L. GARNER, Bar No. 130665 JEFFREY V. DUNN, Bar No. 131926 STEFANIE D. HEDLUND, Bar No. 239787 18101 VON KARMAN AVENUE, SUITE 1000 IRVINE, CALIFORNIA 92612 TELEPHONE: (949) 263-2600 FACSIMILE: (949) 260-0972 Attorneys for Cross-Complainant LOS ANGELES COUNTY WATERWORK DISTRICT NO. 40  OFFICE OF COUNTY COUNSEL COUNTY OF LOS ANGELES JOHN F. KRATTLI, Bar No. 82149 COUNTY COUNSEL WARREN WELLEN, Bar No. 139152 PRINCIPAL DEPUTY COUNTY COUNSEL	EXEMPT FROM FILING FEES UNDER GOVERNMENT CODE SECTION 6103
	10	500 WEST TEMPLE STREET	
LLP 500 614	11	LOS ANGELES, CALIFORNIA 90012 TELEPHONE: (213) 974-8407 TELECONER, (213) 474-8407	
LAW OPPICES OF BEST BEST & KRIEGER LLP 5 PARK PLAZA, SUTE 150C IRVINE, CALIFORNIA 9261	12	TELECOPIER: (213) 687-7337 Attorneys for Cross-Complainant LOS ANG COUNTY WATERWORKS DISTRICT NO	ELES
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	17	ANTELOPE VALLEY GROUNDWATER CASES	Judicial Council Coordination No. 4408
	18	Included Actions:	CLASS ACTION
	19	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior	Santa Clara Case No. 1-05-CV-049053
	20	Court of California, County of Los Angeles, Case No. BC 325201;	Assigned to The Honorable Jack Komar
	21	Los Angeles County Waterworks District	STIPULATION WITH H&N
	22	No. 40 v. Diamond Farming Co., Superior	DEVELOPMENT CO. WEST, INC., IN
	23	Court of California, County of Kern, Case No. S-1500-CV-254-348;	LIEU OF TESTIMONY FOR PHASE 4 TRIAL
	24	Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v. City of	
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	26	California, County of Riverside, Case Nos.	
	27	RIC 353 840, RIC 344 436, RIC 344 668	
	A A	•	•

STIPULATION

# LAW OFFICES OF BEST BEST & KRIEGER LLP S PARK PLAZA, SUITE 1500 RYINE, CALIFORNIA 92614

### **STIPULATION**

Los Angeles Waterworks District No. 40, City of Palmdale, City of Lancaster, Littlerock Creek Irrigation District, Palm Ranch Irrigation District, Palmdale Water District, Quartz Hill Water District, Rosamond Community Services District, and California Water Service Company (collectively, the "Public Water Suppliers") hereby enter into the following stipulation with H&N Development Co. West, Inc.

Whereas, for purposes of the Phase 4 trial the above parties wish to enter into the following stipulation in lieu of taking depositions and trial testimony;

Whereas, Norik Naraghi and Rod Stiefvater have signed the attached declarations on behalf of H&N Development Co. West, Inc., and under penalty of perjury (collectively "H&N Declarations");

Whereas, this stipulation strikes paragraph 42, lines 26-1 of the Rod Stiefvater declaration;

NOW, THEREFORE, in consideration and on the basis of the foregoing recitals, the Public Water Suppliers and H&N Development Co. West, Inc., enter into the following stipulation:

- 1. Based on the attached H&N Declarations, the Public Water Suppliers will forego taking the deposition of Norik Naraghi and Rod Stiefvater during discovery for the Phase 4 trial;
- 2. The attached H&N Declarations, except paragraph 42, lines 26-1 of the Rod Stiefvater declaration, may be used in the same manner at trial as a deposition transcript executed under penalty of perjury by the Public Water Suppliers.
- 3. The Public Water Suppliers reserve the right to depose Norik Naraghi and Rod Steiefvater during discovery for subsequent trial phases; and
- 4. The Public Water Suppliers reserve their right to challenge the testimony of Norik Naraghi and Rod Stiefvater at trial and subsequent phases of trial.

	1	Dated: May 3-0, 2013 BEST BEST & KRIEGER LLP
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	3	By Jahry Dum
	4	EFFREY DUNN
	5	\$7EFANIE D. HEDLUND Attorneys for Cross-Complainant LOS ANGELES COUNTY
	6	WATERWORKS DISTRICT NO. 40
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	8	Dated: May, 2013
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.P TE 40 502	11	STEVEN ORR Attorneys for Cross-Defendant
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37	16	OOUGLAS J. EVERTZ Attorneys for Cross-Defendant
	17	Attorneys for Cross-Defendant CITY OF LANCASTER AND ROSAMOND COMMUNITY SERVICES
	18	DISTRICT
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	20	Dated: May, 2013
	21	Ву
	22	WAYNE LEMIEUX
	23	Attorneys for Cross-Defendant LITTLEROCK CREEK IRRIGATION DISTRICT AND PALM RANCH
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6		WATERWORKS DISTRICT NO. 40
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8 4	10		JAMES L. MARKMAN STEVEN ORR
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	22	Ву	WAYNE LEMIEUX
	23		Attorneys for Cross-Defendant LITTLEROCK CREEK IRRIGATION
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	3	ByTHOMAS BUNN III
	4	Attorneys for Cross-Defendant PALMDALE WATER DISTRICT
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	8	ByBRADLEY T. WEEKS
	9	Attorneys for Cross-Defendant QUARTZ HILL WATER DISTRICT
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£.%×2.	13	By John TOOTLE
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	1 2 3 4 5	Dated: May, 2013  By THOMAS BUNN III Attorneys for Cross-Defendant PALMDALE WATER DISTRICT
	6	Dated: May 23 2013
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	8	By BRADLEY T. WEEKS
	9	Attorneys for Cross-Defendant QUARTZ HILL WATER DISTRICT
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	4	Attorneys for Cross-Defendant PALMDALE WATER DISTRICT
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	17	Dated: May $24$ , 2013
	18	By ( ( a ( b) M
	19	Joseph D. Hughes Attorneys for
	20	Cross-Defendant H&N Development Co.
	21	West, Inc. 26345.00000\7966525.1
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1	Joseph D. Hughes, State Bar No. 169375	
2	Klein, DeNatale, Goldner, Cooper, Rosenlieb & Kimball, llp	
3	4550 California Avenue, Second Floor Bakersfield, California 93309	
4	P.O. Box 11172 Bakersfield, California 93389-1172	
5	Telephone: (661) 395-1000 Facsimile: (661) 326-0418	
6	Email: jhughes@kleinlaw.com	
7	Attorneys for H&N DEVELOPMENT CO. WES	ST, INC.
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9	SUPERIOR COURT OF THE	
10	COUNTY OF L	OS ANGELES
11	ANTELOPE VALLEY GROUNDWATER CASES	Judicial Council Coordination No. 4408
12	Included Actions:	CLASS ACTION
13	Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior Court of	Santa Clara Case No. 1-05-CV-049053 Assigned to The Honorable Jack Komar
14	California, County of Los Angeles, Case No. BC 325201;	DECLARATIONS OF
15	Los Angeles County Waterworks District No.	NORIK NARAGHI AND
16	40 v. Diamond Farming Co., Superior Court of California, County of Kern, Case No. S-1500-	ROD STIEFVATER IN LIEU OF DEPOSITION
17	CV-254-348;	TESTIMONY FOR PHASE 4 TRIAL
18	Wm. Bolthouse Farms, Inc. v. City of Lancaster, Diamond Farming Co. v. City of	
19	Lancaster, Diamond Farming Co. v. Palmdale Water Dist., Superior Court of California,	
20	County of Riverside, Case Nos. RIC 353 840, RIC 344 436, RIC 344 668	
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22	I. DECLARATION O	F NODIK NADACHI
23	I, NORIK NARAGHI, declare as follows	
24		'. 'ELOPMENT CO. WEST, INC., ("H&N
25	DEVELOPMENT"), a party to this action. In lie	
26	I am providing this declaration. I have person	
27	testify competently thereto under oath.	And mouge of each fact heleni and would
28	A Transfer of the same of the	

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- 2. H&N DEVELOPMENT owns property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in Kern County and is identified by APNs identified on the attached Exhibit A. A true and correct copy of Exhibit A is attached hereto and incorporated herein.
- H&N DEVELOPMENT claims groundwater rights only as to the properties listed in Paragraph 2 and Exhibit A.
- For each APN/APNs identified above, the total acreage by parcel is identified on Exhibit B. A true and correct copy of Exhibit B is attached hereto and incorporated herein.
- For each APN/APNs identified above, H&N DEVELOPMENT has owned the property since December of 1980. True and correct copies of the Individual Grant Deeds by which H&N DEVELOPMENT acquired the property are attached as Exhibit O.
- The following are all individuals/entities appearing on the title for the above identified APN/APNS from Jan 1, 2000 to the present:
- H AND N DEVELOPMENT CO., INC., and H&N DEVELOPMENT CO. WEST, INC. These are the same entity, which underwent a corporate name change.
- 7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the title during the following time:
- H AND N DEVELOPMENT CO., INC., appeared on title from December of 1980 through May of 2011 when a Grant Deed was recorded to reflect the change in the corporate name to H&N DEVELOPMENT CO. WEST, INC. A true and correct copy of that Grant Deed is attached as Exhibit P.

 $/\!/\!/$ 

1	I declare under penalty of perjury under the laws of the State of California that the
2	foregoing is true and correct.
3	Executed this 31th day of January 2013, at, California.
4	Mais Mann.
5	Norik Naraghi
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I am the lessee of H&N DEVELOPMENT CO. WEST, INC., ("H&N DEVELOPMENT"), a party to this action, and have been farming the property referenced above since 2011. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. I have personal knowledge of each fact herein and would testify competently thereto under oath.

## **Crop Duties and Irrigated Acres**

I, ROD STIEFVATER, declare as follows:

- 33. In order to calculate water use on the properties referenced above, H&N DEVELOPMENT relies on the amount of acres in irrigation on the properties referenced above multiplied by the crop duty.
- 34. The total amount of irrigated acres and type of crops on the properties referenced above by APN for the years 2011 and 2012 are described on the attached **Exhibit N**. A true and correct copy of **Exhibit N** is attached hereto and incorporated herein.

<u>Use of Water</u> (Complete for each APN. If water for used for multiple purposes, identify the amount of water for each use.)

- 41. H&N DEVELOPMENT and Rod Stiefvater used 1,695.25 acre feet of water on all of the parcels in 2011. The water was used for irrigation of four- and five-year-old pistachio trees. The total net planted acreage was 418 acres. The four-year-old pistachio trees comprised 267 acres. The five-year-old pistachio trees comprised 151 acres.
- 42. Rod Stiefvater used 1,904.25 acre feet of water on all of the parcels in 2012. The water was used for irrigation of five- and six-year-old pistachio trees. The total net planted acreage was 418 acres. The five-year-old pistachio trees comprised 267 acres. The six-year-old pistachio trees comprised 151 acres. This water usage will increase after 2012 until the trees reach maturity. The total water usage at that point will be 2,046.46 acre feet of water each

year. İ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 31th day of January 2013, at Bakersfield, California. Rod Stiefvater 

EXHIBIT A  EXHIBIT A  359-031-07  359-032-20  359-032-21  7 359-032-13  9 359-032-14  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25  26  27		
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# **EXHIBIT B**

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4	<u>APN</u>	Size in acres
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6	359-032-20	79.09
7	359-032-21	79.09
8	359-032-08	14.09
9	359-032-13	77.88
10	359-032-14	103.18
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# **EXHIBIT N** The total net irrigated acres in 2011 and 2012 were 418 acres. All of these acres were planted with pistachio trees.

# **EXHIBIT O**

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5 K2				
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UNINCORPORATED AREA Individ	dual Grant	Deed	entinoe	
TO 1923 CA 112-741 THIS FORM FU	IRNISHED BY TICOR TITL	E (HEURERS A.P.	1	
The undersigned grantor(s) declare(s); 52  Documentary transfer tax is \$  ( ) computed on full value of property conveyed, (xx) computed on full value less value of liens and (xx) Unincorporated area: ( ) City of	, or	ning at time of sale.	PAID	day
FOR A VALUABLE CONSIDERATION, receipt of	of which is hereby a	knowledged,	**4:20012	
GUNNING FARM NO. 1, a general	partnership,			
hereby GRANT(S) to				
H AND N DEVELOPMENT CO., INC.,	, a California	orporation,		
the following described real property in the unir County of Kern	, State of California			
나를 하는 사람들이 사용하다 살아보다를 하는 사람들이 있다면 하는 사람들이 되었다. 그런 사람들이 아니는 사람들이 되었다면 그렇게 되었다면 하는데	, State of California hip 9 North, Rai TACHED HERETO A	ge 14 West, San Ber		, .
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MAIL TAX STATEMENTS AS DIRECTED ABOVE

STATE OF ARIZONA

County of Maricopa

88.

On December 10, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard E. Mitchell, known to me to be the person whose name is subscribed to the within instrument, as the Attorney in Fact of Gunning Farm No. 1, a general partnership, one of the partners of the partnership that executed the within instrument and acknowledged to me that he subscribed the name of Gunning Farm No. 1, thereto as principal and his own name as Attorney in Fact, and further acknowledged to me that such partnership executed the same.

WITNESS MY HAND and official seal

RECORDERS MEMO. POOR RECORDED REPRODUCTION DUE TO QUALITY OF PRINT OR TYPE ON ORIGINAL DOCUMENT

#### LEGAL DESCRIPTION

THE EAST MALF OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 9 HORTH, RANGE 14 WEST, SAN DERMARDING MERIDIAN, IN THE UNINCORPORATED AREA OF T'E COUNTY OF MERN, STATE OF CALIFOTMIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE NORTHERLY 20 FEET OF THE SOUTHERLY 50 FEET.

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	" RECORDING REQUESTED BY		1007 <b>5339</b> FACE	265
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	P. O. Box 4037 Hodusto, California 95352		RAY A. VERCAMME KERN COUNTY (FOOR)	X
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2 <sup></sup> 10	NINCORPORATED AREA Individ	lual Grant De	ed	
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_ [-				à
·	The undersigned granter(s) declare(s):  Documentary trensfer tax is \$ \frac{113.50}{213.50} //3.	85	TRANSFER	
	( ) computed on full value of property conveyed, a	)T	TAX	
	(6x) Computed on full value less value of liene and (6x) Unincorporated area; ( ) City of	encumbrances remaining a	et time of sale.	
- 1	FOR A VALUABLE CONSIDERATION, receipt of	which to haveby extense	laded Street	
- [ '	GUNNING FARM NO. 2, a general par	• •	reaged,	Ì
1	hereby GRANT(S) to	-		
	H AND N DEVELOPMENT CO., INC., a	California corpora	tion	
	the following described real property in the <u>uni</u>	occurrence and		
		State of California:		ſ
	County of Kern	State of Cathonnia.		• 1
		•		<i>'</i>
	Portions of Section 36, Township	9 North, Range 14	West, San Bernardino	_
		9 North, Range 14 '	West, San Bernardino A PART HERBOF, COMPRISED OF	
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FTATE OF ARIZONA

County of Maricopa

On December 10, 1980, before may the undersigned, a Notary Public in and for said County and State, personally appeared Richard E. Mitchell, known to me to be the person whose name 18 subscribed to the within instrument, as the Attorney in Fact of Gunning Farm No. 2, a general partnership, one of the partners of the partnership that executed the within instrument and acknowledged to me that he subscribed the name of Gunning Farm No. 2, thereto as principal and his own name as Attorney in Fact, and further acknowledged to me that such partnership executed the same.

MITNESS MY HAND and official seal

Signature Physica A Lombourd

My Commission Expires Dec. 17, 1983

RECORDERS MEMO: POOR RECORDED REPRODUCTION DUE TO QUALITY OF FRINT OR TYPE ON ORIGINAL DOCUMENT

#### EXNIBIT "A"

#### LEGAL DESCRIPTION

THE WEST HALF OF THE MORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 MORTH, RANGE 14 WEST, CAN BERNARDING MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERM. STATE OF CALIFORNIF, ACCORDING TO THE DEFICIAL PLAT THEREOF.

THAT THE HOTARY SEAL OF PHILLIS A. LOMBARD;

AFFIXED TO THE WITHIN DOCUMENT, WHILE NOT BEING PHOTOGRAPHICALLY

REPRODUCIBLE, CAN BE READ. I FURTHER CERTIFY THAT THE SAID

NOTARY PUBLIC'S COMMISSION EXPIRES ON 12-17-83 AND THAT THE

SAID NOTARY PUBLIC'S BOND AND COMMISSION IS FILED IN MARICONA

COUNTY, ARIZONA

EXECUTED THIS 18 DAY OF DECEMBER. 1980, AT BAKERSFIELD,

CALIFORNIA.

BY: Hue Alyki STEVE TAYLOR TITLE INSURANCE AND TRUST CO.

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~ 4	Modesto, California 95352	ŧ		HERMI V. F.	FACIORDER		
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	FOR A VALUABLE CONSIDERATION, receipt	ot autice in ten	soy accommedate,				
	GUNNING FARM NO. 3, a general	l partnershi	n.		•		
_	_				•		
	hereby GRANT(S) to						
	H AND N DEVELOPMENT CO., INC	., a Callfor	nia corporatio	n			1
							·
	the following described real property in the un County of Kern	nincorporate State of Calif					
,	County of . PELII .	-, blac 0, c-21		. U			
	Portions of Section 36, Township 9	North, Rang	e 14 West. San	Bernardir	o Meridian.	_	<b> </b> .
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	FOR COMPLETE LEGAL DESCRIPTION.						
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	Title Order No.	Feeton	e or Lorn No.				.1

MAIL TAX STATEMENTS AS DIRECTED ABOVE

STATE OF ARIZONA

County of Maricopa

88.

On December 10, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard E. Mitchell, known to me to be the person whose name is subscribed to the within instrument, as the Attorney in Fact of Gunning Farm No. 3, a general partnership, one of the partners of the partnership that executed the within instrument and acknowledged to me that he subscribed the name of Gunning Farm No. 3, thereto as principal and his own name as Attorney in Fact, and further acknowledged to me that such partnership executed the same.

WITNESS MY HAND and official seal

Signature Andon Adomborde

My Commission Expires Dec. 17, 1983

RECORDERS MEMO. POOR RECORDED REPRODUCTION DUE TO QUALITY OF PRINT OR TYPE ON ORIGINAL DOCUMENT

EXHIBIT "A"

#### LEGAL DESCRIPTION

THE EAST HALF OF THE MORTHWEST QUARTER OF SECTION 36, TOWNSHIP Y MORT., RANGE 14 WEST, SAM BERNARDINO MERIDIAR, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERM, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

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	Modesto, California 95352		RESERVICIONALL PROGRESS	
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ł	The undersigned grantor(s) declare(s):		Z IAK	
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	( ) computed on full value of property convey box) computed on full value less value of liens		g at time of sale.	
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ŀ	FOR A VALUABLE CONSIDERATION, receip	ot of which is hereby ackn	owledged.	
	MITCHELL FARM HO. 1, a genera	l partnership,	•	
	bereby CRANT(S) to			1
	H AND N DEVELOPMENT CO., INC.	, a California coro	oration.	
			•	
	the following described real property in the	unincorporated area		
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•		, State of Collifornia: North, Range 14 We	st, San Bernardino Meridian.	
	County of Kern Portions of Section 36, Township 9 SIZ EXHIBIT "A" ATTACHED HERETO AN FOR COMPLETE LEGAL DESCRIPTION.	, State of California: North, Range 14 We D MADE A PART HEREO	st, San Bernardino Meridian. F, COMPRISED OF ONE PAGE,	
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MAIL TAX STATEMENTS AS DIRECTED ABOVE

STATE OF ARIZONA

County of Maricopa

On December 10, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard E. Mitchell, known to me to be the person whose name is subscribed to the within instrument, as the Attorney in Fact of Mitchell Farm No. 1, a general partnership, one of the partners of the partnership that executed the within instrument and acknowledged to me that he subscribed the name of Mitchell Farm No. 1, thereto as principal and his own name as Attorney in Fact, and further acknowledged to me that such partnership executed the same. MITNESS My HAND and official seal

My Commission Expires Dec. 17, 1983

RECORDERS MEMO. POOR RECORDED REPRODUCTION DUE TO QUALITY OF PRINT OR TYPE ON ORIGINAL DOCUMENT

#### EXHIBIT "A"

#### LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 HORTH, RANGE 14 WEST, SAN SERNARDING MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER.

•	
- MEGORBING REQUESTED BY	100x5339 race 272
Tille insurance & Trust Co.	#6450 A 12/18/80 5.00 T
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٠	RECCALL RAY ALL SAMPLEN
H AND N DEVELOPMENT CO, INC. P. O. Box 4037	KERII COURTY RECORE
MODESTO, CALIFORNIA 95352	•
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MAIN FAS ESTATIONERS SE	
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Same as above	
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, respectively.	
$ \mathcal{K} \mathcal{Y} $	
, ————————————————————————————————————	E ABOVE THIS LINE FOR RECORDER
UNINCORPORATED AREA Individual Gr	ant Deed TRANSFER
THIS FORM PURHISHED BY THE	CONTITUE INSURERS
	PAID AND THE PROPERTY OF THE PAID AND THE PA
The undersigned grantor(s) declare(s):	
Documentary transfer tax is \$	
(cost) computed on full value less value of Hens and encumbrance	s temaining at time of sale.
(cc) Unincorporated area: ( ) City of	end .
FOR A VALUABLE CONSIDERATION, receipt of which is be	reby acknowledged.
GUNNING FARM NO. 4, a general partnersh	iip,
hereby GRANT(S) to	
17 345 11 355 555 555	
H AND N DEVELOPMENT CO., INC., a Califo	unia corporation
the following described real property in the unincorporated	area
County of Kern , State of Cal	ifornia:
Portions of Section 36, Township 9 North, Ran	75 14 Week Con Demonstra West 21-
	de ra mesc' pour pelusidino Weildigh.
FOR COMPLETE LEGAL DECOMPOSION	RT HEREOF, COMPRISED OF ONE PAGE,
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FOR COMPLETE LEGAL DESCRIPTION.	D. FARCEL NO. FORTION X
KTP BOOK NO.   PAC 4"D. BLOCK NO. 24"D. BLOCK NO. 25"D. BLOCK	D. PARCEL NO. PORTION X
KTP BOOK NO. PAC. 410. BLOCK NO. 24'. 24'.  Date of CALIFORNIA	D. FARCEL NO. FORTION X
FOR COMPLETE LEGAL DESCRIPTION.  KTP BOOK NO. PAC. 110. BLOCK NO. 253. 24". 242  Daied December 10, 1980  STATE OF CALIFORNIA COUNTY OF SS.	D. PARCEL NO. PORTION X
FOR COMPLETE LEGAL DESCRIPTION.  KTP BOOK NO. PAC. 110. BLOCK NO. 253 24". 242  Daied December 10, 1980  STATE OF CALIFORNIA COUNTY OF Science of the under-	D. FARCEL NO. FORTION X
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FOR COMPLETE LEGAL DESCRIPTION.  KTP BOOK NO. PAC. 110. BLOCK NO. 253 24". 242  Daied December 10, 1980  STATE OF CALIFORNIA COUNTY OF Science of the under-	D. FARCEL NO. FORTION X
Daied December 10, 1980  STATE OF CALIFORNIA COUNTY OF before me, the under- signed, a Notary Public in and for said State, personally appeared	D. FARCEL NO. FORTION X
Daied December 10, 1980  STATE OF CALIFORNIA COUNTY OF On	D. FARCEL NO. FORTION X
Daied December 10, 1980  STATE OF CALIFORNIA  COUNTY OF  Signed, a Notary Public in and for said State, personally appeared  known to me  to be the person	D. FARCEL NO. FORTION X
Daied December 10. 1980  STATE OF CALIFORNIA COUNTY OF before me, the under- signed, a Notary Public in and for said State, personally appeared  known to me to be the person whose name subscribed to the within	D. PARCEL NO. PORTION X
Daied December 10, 1980  STATE OF CALIFORNIA  COUNTY OF  Signed, a Notary Public in and for said State, personally appeared  known to me to be the person	D. PARCEL NO. PORTION X
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MAY TAX STATEMENTS AS DIRECTED ABOVE
TitleWorks Description: 20130130092756 / Kern / Book.Page: 5339-0272 / Page 1 of 3 /

Order:

STATE OF ARIZONA

County of Maricopa

On December 10, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard E. Mitchell, known to me to be the person whose name is subscribed to the within instrument, as the Attorney in Fact of Gunning Farm No. 4, a general partnership, one of the partners of the partnership that executed the within instrument and acknowledged to me that he subscribed the name of Gunning Farm No. 4, thereto as principal and him own name as Attorney in Fact, and further acknowledged to me that such partnership executed the same.

WITHESE ONY HAND and official seal

Elgrature Andon A Lombourd

My Commission Expires Dec. 17, 1983

RECORDERS MEMO. POOR RECORDED REPRODUCTION DUE TO QUALITY OF PRINT OR TYPE ON ORIGINAL DOCUMENT

EXHIBIT "A"

#### LEGAL DESCRIPTION

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 14 WEST, SAN BERNARDING MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE WESTERLY 20 FEET OF SAID LAND.

# **EXHIBIT P**

RECORDING REQUESTED BY: Old Republic Title Company 16/46/0/499-70K	James W. Fitch, Assesso Kern County Official Records Recorded at the request of Public	or – Recorder	80FIR 5/31/20 8:00 A
WHEN RECORDED MAIL TO:  Name H&N Development Co. West, Inc.  Address c/o Wendell Nareghi City 1800 Oakdale Road, Suite G State, Zip Modesto, CA 95355	DOC#: 0211069988	Stat Types: 1 Fees Taxes Others PAID	Pages: 2 12.00 0.00 0.00 \$12.00
APN: 359-031-07, 359-032-20, 359-032-21, GRANT 359-032-13, 359-032-08, 359-032-14  THE UNDERSIGNED GRANTOR(S) DECLARE(S):  Computed on the full value of the property convector computed on full value less value of liens or end Realty not sold Unincorporated area City of  FOR A VALUABLE CONSIDERATION, receipt of which is hereby as California corporation formerly named "H and N Development hereby GRANT(S) to H&N Development Co. West, Inc., a California Corporation formerly named Co.	ntons and Sprantees ne parties and their porting the Peal property yed, or umbrances remaining at time of sale, exnowledged, H&N Development Co. V t Co., Inc., a California corporation*	and	regel
and commonly known as  Dated: May 17, 2011  STATE OF CALIFORNIA COUNTY OF STATES SALES	H&N Development Co. West, Inc., corporation formerly games "H and	a California	
ON May 17, 2011 before me  Karina Blankenship Notary Public, personally appeared Wendell J. Naraghi	Co., lec. a California corporation"  L.M. By: WENDELL J. NARAGHI, President	Way a	

Grant Deed

FID-13

#### LEGAL DESCRIPTION

#### 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: APN 359-031-07

the East half of the Southwest quarter of Section 25, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the Official Plat thereof.

EXCEPTING THEREFROM the Northerly 20 feet of the Southerly 50 feet of said land.

PARCEL 2: APN 359-032-20

The West half of the Northwest quarter of Section 36, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the Official Plat thereof.

PARCEL 3: APN 359-032-21

The East half of the Northwest quarter of Section 36, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the Official Plat thereof.

PARCEL 4: APN 359-032-13

The East half of the Southwest quarter of Section 36, Township 9 North, Range 14 West, San Bernardino Merkilan, in the unincorporated area of the County of Kern, State of California, according to the Official Plat thereof.

EXCEPTING THEREFROM the Westerly 20 feet of said land.

PARCEL 5: APN 359-032-08 and 14

The Southeast quarter of Section 36, Township 9 North, Range 14 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, according to the Official Plat thereof.

EXCEPTING THEREFROM the Northeast quarter of said Southeast quarter of said land.

ALSO EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances in and under the Southwest quarter of the Southwest quarter and the South half of the Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 36.

ALSO EXCEPTING THEREFROM the remainder 1/2 of all oil, gas and other hydrocarbon substances as conveyed to Roy L. Larsen and wife by deed recorded April 8, 1948 in Book 1510, page 349 of Official Records.

APN: 359-031-07, 359-032-20, 21, 13, 08 and 14

×

#### PROOF OF SERVICE

# STATE OF CALIFORNIA, COUNTY OF KERN

I am employed in the county of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 4550 California Avenue, Bakersfield, California 93309. My e-mail address is shildebrand@kleinlaw.com.

On January 31, 2013, I served the foregoing document described as follows:

## DECLARATIONS OF NORIK NARAGHI AND ROD STIEFVATER IN LIEU OF DEPOSITION TESTIMONY FOR PHASE 4 TRIAL

7	11.4	DIEG OF DEFOSITION TESTIMONY FOR PHASE 4 TRIAL.
8	X	by placing the true copies thereof by placing the original
10		as stated below.
11 12	X	<b>BY POSTING</b> the document listed above to the Santa Clara County Superior Court website in regard to the Antelope Valley Ground Water Matter.
13		Executed on January 31, 2013, at Bakersfield, California.
14		I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
15	SHOM	Chielli dh Oad bar

### SHONTICE HILDEBRAND

Type or Print Name

Signature

1 Case No. JCCP4408 2 PROOF OF SERVICE STATE OF CALIFORNIA, COUNTY OF KERN 3 I am employed in the County of Kern, State of California. I am over the age of eighteen 4 5 years and not a party to the within action; my business address is 4550 California Ave., Second Floor, Bakersfield, CA 93309. My email address is shildebrand@kleinlaw.com. On May 25, 2013, I served the following document described as 7 8 STIPULATION WITH H&N DEVELOPMENT CO. WEST, INC., IN LIEU OF **TESTIMONY FOR PHASE 4 TRIAL** 9 on the interested parties in this action by placing a copy thereof enclosed in sealed envelopes 10 addressed as follows: 11 BY ELECTRONIC MAIL Pursuant to California Rules of Court, rule 2.251, I posted 12 the document listed above to the Santa Clara Court website regarding the Antelope Valley 13 Groundwater matter. 14 Executed on May 25, 2013, at Bakersfield, California. 15 I declare under penalty of perjury under the laws of the State of California that the 16 foregoing is true and correct. 17 18 19 20 21 22 23 24 25 26 27 28