

JEANNE M. ZOLEZZI, SBN: 121282  
WILLIAM R. CARLSON, SBN: 224306  
ALEXIS K. GALBRAITH, SBN: 260756  
HERUM \ CRABTREE  
*A California Professional Corporation*  
5757 Pacific Avenue, Suite 222  
Stockton, CA 95207  
Telephone: (209) 472-7700  
Facsimile: (209) 472-7986

Attorneys for Cross-Defendant  
ANTELOPE VALLEY WATER STORAGE, LLC

**SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER  
CASES**

Included actions:

Los Angeles County Waterworks District No.  
40 v. Diamond Farming Company, a  
corporation, Superior Court of California,  
County of Los Angeles, Case No. BC325201;

Los Angeles County Waterworks District No.  
40 v. Diamond Farming Company, a  
corporation, Superior Court of California,  
County of Kern, Case No. S-1500-CV-254-  
348;

Wm. Bolthouse Farms, Inc. v. City of  
Lancaster, Diamond Farming Company, a  
corporation, v. City of Lancaster, Diamond  
Farming Company, a corporation vs. Palmdale  
Water District, Superior Court of California,  
County of Riverside, Case Nos. RIC 353840,  
RIC 344436, RIC 344668.

Judicial Council Coordination Proceeding No.  
4408

Santa Clara Case No. 1-05-CV-049053  
The Honorable Jack Komar, Dept. 17

**NOTICE OF ERRATA AND  
SUPPLEMENTAL DECLARATION OF  
MARK BEUHLER ON BEHALF OF  
ANTELOPE VALLEY WATER STORAGE,  
LLC IN LIEU OF DEPOSITION  
TESTIMONY FOR PHASE 4 TRIAL**

/ / /

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1 **SUPPLEMENTAL DECLARATION**

2 I, Mark Beuhler, declare:

3 1. I am the General Manager for Antelope Valley Water Storage, LLC ("AVWS"), a  
4 party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this  
5 supplemental declaration. I have personal knowledge of each fact herein and would testify  
6 competently thereto under oath.

7 **Property Ownership and Grant Deeds**

8 2. AVWS owns property that overlies the Antelope Valley Area of Adjudication as  
9 decided by this Court. The property is located in Kern County and Los Angeles County. AVWS  
10 owns 15 parcels in Kern County and 2 parcels in Los Angeles County. The Assessor Parcel  
11 Numbers ("APNs") for the Kern County properties and Assessor Information Numbers ("AINs")  
12 for the Los Angeles County properties are listed in Exhibit A ("Exhibit A") to my Declaration on  
13 Behalf of Antelope Valley Water Storage, LLC in lieu of Deposition Testimony Before Phase 4  
14 Trial dated January 31, 2013 ("Declaration").

15 3. AVWS owns 1,758 acres in Kern County and 80 acres in Los Angeles County.  
16 For each APN/AIN identified in Exhibit A, the total acreage by parcel, and the date of  
17 acquisition, is provided in Exhibit B to my Declaration ("Exhibit B").

18 4. AVWS claims groundwater rights as to the properties listed in Exhibit A. AVWS  
19 also claims the right to extract water banked through its operation of the Antelope Valley Water  
20 Bank.<sup>1</sup>

21 5. On or about August 24, 2007, AVWS acquired 1,718 acres from Craig Van Dam,  
22 Marta Van Dam, Dean Van Dam, Sherri Van Dam, Nick Van Dam, Janet Dean Van Dam, Gary  
23 Van Dam, Debbie Van Dam, Delmar Van Dam, and Gertrude Van Dam (the "Van Dams"), as  
24 shown in Exhibit A. The August 24, 2007 grant deeds from the Van Dams conveyed 50% of the  
25 water rights associated with the 1,718 acres (including the water rights to be determined in the  
26 current litigation) to AVWS, and withheld 50% of the water rights for the Van Dams.  
27

28  
<sup>1</sup> AVWS understands that this right is not at issue in the Phase 4 trial.

6. On or about June 23, 2008, AVWS acquired an additional 120 acres from Delmar and Gertrude Van Dam, as shown in Exhibit B. The June 23, 2008 grant deeds from Delmar and Gertrude Van Dam conveyed 100% of the water rights associated with the 120 acres to AVWS.

7. On or about June 26, 2008, AVWS acquired the remaining water rights to the 1,718 acres it previously acquired from the Van Dams on August 24, 2007.

8. True and correct copies of the grant deeds dated on or about August 24, 2007, June 23, 2008, and June 26, 2008, are attached hereto as Exhibit K.

9. On January 31, 2013, I provided a Declaration which is hereby incorporated fully as if attached hereto.

10. On Page 5 of my Declaration, under the heading "Crop Duties and Irrigated Acreage," Paragraph 4 incorrectly describes the information contained in Exhibit J. Exhibit J contains AVWS' total estimated water use, it does not contain an estimate of groundwater use.

11. Accordingly, Page 5, Paragraph 4 of my Declaration is hereby amended as follows (the change is underlined):

4. Using the information it obtained regarding crops grown and acreage, and the water duties contained in Exhibit H, AVWS calculated the total amount of water used each year (2000-2004, 2011, and 2012) on each APN. This information is depicted in the tables contained in Exhibit J.

12. The first page of Exhibit J to my Declaration, displaying the title of the exhibit and the water use information for the year 2000 also contains inadvertent errors. First, the title of the exhibit does not accurately reflect the information contained therein as explained above. Further, the crop information for the year 2000 is incorrect as listed in the table for parcels 359-041-12 and 261-196-09. The crop type for these parcels should reflect the information provided in Exhibit I to my Declaration.

/ / /

/ / /

1 13. Accordingly, the first page of Exhibit J is amended as follows (changes been  
2 underlined):

3 **EXHIBIT "J"**  
4 **ESTIMATED WATER USE**  
5 **2000**

APN	Size in Acres	Crop Type	Water Duty, feet	Water Use, Acre Feet
1. APN 261-196-02 (portion)	80	Carrots	3.9	312
2. APN 261-196-02 (portion)	40	Carrots	3.9	156
3. APN 261-196-02 (portion)	80	Carrots	3.9	312
4. APN 261-196-03	120	Carrots	3.9	468
5. APN 359-041-18	158	Carrots	3.9	616
6. APN 261-196-04	160	Carrots	3.9	624
7. APN 359-041-11	160	Potatoes	2.8	448
8. APN 359-041-12	160	<u>Alfalfa</u>	6.5	<u>1040</u>
9. APN 359-041-17	160	Alfalfa	6.5	1040
10. APN 261-196-11	160	Alfalfa	6.5	1040
11. APN 261-196-09	320	<u>Carrots</u>	3.9	<u>1248</u>
12. APN 359-041-13	80	Carrots	3.9	312
13. APN 359-041-20	10	Fallow	0	-
14. APN 359-041-21	10	Fallow	0	-
15. APN 359-041-22	10	Fallow	0	-
16. APN 359-041-23	10	Fallow	0	-
17. AIN 3258-01-28 (LA Co.)	40	Fallow	0	-
18. AIN 3258-01-29 (LA Co.)	40	Fallow	0	-
19. APN 359-041-01	40	Fallow	0	-
TOTAL	1,838	-	-	<u>7,616</u>

19 14. On page 6, under the heading "Use of Water," Paragraph 6 must be amended to  
20 reflect the corrected information described above. As such, Paragraph 6 is hereby amended as  
21 follows (the change is underlined):

22 / / /

23 / / /

24 / / /

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1           6.       Using the crop duty and irrigated acreage information, along with the AVEK  
2 water delivery information, AVWS estimates total water used on its properties in 2000-2004,  
3 2011, and 2012 as follows:

4

5

6

Year	Total Water Use (AF)
2000	<u>7,616</u>
2001	8,279
2002	7,987
2003	6,523
2004	5,590
2011	15,053
2012	5,855

7

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13 I declare under penalty of perjury under the laws of the State of California that the foregoing is

14 true and correct. Executed this 11<sup>th</sup> day of April 2013, at Lancaster, California.

15

16   
17 MARK BEUHLER

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## **EXHIBIT K**

Recording Requested by  
CHICAGO TITLE INSURANCE  
Order No. \_\_\_\_\_

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

JASON  
11/05/2007  
8:00 AM

RECORDING REQUESTED BY  
Chicago Title

DOC#: 0207220990

Stat Types: 1 Pages: 3

WHEN RECORDED MAIL TO  
E. Rose, Legal Dept  
CIM Antelope Valley, LLC  
6922 Hollywood Blvd Suite 900  
Los Angeles, CA 90028



Fees	34.00
Taxes	CONF.
Others	0.00
PAID	\$34.00

Escrow #60358-MF

54106200-5H

SPACE ABOVE THIS LINE FOR RECORDERS USE

### GRANT DEED

TRANSFER TAX NOT DISCLOSED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$  
☒ computed on full value of property conveyed, or  
☐ computed on full value less value of liens or encumbrances remaining at time of sale  
☒ unincorporated area ☐ City of **Unincorporated Kern**

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

**Craig A. Van Dam and Marta L. Van Dam Husband and Wife as Joint Tenants**

hereby GRANT(S) TO **Antelope Valley Water Storage, LLC**, a Delaware limited liability company

the following described property in the County of **KERN** State of California;  
 Exhibit B is attached hereto and made a part hereof  
 Exact legal descriptions are attached hereto and made a part hereof, Exhibit A

Craig A. Van Dam  
 Craig A. Van Dam

Marta L. Van Dam  
 Marta L. Van Dam

August 10, 2007

STATE OF CALIFORNIA  
 COUNTY OF Los Angeles

On 8/24/07 before me Michelle Flanagan a notary public  
 personally appeared Craig A. Van Dam & Marta L. Van Dam  
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose  
 name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the  
 same in this/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

MAIL TAX STATEMENTS AS DIRECTED ABOVE



Kern  
**LEGAL DESCRIPTION**  
**EXHIBIT "A"**

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

COUNTY OF KERN,

PARCEL 1: APN 359-041-01

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE  
14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.



## Exhibit B

The conveyance made hereby includes all water rights appurtenant to or otherwise associated with the Property of any nature whatsoever, including without limitation all of the following:

- (1) all overlying and appropriative rights to divert, extract, use, and store percolating groundwater that may be produced from, or that is located beneath the surface of, the Property;
- (2) all riparian or appropriative rights to divert, extract, use, and store (i) surface water on, adjacent to, or that may be produced from the Property; and (ii) water in subterranean streams flowing through known and definite channels underlying the Property;
- (3) an undivided one-half of any rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408, including the right to participate in such proceeding with respect to the groundwater rights not reserved hereby to Grantors; and
- (4) all rights to delivery of water from the Antelope Valley-East Kern Water Agency or any other public water purveyor or public utility with an obligation to serve the Property;

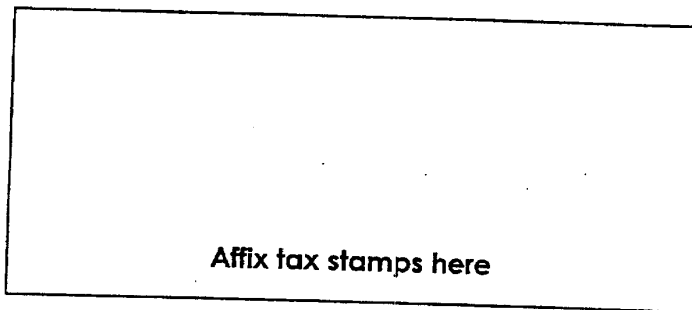
Provided, however, there is hereby reserved to the Grantors an undivided one-half of any and all groundwater rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3) The conveyance made hereby includes all water-related fixtures and improvements associated with the Property, including without limitation, water wells, pipelines and other water distributions systems and facilities, sprinkler systems, and all other water-supply related equipment and facilities.

STATEMENT OF TAX DUE UNDER PROVISIONS OF  
DOCUMENTARY STAMP ACT  
AND

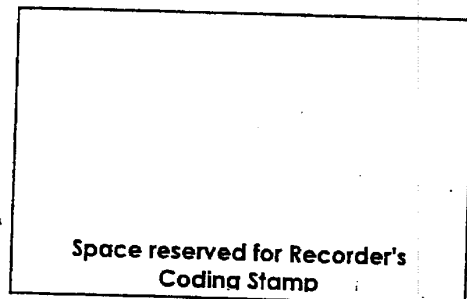
REQUEST THAT STAMPS NOT BE MADE A PART OF THE PERMANENT RECORD

TO: KERN COUNTY RECORDER

The tax due pursuant to the provisions of the Documentary Stamp Act of the deed, transfer,

or conveyance from Craig Van Dam and Marta L Van Dam  
(Name of Grantor(s) or Lessor(s))to Antelope Valley Water Storage, LLC  
(Name of Grantee(s) or Lessee(s))of the following briefly described property: NW 1/4 NW 1/4 Sec 30,T9 N, R 14 Wamounts to \$ 418<sup>55</sup>☒ Computed on full value of property conveyed, or☐ Computed on full value less liens and encumbrances remaining thereon at time of sale.

Affix tax stamps here

Space reserved for Recorder's  
Coding StampDate: 11-2-2007

Chicago Title Insurance

By: [Signature]Title: Title Officer

After the permanent record is made, this document will be attached to the conveying document and returned to the party entitled thereto.

A copy will be made and placed on file for auditing purposes.

Recording Requested by  
CHICAGO TITLE INSURANCE  
Order No. \_\_\_\_\_

## RECORDING REQUESTED BY:

Antelope Valley Escrow

Escrow No.: 60359MF

Title Order No.:

WHEN RECORDED MAIL DOCUMENT  
AND TAX STATEMENT TO:

E. Rose, Legal Dept

CIM Antelope Valley, LLC

6922 Hollywood Blvd Suite 900

Los Angeles, CA 90028

Escrow #60359-MF

**54106179 JH**

**James W. Fitch, Assessor - Recorder**  
Kern County Official Records

JASON

11/05/2007

8:00 AM

Recorded at the request of  
**Chicago Title**

DOC#: 0207220991

Stat Types: 1 Pages: 11



Fees	58.00
Taxes	** Conf **
Others	0.00
PAID	\$58.00

Parcel No.: 261-196-09

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT DEED**

The undersigned grantor(s) declare(s)

Documentary transfer tax is: TRANSFER TAX NOT DISCLOSED

- ☒ Computed on full value of property conveyed, or  
☐ Computed on full value less value of liens or encumbrances remaining at time of sale,  
☐ City of Unincorporated Kern County  
☒ Unincorporated Area County of Kern

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Craig Van Dam and Marta Van Dam and Dean Van Dam and Sherri Van Dam and Nick Van Dam and Janet Van Dam and Gary Van Dam and Debbie Van Dam hereby GRANT(S) to Antelope Valley Water Storage, LLC, a Delaware limited liability company

the following described real property: IN THE COUNTY OF KERN, STATE OF CALIFORNIA

SEE ATTACHED EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF

DATED: August 10, 2007

  
Craig Van Dam


  
Marta Van Dam

Signed in Counterpart  
Dean Van Dam

Signed in Counterpart  
Sherri Van Dam

  
Nick Van Dam


  
Janet Van Dam


  
Gary Van Dam

GRANT DEED

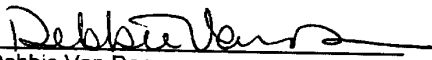
01/29/2008 11:21 FAX 3238604901

CIM GROUP

012/022

Parcel No.: 261-196-09

**GRANT DEED**  
(Continued)

  
Debbie Van Dam

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GRANT DEED

AVWS000090

Parcel No.: 261-196-09

**GRANT DEED**  
(Continued)

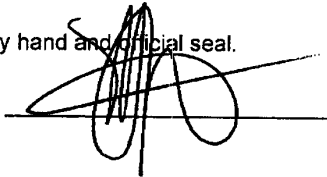
State of California

County of Los AngelesOn 8/24/07 before me, Michelle Flanagan, Notary Public,  
personally appearedCraig Van Dam, & Marta Van Dam

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

WITNESS my hand and official seal.

Signature



(Seal)



GRANT DEED

Parcel # 261-196-09

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of

Los Angeles

} ss.

On

8/31/07

Date

before me,

Michelle Flanagan, Notary

Name and Title of Officer (e.g., John Doe/Notary Public)

personally appeared

Debbie Van Dam

Name(s) of Signer(s)

☐ personally known to me☒ proved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

Signature of Notary Public

**OPTIONAL**

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

**Description of Attached Document**

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

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



Parcel 261-196-09

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of

Los Angeles

} ss.

On

8/28/07

Date

before me,

Michelle Flanagan, Notary

Name and Title of Officer (e.g., "Judge" or "Notary Public")

personally appeared

Nick Van Dam &amp; Janet Van Dam

Name(s) of Signer(s)

☐ personally known to me☒ proved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

Signature of Notary Public

**OPTIONAL**

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

**Description of Attached Document**

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

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

 RIGHT THUMBPRINT  
 OF SIGNER  
 Top of thumb here

Parcel 261-196-09

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles } ss.On 8/27/07 before me, Michelle Flanagan, Notary  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")personally appeared GARY VAN DAM

Name(s) of Signer(s)

☐ personally known to me☒ proved to me on the basis of satisfactory evidence

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

WITNESS my hand and official seal.

Signature of Notary Public

**OPTIONAL**

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

**Description of Attached Document**

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

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

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

 RIGHT THUMBPRINT  
 OF SIGNER  
 Top of thumb here



**RECORDING REQUESTED BY:**

Antelope Valley Escrow

Escrow No.: 60359MF

Title Order No.:

**WHEN RECORDED MAIL DOCUMENT****AND TAX STATEMENT TO:**Antelope Valley Water Storage, LLC, a Delaware  
limited liability company

Parcel No.: 261-196-09

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT DEED****The undersigned grantor(s) declare(s)****Documentary transfer tax is \$2,625.15**

- ☒ Computed on full value of property conveyed, or  
☐ Computed on full value less value of liens or encumbrances remaining at time of sale,  
☐ City of Unincorporated Kern County  
☒ Unincorporated Area County of Kern

**FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Craig Van Dam and Marta Van Dam and Dean Van Dam and Sherri Van Dam and Nick Van Dam and Janet Van Dam and Gary Van Dam and Debbie Van Dam hereby GRANT(S) to Antelope Valley Water Storage, LLC, a Delaware limited liability company**

**the following described real property: IN THE COUNTY OF KERN, STATE OF CALIFORNIA**

**SEE ATTACHED EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF**

**SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF**

**DATED: August 24, 2007**

Signed in Counterpart

Craig Van Dam

Signed in Counterpart

Marta Van Dam

Dean Van Dam

Dean Van Dam

Sherri Van Dam

Sherri Van Dam

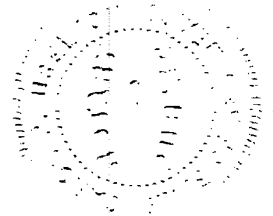
Signed in Counterpart

Nick Van Dam

Signed in Counterpart

Janet Van Dam

Signed in Counterpart



*Carol Walker*  
2/26/09

GRANT DEED

Parcel No.: 261-196-09

**GRANT DEED**

(Continued)

Gary Van Dam

Signed in Counterpart  
Debbie Van Dam

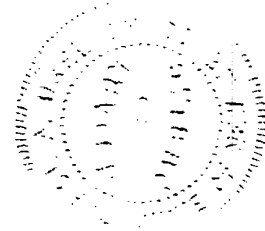
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GRANT DEED

Parcel No.: 261-196-09

**GRANT DEED**  
(Continued)State of ~~California~~ / New Mexico  
County of ClovisOn 8/30/2007 before me, Carol A. Usselton, Notary Public,  
personally appeared \*\*\*\*\*  
\*\*\*\*\* Dean Van Dam and Sherri Van Dam \*\*\*\*\*\*\*\*\*\*  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s)  
whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

Signature Carol Usselton (Seal)  
2/26/09

GRANT DEED

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

COUNTY OF KERN,

PARCEL 2: APN 261-196-09

THE NORTH HALF OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE  
AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## EXHIBIT B

The conveyance made hereby includes all water rights appurtenant to or otherwise associated with the Property of any nature whatsoever, including without limitation all of the following:

- (1) all overlying and appropriative rights to divert, extract, use, and store percolating groundwater that may be produced from, or that is located beneath the surface of, the Property;
- (2) all riparian or appropriative rights to divert, extract, use, and store (i) surface water on, adjacent to, or that may be produced from the Property; and (ii) water in subterranean streams flowing through known and definite channels underlying the Property;
- (3) an undivided one-half of any rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408, including the right to participate in such proceeding with respect to the groundwater rights not reserved hereby to Grantors; and
- (4) all rights to delivery of water from the Antelope Valley-East Kern Water Agency or any other public water purveyor or public utility with an obligation to serve the Property;

Provided, however, there is hereby reserved to the Grantors an undivided one-half of any and all groundwater rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3) The conveyance made hereby includes all water-related fixtures and improvements associated with the Property, including without limitation, water wells, pipelines and other water distributions systems and facilities, sprinkler systems, and all other water-supply related equipment and facilities.

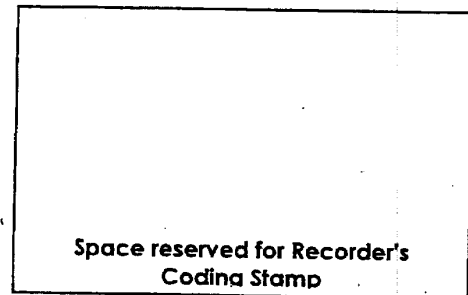
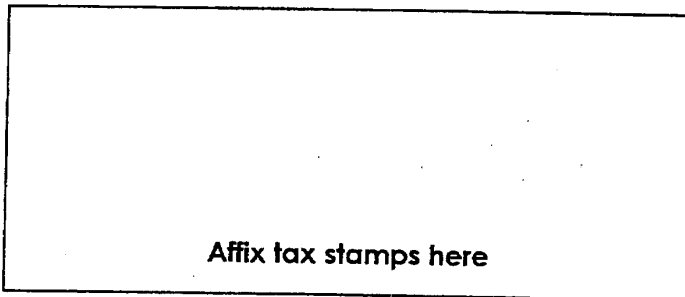
STATEMENT OF TAX DUE UNDER PROVISIONS OF  
DOCUMENTARY STAMP ACT  
AND

REQUEST THAT STAMPS NOT BE MADE A PART OF THE PERMANENT RECORD

TO: KERN COUNTY RECORDER

The tax due pursuant to the provisions of the Documentary Stamp Act of the deed, transfer,  
or conveyance from Craig Van Dam et al  
(Name of Grantor(s) or Lessor(s))to Antelope Valley Water Storage LLC  
(Name of Grantee(s) or Lessee(s))of the following briefly described property: N $\frac{1}{2}$  Sec. 25, T9N, R15Namounts to \$ 2,625.15

- ☒ Computed on full value of property conveyed, or  
☐ Computed on full value less liens and encumbrances remaining thereon at time of sale.

Date: 11-2-2007

Chicago Title Insurance

By: J. HoffmanTitle: Title Officer

After the permanent record is made, this document will be attached to the conveying document and returned to the party entitled thereto.

A copy will be made and placed on file for auditing purposes.

**Recording Requested by  
CHICAGO TITLE INSURANCE**  
Order No. \_\_\_\_\_

**RECORDING REQUESTED BY:**

Antelope Valley Escrow

Escrow No.: 58054MF

Title Order No.: 07-54104714-JH

**WHEN RECORDED MAIL DOCUMENT  
AND TAX STATEMENT TO:**

E. Rose, Legal Dept  
CIM Antelope Valley, LLC  
6922 Hollywood Blvd Suite 900  
Los Angeles, CA 90028

Escrow #58054-MF

**James W. Fitch, Assessor - Recorder**  
Kern County Official Records

JASON

11/05/2007

8:00 AM

Recorded at the request of  
**Chicago Title**

DOC#: 0207220993



Stat Types: 1 Pages: 5

Fees	40.00
Taxes	** Conf **
Others	0.00
PAID	\$40.00

Parcel No.: See Exhibit A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT DEED****The undersigned grantor(s) declare(s)****Documentary transfer tax is** transfer tax not disclosed of record.

- ☒ Computed on full value of property conveyed, or  
☐ Computed on full value less value of liens or encumbrances remaining at time of sale,  
☐ City of Unincorporated Kern County  
☒ Unincorporated Area County of Kern

**FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Delmar D. Van Dam and Gertrude J. Van Dam, CoTrustee\* and Delmar Van Dam and Gertrude Van Dam hereby GRANT(S) to Antelope Valley Water Storage, LLC, a Delaware limited liability company**

**the following described real property:** IN THE COUNTY OF KERN, STATE OF CALIFORNIA

SEE ATTACHED EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

See Exhibit B Attached herto and made a part hereof

DATED: August 24, 2007

Delmar D. Van Dam and Gertrude J. Van Dam,  
Co-Trustees

BY:

*Delmar D. Van Dam*  
Delmar D. Van Dam, Trustee

*Gertrude J. Van Dam*  
Gertrude J. Van Dam, Trustee

*Delmar Van Dam*  
Delmar Van Dam

*Gertrude Van Dam*  
Gertrude Van Dam

- \* of the Van Dam Family Trust, 1996 and Delmar D. Van Dam and Gertrude J. Van Dam Family Trust - 1996, Dated September 27, 1996

GRANT DEED

Parcel No.: See Exhibit A

**GRANT DEED**

(Continued)

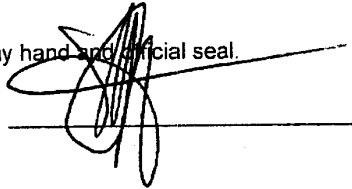
State of California

County of Los AngelesOn 8-24-07 before me, Michelle Flanagan, Notary Public,  
personally appearedDelmar D. VanDam & Gertrude J. Van Dam

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

WITNESS my hand and official seal.

Signature



(Seal)



GRANT DEED



Escrow No.:  
Locate No.: CACTI7715-7715-4541-0054104714  
Title No.: 07-54104714-JH

## EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE  
CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

COUNTY OF KERN, STATE OF

**PARCEL 3: APN 261-196-02 (PORTION)**

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 422 OF OFFICIAL RECORDS.

**PARCEL 4: APN 261-196-02 (PORTION)**

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 429 OF OFFICIAL RECORDS.

**PARCEL 5: APN 261-196-02 (PORTION)**

THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 422 OF OFFICIAL RECORDS.

**PARCEL 6: APN 261-196-03**

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 429 OF OFFICIAL RECORDS.

**PARCEL 7: APN 359-041-18**

LOTS 1 AND 2 OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 31, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT THE SOUTH 30 FEET THEREOF.

**PARCEL 8: APN 261-196-04**

THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 3/4THS OF ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND AS RESERVED IN THE DEED FROM DANIEL WALTER KLEINHANS, JR. AND AGNES G. KLEINHANS, HUSBAND AND WIFE, RECORDED July 15, 1965 IN BOOK 3857, PAGE 713 OF OFFICIAL RECORDS.

**PARCEL 9: APN 359-041-11**

THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL February 19, 1856.

**PARCEL 10: APN 359-041-12**

ALL OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

**PARCEL 11: APN 359-041-17**

THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

**PARCEL 11A:**

A NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY OVER THE NORTHERLY 18 FEET OF THE NORTH HALF OF SECTION 32, TOWNSHIP 9 NORTH RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, FOR THE SOLE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING, AND IF NECESSARY, REPLACING, AN UNDERGROUND WATER PIPELINE AS GRANTED IN DEED RECORDED November 24, 1976, IN BOOK 4992 PAGE 712, OF OFFICIAL RECORDS.

**PARCEL 12: APN 261-196-11**

THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## Exhibit B

The conveyance made hereby includes all water rights appurtenant to or otherwise associated with the Property of any nature whatsoever, including without limitation all of the following:

- (1) all overlying and appropriative rights to divert, extract, use, and store percolating groundwater that may be produced from, or that is located beneath the surface of, the Property;
- (2) all riparian or appropriative rights to divert, extract, use, and store (i) surface water on, adjacent to, or that may be produced from the Property; and (ii) water in subterranean streams flowing through known and definite channels underlying the Property;
- (3) an undivided one-half of any rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408, including the right to participate in such proceeding with respect to the groundwater rights not reserved hereby to Grantors; and
- (4) all rights to delivery of water from the Antelope Valley-East Kern Water Agency or any other public water purveyor or public utility with an obligation to serve the Property;

Provided, however, there is hereby reserved to the Grantors an undivided one-half of any and all groundwater rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3) The conveyance made hereby includes all water-related fixtures and improvements associated with the Property, including without limitation, water wells, pipelines and other water distributions systems and facilities, sprinkler systems, and all other water-supply related equipment and facilities.

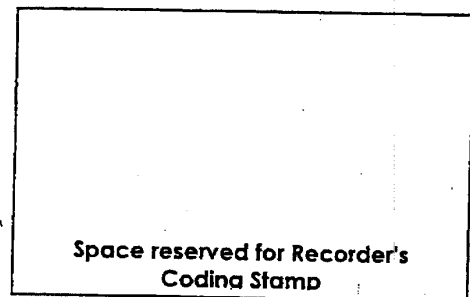
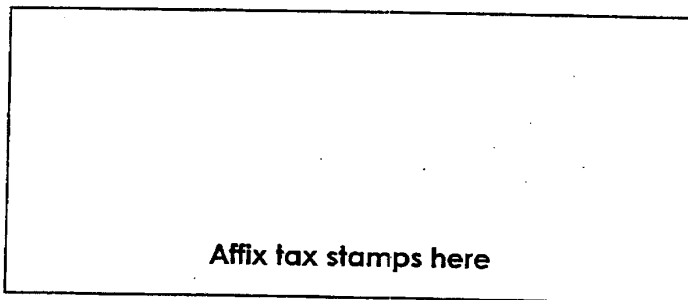
STATEMENT OF TAX DUE UNDER PROVISIONS C  
DOCUMENTARY STAMP ACT  
AND

REQUEST THAT STAMPS NOT BE MADE A PART OF THE PERMANENT RECORD

TO: KERN COUNTY RECORDER

The tax due pursuant to the provisions of the Documentary Stamp Act of the deed, transfer,  
or conveyance from Delmar Van Dam & Gertrude Van Dam, Trustees  
(Name of Grantor(s) or Lessor(s))to Antelope Valley Water Storage LLC  
(Name of Grantee(s) or Lessee(s))of the following briefly described property: See Attachedamounts to \$ 10,443.40

- ☒ Computed on full value of property conveyed, or  
☐ Computed on full value less liens and encumbrances remaining thereon at time of sale.

Date: 11-2-2007

Chicago Title Insurance

By: [Signature]Title: Title Officer

After the permanent record is made, this document will be attached to the conveying document and returned to the party entitled thereto.

A copy will be made and placed on file for auditing purposes.

71070190-X59

2

RECORDING REQUESTED BY  
Chicago Title

WHEN RECORDED MAIL TO  
E. Rose, Legal Dept  
CIM Anatelope Valley, LLC  
6922 Hollywood Blvd Suite 900  
Los Angeles, CA 90028

11/05/07



20072481684

Escrow #60358-MF

SPACE ABOVE THIS LINE FOR RECORDERS USE

GRANT DEED

TRANSFER TAX  
NOT A PUBLIC RECORD

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$ *Not of Public Record*  
( ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens or encumbrances remaining at time of sale  
( ) unincorporated area (✓) *City of Unincorporated AREA OF LOS ANGELES COUNTY*

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

**Craig A. Van Dam and Marta L. Van Dam Husband and Wife as Joint Tenants**

hereby GRANT(S) TO **Antelope Valley Water Storage, LLC**, a Delaware limited liability company

the following described property in the County of Los Angeles, State of California;

See Exhibit B Attached hereto and made a part hereof  
Exact legal descriptions are attached hereto and made a part hereof, further know as Exhibit A

*Craig A. Van Dam*  
Craig A. Van Dam

*Marta L. Van Dam*  
Marta L. Van Dam

August 10, 2007

STATE OF CALIFORNIA  
COUNTY OF *Los Angeles*

On *8/24/07* before me *Michelle Flanagan*, a notary public  
personally appeared *Craig A. Van Dam & Marta L. Van Dam*  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the  
same in this/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *[Signature]*

MAIL TAX STATEMENTS AS DIRECTED ABOVE



3258-1-2829

3

Exhibit A

Los Angeles

**LEGAL DESCRIPTION**

THE EAST HALF OF THE LOTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 6,  
TOWNSHIP 8 NORTH, RANGE 14 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT  
OF SAID LAND.

07 2481684

Exhibit B

4

The conveyance made hereby includes all water rights appurtenant to or otherwise associated with the Property of any nature whatsoever, including without limitation all of the following:

- (1) all overlying and appropriative rights to divert, extract, use, and store percolating groundwater that may be produced from, or that is located beneath the surface of, the Property;
- (2) all riparian or appropriative rights to divert, extract, use, and store (i) surface water on, adjacent to, or that may be produced from the Property; and (ii) water in subterranean streams flowing through known and definite channels underlying the Property;
- (3) an undivided one-half of any rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408, including the right to participate in such proceeding with respect to the groundwater rights not reserved hereby to Grantors; and
- (4) all rights to delivery of water from the Antelope Valley-East Kern Water Agency or any other public water purveyor or public utility with an obligation to serve the Property;

Provided, however, there is hereby reserved to the Grantors an undivided one-half of any and all groundwater rights associated with the Property that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3) The conveyance made hereby includes all water-related fixtures and improvements associated with the Property, including without limitation, water wells, pipelines and other water distributions systems and facilities, sprinkler systems, and all other water-supply related equipment and facilities.

07 2481684

868994.1

This page is part of your document - DO NOT DISCARD



**20072481684**

Pages:  
004



Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

Fee: 27.00

Tax: NFPR

Other: 0.00

11/05/07 AT 08:00AM

Total: NFPR

Title Company

**TITLE(S) : DEED**



L E A D S H E E T

**Assessor's Identification Number (AIN)**

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

Number of AIN's Shown

E244280

**THIS FORM IS NOT TO BE DUPLICATED**

AVWS000110



Recording Requested by  
CHICAGO TITLE INSURANCE  
Order No. 941032251

James W. Fitch, Assessor - Recorder  
Kern County Official Records

JASON  
7/01/2008  
8:00 AM

Recorded at the request of  
Chicago Title

RECORDING REQUESTED BY,  
WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO:

c/o CIM Group, Inc.  
6922 Hollywood Blvd., Suite 900  
Los Angeles, California 90028  
Attention: Ellen Rose

DOC#: 0208104181



Stat Types: 1 Pages: 6

Fees	44.00
Taxes	Conf.
Others	0.00
PAID	\$44.00

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Assessor's Parcel Numbers: 261-196-02, 261-196-03, 359-041-18, 261-196-04, 359-041-11,  
359-041-17, 261-196-11

TRANSFER TAX NOT DISCLOSED OF RECORD.

### GRANT DEED

For valuable consideration, receipt of which is acknowledged, the undersigned,  
DELMAR D. VAN DAM AND GERTRUDE J. VAN DAM, CO-TRUSTEES OF THE VAN  
DAM FAMILY TRUST 1996, DATED SEPTEMBER 27, 1996, and DEL MAR AND  
GERTRUDE VAN DAM, HUSBAND AND WIFE, hereby grant to ANTELOPE VALLEY  
WATER STORAGE, LLC, a Delaware limited liability company, the property described in  
Exhibit A attached hereto.

Dated: June 23<sup>rd</sup>, 2008

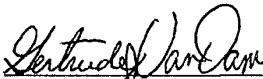
Delmar D. Van Dam,  
Co-Trustee Of The Van Dam Family Trust 1996, dated  
September 27, 1996

Gertrude J. Van Dam,  
Co-Trustee Of The Van Dam Family Trust 1996, dated  
September 27, 1996

Delmar D. Van Dam

--Signatures Continued Next Page--

Water Deed (Remaining Kern APNs) (trp v1) (2)

  
Gertrude J. Van Dam

Water Deed (Remaining Kern APNs) (trp v1) (2)

STATE OF CALIFORNIA )

COUNTY OF Los Angeles )

ss.

On 6/23/08 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared Delmar D. Van Dam Et Gertrude S. Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)



Water Deed (Remaining Kern APNs) (trp v1) (2)

EXHIBIT "A" TO GRANT DEED

PROPERTY CONVEYED

The undivided one-half of any and all groundwater rights associated with the real property described in Schedule 1 attached hereto that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3), as reserved to Grantor in Deed recorded November 5, 2007 as Instrument No. 0207220993, of Official Records.

SCHEDULE I TO  
EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION

**PARCEL 3: APN 261-196-02 (PORTION)**

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 422 OF OFFICIAL RECORDS.

**PARCEL 4: APN 261-196-02 (PORTION)**

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 429 OF OFFICIAL RECORDS.

**PARCEL 5: APN 261-196-02 (PORTION)**

THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 422 OF OFFICIAL RECORDS.

**PARCEL 6: APN 261-196-03**

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 20% OF ALL OIL, MINERAL AND NATURAL GAS RIGHTS IN AND UNDER SAID LAND, AS RESERVED IN THE GRANT DEED FROM DANIEL WALTER KLEINHANS, JR., RECORDED November 21, 1957 IN BOOK 2871, PAGE 429 OF OFFICIAL RECORDS.

**PARCEL 7: APN 359-041-18**

LOTS 1 AND 2 OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 31, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT THE SOUTH 30 FEET THEREOF.

Water Deed (Remaining Kern APNs) (trp v1) (2)

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT AN UNDIVIDED 1/2 OF ALL OIL, GAS, PETROLEUM AND OTHER MINERALS WITHIN OR UNDERLYING SAID LAND, OR WHICH MAY BE PRODUCED AND SAVED THEREFROM AS RESERVED BY RUPERT R. SINGLETON, ET UX, IN DEED RECORDED MAY 27, 1957 IN BOOK 2793 PAGES 89, AND 90 OF OFFICIAL RECORDS.

BY DEED DATED MARCH 12, 1970 AND RECORDED MARCH 31, 1970 IN BOOK 4383 PAGE 65, OF OFFICIAL RECORDS, ETHEL J. SINGLETON, A WIDOW, QUITCLAIMED UNTO TONY A. CAFARO AND ANABELLA LEE CAFARO, HUSBAND AND WIFE AS JOINT TENANTS, ALL SURFACE RIGHTS OF ENTRY TO A DEPTH OF 500 FEET BELOW THE PRESENT SURFACE AS TO AN UNDIVIDED 1/2 INTEREST IN AND TO ALL OIL, GAS, PETROLEUM AND OTHER MINERALS WITHIN OR UNDERLYING SAID LAND, OR WHICH MAY BE PRODUCED AND SAVED THEREFROM AS RESERVED BY RUPERT R. SINGLETON, ET UX, IN DEEDS RECORDED MAY 27, 1957 IN BOOK 2793 PAGES 89 AND 90 OF OFFICIAL RECORDS.

**PARCEL 2:**

THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SAID LAND IS SHOWN AS PARCELS 1 THROUGH 4 INCLUSIVE, OF PARCEL MAP NO. 5126, AS PER MAP RECORDED IN BOOK 25 PAGE 159 OF PARCEL MAPS, IN THE OFFICE THE COUNTY RECORDER OF SAID COUNTY.

APN: 359-041-20,21,22,23,13

EXHIBIT "A" (continued)

PARCEL 8: APN 261-196-04

THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPT 3/4THS OF ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND AS RESERVED IN THE DEED FROM DANIEL WALTER KLEINHANS, JR. AND AGNES G. KLEINHANS, HUSBAND AND WIFE, RECORDED July 15, 1965 IN BOOK 3857, PAGE 713 OF OFFICIAL RECORDS.

PARCEL 9: APN 359-041-11

THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL February 19, 1856.

PARCEL 10: APN 359-041-12

ALL OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 11: APN 359-041-17

THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 11A:

A NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY OVER THE NORTHERLY 18 FEET OF THE NORTH HALF OF SECTION 32, TOWNSHIP 9 NORTH RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, FOR THE SOLE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING, AND IF NECESSARY, REPLACING, AN UNDERGROUND WATER PIPELINE AS GRANTED IN DEED RECORDED November 24, 1976, IN BOOK 4992 PAGE 712, OF OFFICIAL RECORDS.

PARCEL 12: APN 261-196-11

THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

APN: 261-196-02,03,04,09 & 11, 359-041-01,11,12,17 & 18

Recording Requested by  
CHICAGO TITLE INSURANCE  
Order No. 841032511

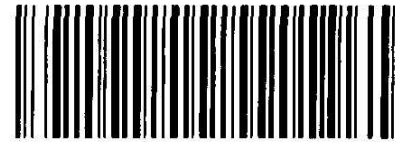
James W. Fitch, Assessor-Recorder  
Kern County Official Records  
Recorded at the request of  
Chicago Title

JASON  
6/30/2008  
1:46 PM

RECORDING REQUESTED BY,  
WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO:

c/o CIM Group, Inc.  
6922 Hollywood Blvd., Suite 900  
Los Angeles, California 90028  
Attention: Ellen Rose

DOC#: 0208104097



Stat Types: 1 Pages: 13

Fees	64.00
Taxes	** Conf **
Others	0.00
PAID	\$64.00

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Assessor's Parcel Numbers: 261-196-09  
TRANSFER TAX NOT DISCLOSED OF RECORD.

COUNTERPART GRANT DEED

For valuable consideration, receipt of which is acknowledged, the undersigned, CRAIG VAN DAM, MARTA VAN DAM, DEAN VAN DAM, SHERRI VAN DAM, NICK VAN DAM, JANET VAN DAM, GARY VAN DAM and DEBBIE VAN DAM, hereby grant to ANTELOPE VALLEY WATER STORAGE, LLC, a Delaware limited liability company, the property described in Exhibit A attached hereto.

Dated: June 26, 2008

This deed is being signed in  
counterpart

\_\_\_\_\_  
Craig Van Dam

\_\_\_\_\_  
Marta Van Dam

\_\_\_\_\_  
Dean Van Dam

\_\_\_\_\_  
Sherri Van Dam

--Signature Continued Next Page--



\_\_\_\_\_  
Nick Van Dam

\_\_\_\_\_  
Janet Van Dam

\_\_\_\_\_  
Gary Van Dam

\_\_\_\_\_  
Debbie Van Dam

## EXHIBIT "A" TO GRANT DEED

### PROPERTY CONVEYED

The undivided one-half of any and all groundwater rights associated with the real property described in Schedule 1 attached hereto that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3), as reserved to Grantor in Deed recorded November 5, 2007 as Instrument No. 0207220991, of Official Records.

SCHEDULE 1 TO  
EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION

THE NORTH HALF OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT  
SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE PLAT THEREOF.

STATE OF CALIFORNIA )

COUNTY OF Curry )

SS.

On 6-26-08 before me, Carol Usetta (here insert name and title of the officer), personally appeared Dean Van Dam & Sherri Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Carol Usetta (Seal)  
2/26/09

RECORDING REQUESTED BY,  
WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO:

c/o CIM Group, Inc.  
6922 Hollywood Blvd., Suite 900  
Los Angeles, California 90028  
Attention: Ellen Rose

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Assessor's Parcel Numbers: 261-196-09

COUNTERPART GRANT DEED

For valuable consideration, receipt of which is acknowledged, the undersigned, CRAIG VAN DAM, MARTA VAN DAM, DEAN VAN DAM, SHERRI VAN DAM, NICK VAN DAM, JANET VAN DAM, GARY VAN DAM and DEBBIE VAN DAM, hereby grant to ANTELOPE VALLEY WATER STORAGE, LLC, a Delaware limited liability company, the property described in Exhibit A attached hereto.

Dated: June 27, 2008

This deed is being signed in  
counterpart



Craig Van Dam



Marta Van Dam

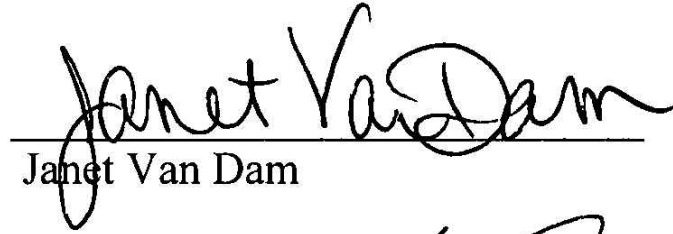
\_\_\_\_\_  
Dean Van Dam

\_\_\_\_\_  
Sherri Van Dam

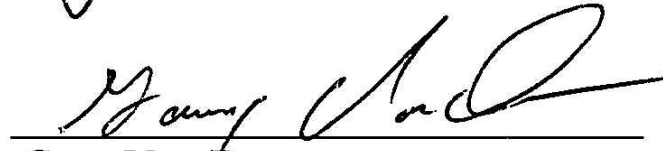
--Signature Continued Next Page--



Nick Van Dam



Janet Van Dam



Gary Van Dam



Debbie Van Dam

STATE OF CALIFORNIA )

COUNTY OF Los Angeles ) SS.

On 6/23/08 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared Nick Van Dam & Janet Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



5-8-2012

STATE OF CALIFORNIA )

COUNTY OF Los Angeles )

ss.

On 10-25-08 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared GARY Van Dam

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



5-8-2012



STATE OF CALIFORNIA )  
COUNTY OF Los Angeles )

SS.

On June 26, 2008 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared Debbie Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)



5-8-2017

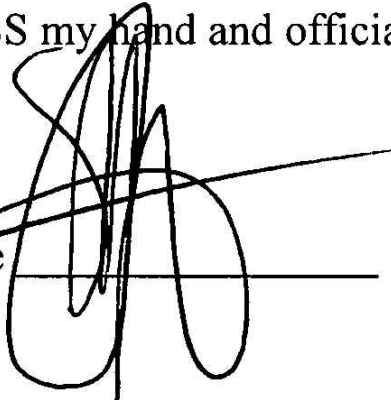
STATE OF CALIFORNIA )  
COUNTY OF Los Angeles )

SS.

On June 27, 2008 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared Craig Van Dam & Marta Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



5-8-2012

EXHIBIT "A" TO GRANT DEED

PROPERTY CONVEYED

The undivided one-half of any and all groundwater rights associated with the real property described in Schedule 1 attached hereto that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3), as reserved to Grantor in Deed recorded November 5, 2007 as Instrument No. 0207220991, of Official Records.

THIS DEED HAS BEEN EXECUTED IN COUNTERPARTS, EACH OF WHICH SO EXECUTED SHALL BE DEEMED TO BE AN ORIGINAL, BUT SUCH COUNTERPARTS SHALL TOGETHER CONSTITUTE BUT ONE AND THE SAME INSTRUMENT.

SCHEDULE 1 TO  
EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION

THE NORTH HALF OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 15 WEST, MOUNT  
SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE PLAT THEREOF.

This page is part of your document - DO NOT DISCARD



**20081158287**

Pages:  
005



Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

Fee: 41.00

Tax: NFPR

Other: 0.00

Total: NFPR

06/30/08 AT 08:00AM

Title Company

**TITLE(S) : DEED**

---



L E A D S H E E T

**Assessor's Identification Number (AIN)**

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

Number of AIN's Shown

7  
RECORDED AT THE REQUEST OF  
CHICAGO TITLE COMPANY

RECORDING REQUESTED BY,  
WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO:

c/o CIM Group, Inc.  
6922 Hollywood Blvd., Suite 900  
Los Angeles, California 90028  
Attention: Ellen Rose

06/30/08



20081158287

71070190A-X59

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Assessor's Parcel Numbers: 3258-001-028, 029

### GRANT DEED

For valuable consideration, receipt of which is acknowledged, the undersigned, CRAIG VAN DAM and MARTA VAN DAM, husband and wife, as joint tenants, hereby grants to ANTELOPE VALLEY WATER STORAGE, LLC, a Delaware limited liability company, the property described in Exhibit A attached hereto.

SEE SCHEDULE "A" ATTACHED

Dated: June 27, 2008

Craig Van Dam

Marta Van Dam

STATE OF CALIFORNIA )

COUNTY OF Los Angeles )

ss.

On June 27, 2008 before me, Michelle Flanagan *Notary Public* (here insert name and title of the officer), personally appeared Craig Van Dam & Martha Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)



08 1158287

EXHIBIT "A" TO GRANT DEED

PROPERTY CONVEYED

The undivided one-half of any and all groundwater rights associated with the real property described in Schedule 1 attached hereto that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3), as reserved to Grantor in Deed recorded November 5, 2007 as Instrument No. 07-2481684, of Official Records

282857780

Water Deed (LA) (trp v1)



5

SCHEDULE 1 TO  
EXHIBIT A TO GRANT DEED  
LEGAL DESCRIPTION

THE EAST HALF OF THE LOTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 6,  
TOWNSHIP 8 NORTH, RANGE 14 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT  
OF SAID LAND.

08 1158287

Water Deed (LA) (trp v1)

AVWS000135

Recording Requested by  
CHICAGO TITLE INSURANCE  
Order No. 54106327-11

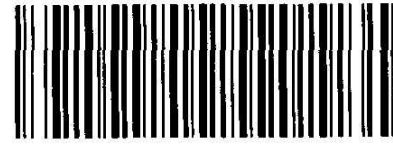
James W. Fitch, Assessor-Recorder  
Kern County Official Records  
Recorded at the request of  
Chicago Title

JASON  
6/30/2008  
1:46 PM

RECORDING REQUESTED BY,  
WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO:

c/o CIM Group, Inc.  
6922 Hollywood Blvd., Suite 900  
Los Angeles, California 90028  
Attention: Ellen Rose

DOC#: 0208104096



Stat Types: 1 Pages: 4

Fees	37.00
Taxes	** Conf **
Others	0.00
PAID	\$37.00

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Assessor's Parcel Numbers: 359-041-01  
TRANSFER TAX NOT DISCLOSED OF RECORD

### GRANT DEED

For valuable consideration, receipt of which is acknowledged, the undersigned, CRAIG VAN DAM and MARTA VAN DAM, husband and wife, as joint tenants, hereby grants to ANTELOPE VALLEY WATER STORAGE, LLC, a Delaware limited liability company, the property described in Exhibit A attached hereto.

Dated: June 27, 2008

  
Craig Van Dam

  
Marta Van Dam

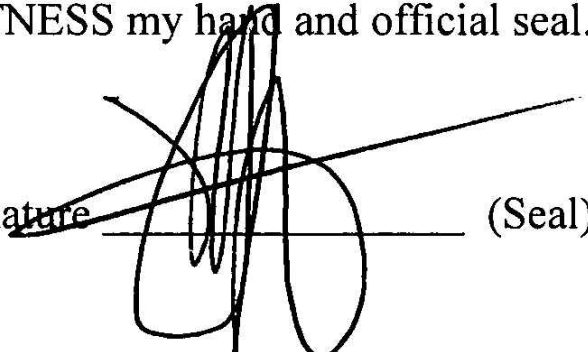
STATE OF CALIFORNIA )  
 )  
COUNTY OF Los Angeles )

SS.

On June 27, 2008 before me, Michelle Flanagan (here insert name and title of the officer), personally appeared Craig Van Dam & Martha Van Dam (insert name(s) of signer(s)) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



## EXHIBIT "A" TO GRANT DEED

### PROPERTY CONVEYED

The undivided one-half of any and all groundwater rights associated with the real property described in Schedule 1 attached hereto that may be finally determined or adjudicated in the Coordination Proceeding known as the "Antelope Valley Groundwater Cases," being Judicial Council Coordination Proceeding No. 4408.(3), as reserved to Grantor in Deed recorded November 5, 2007 as Instrument No. 0207220990, of Official Records.

SCHEDULE 1 TO  
EXHIBIT A TO GRANT DEED  
LEGAL DESCRIPTION

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9  
NORTH, RANGE 14 WEST, MOUNT SAN BERNARDINO BASE AND MERIDIAN, IN THE  
COUNTY OF KERN, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT  
THEREOF.