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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ANTELOPE VALLEY
GROUNDWATER CASES

Included Actions:

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

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
Kern County Superior Court
Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
Lancaster, Diamond Farming Co. v.
Palmdale Water Dist.
Riverside County Superior Court
Consolidated actions
Case Nos. RIC 353 840, RIC 344 436, RIC
344 668

Judicial Council Coordination No. 4408

For filing purposes only:
Santa Clara County Case No. 1-05-CV-049053

Assigned to the Honorable Jack Komar

**CROSS DEFENDANT DESERT
BREEZE MHP, LLC'S DECLARATION
OF DANIEL EPSTEIN IN SUPPORT
OF THE PHASE VI TRIAL PROVE UP**

I, Daniel Epstein, declare that:

1. I am the President of Desert Breeze MHP, LLC (hereafter "DB"), and I
have first hand, personal knowledge of the facts which follow. If called to testify I
could and would competently testify thereto under oath.

Entity Status

2. DB was formed as a California limited liability company on October 10, 2014 and remains in Good Standing. Attached as Exhibit A is a true copy of a Business Entity Detail, from the California Secretary of State's website, reflecting DB'S status as of June 26, 2015. I am the sole member of DB, and I am all of the officers of said limited liability company.

The Real Property and the Park

3. On November 3, 2014, DB purchased approximately 3.86 acres of real property (the "Property"), and the mobile home park operating thereon, which Property and park are commonly known as 1262 W. Rosamond Blvd., Rosamond, Kern County, CA, or Desert Breeze Mobile Home Park. Said real property is legally described as:

The East Half of Block 60, Rosamond Townsite, being a portion of the East Half of Section 21, Township 9 North, Range 12 West, San Bernardino Meridian, in the unincorporated area of the County of Kern, State of California, as per Map filed August 12, 1907 in Book 195, Pages 66 and 67 of Deeds, in the Office of the County Recorder of said County.

Said real property is also identified as Kern County Assessor's Parcel Number 258-190-01-00. Attached as Exhibit B is a true copy of the Grant Deed, recorded November 3, 2014, transferring the Property from Desert Breeze Mobile Homes Estates, Inc. to Desert Breeze MHP, LLC.

4. Desert Breeze Mobile Home Park (the "Park"), the mobile home park on the Property is in the business of renting out mobile home spaces to mobile home tenants. The Park provides potable water (which it pumps from its groundwater well on the Property), utility connections and sewer drains for its long term, residential tenants.

5. The Park consists of: sixty five (65) spaces, a groundwater well (located on space 43), an approximately 35,000 gallon swimming pool, a laundry room, and

1 various landscaping (including approximately 115 trees, generally Elm). Attached
2 as Exhibit C is a true copy of the Site Map for the Park. Of the sixty five spaces, DB
3 rents out sixty three (63) to mobile home households, and all such sixty three (63)
4 spaces are generally rented and have been for the last 15 years.

5 6. All water pumped from the well is used exclusively on the Property, for
6 the benefit of the tenants and the operation of the Park. Upon inquiry, our
7 groundwater well was drilled in 1955, and since that time the well has been the only
8 source of water for the Park and its tenants.

9 Water Records and Water Usage

10 7. I am the duly authorized Custodian of Records for DB, and I have
11 authority to certify its records. I am familiar with the procedures and manner in
12 which the water records are made, recorded and kept, and how the use of water is
13 determined. The copies of writings produced with this declaration are true copies of
14 the described writings. All such records being produced were prepared by the
15 personnel of the business, in the ordinary course of business, at or near the time of the
16 act, condition or event.

17 8. Attached as Exhibit D is a true copy of the Water Readings of the well
18 made for the year 2011, and attached as Exhibit E is a true copy of the Water
19 Readings of the well made for the year 2012.


20 9. Before May 18, 2006, there was no flow meter on DB'S groundwater
21 pumps, nor was there a separate electrical meter to measure the electricity used only
22 by the groundwater pump. As such, there was no way to determine/measure the
23 amount of groundwater pumped for any of the years through 2006.

24 10. In addition to the "water readings" records attached as Exhibits D and
25 E, attached as Exhibit F is a true copy of my summary of the water pumping for the
26 years 2011, 2012, 2013 and 2014, listing each month's water usage and summarizing
27 the water used for each such year as follows:
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On September 26, 2015, I served the within document(s) in the Antelope Valley Groundwater Adjudication Cases, JCCP No. 4408, described as:

on the interested parties in this action, by posting the document(s) listed above to the Santa Clara County Superior Court e-filing website (<http://www.scefiling.org>) under the Antelope Valley Groundwater matter pursuant to the Court's Order dated October 27, 2005.


Walter J. Wilson, Esq.