

**REQUEST FOR TRANSFER OF BASE ANNUAL PRODUCTION RIGHT
AFTER ACCEPTING DEED IN LIEU OF FORECLOSURE**

TO BE EXECUTED BY PURCHASER OF REAL PROPERTY AFTER ACCEPTING GRANT DEEDS AND/OR QUITCLAIM DEED IN LIEU OF FORECLOSURE (the "PURCHASER"), and if separately requested by Watermaster, be accompanied by a map of the service area showing the prior point of water use, if known and/or map of the parcel, together with a map of the service area where the water is intended to be used by the PURCHASER showing thereon the location of production facilities and a listing showing the identity of each such facility.

The PURCHASER shall provide herewith an Affidavit describing how property was acquired, Certified copies of the recorded Deeds conveying title to property hereinafter described, Future Notice form H-3 and Stipulation Re Intervention After Judgment form H-4 (Page 1 and 2).

STATEMENT OF PURCHASER

The undersigned acquired the following described Real Property located in the County of San Bernardino, State of California, to wit:

Being Tax Parcel No. _____

Prior Trustees: _____

The undersigned PURCHASER of said property hereby requests transfer to the PURCHASER the Base Annual Production Right in the verified amount of _____ acre-feet in the _____ Subarea of Mojave Basin Area as adjudicated to Trustor or his predecessor in the Judgment in the case of the City of Barstow et al. vs. City of Adelanto, et al., Riverside County Superior Court Case No. 208568 together with the attendant rights, powers and privileges pertaining thereto.

Dated: _____

Print Name of Purchaser After Accepting Grant Deed
or Quitclaim Deed in Lieu of Foreclosure

Signature

Address

Telephone No.

Note: PURCHASER acknowledges that all required items, above referenced, must be provided to Watermaster at least forty-five (45) days prior to the meeting at which the Watermaster will consider the requested transfer and all assessments due and owing to Watermaster must be paid prior to transfer.

Exhibit "H"
H-1

**AFFIDAVIT OF PURCHASERS ACCEPTING DEED
IN LIEU OF FORECLOSURE**

_____ (the “AFFIANTS”), of legal age, being first duly sworn, depose and say:

The Affiant(s) have not conveyed the property to any other party by any instrument after acquiring title by Deeds in Lieu of Foreclosure.

The Affiant(s) have not created any additional liens upon said property in favor of any other party after acquiring title by Deeds in Lieu of Foreclosure.

This statement is made for the protection and benefit of all other parties hereinafter dealing with or who may acquire an interest in the property herein described and particularly for the benefit of the Watermaster who is about to effect the transfer of Base Annual Production Right and acknowledges that prior lien holders may have a prior lien right upon said rights, unless Affiant(s) first obtain a release of lien thereof from said lien holders.

The Affiant(s) acknowledge that prior to said transfer of Base Annual Production Right, any existing lien holder upon the subject property must be notified of Affiant(s) claim to said Base Annual Production Right and acknowledges that prior lien holders may have a prior lien right upon said rights, unless Affiant(s) first obtain a release of lien thereof from said lien holders.

That the Affiant(s), and each of them, will testify, declare, depose, and/or certify before any competent tribunal officer or person in any case now pending or which may hereafter be instituted to the truth of the particular facts hereof.

That in event of suit against the Watermaster by any party seeking claim to said water rights, the Affiant(s), and each of them shall indemnify and hold harmless the Watermaster and shall bear all cost of said suit including and not limited to attorney fees.

In addition to the above, set forth any pertinent facts that you wish Watermaster to consider in consideration of this request for transfer.

Print Name of Affiant

Signature

Date

Date

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

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 of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

1 Attorney for Watermaster

2 SUPERIOR COURT OF THE STATE OF CALIFORNIA

3 FOR THE COUNTY OF RIVERSIDE

4 CITY OF BARSTOW, ET AL)

5 Plaintiff,)

6 v.)

7 CITY OF ADELANTO, ET AL)

8 Defendants.)

NO. 208568

DESIGNEE TO RECEIVE FUTURE
NOTICES FOR AND ON BEHALF OF
INTERVENOR PURCHASERS AFTER
ACCEPTING DEED IN LIEU OF
FORECLOSURE.

9
10 Intervenor Purchasers by Grant Deed and/or Quitclaim Deed in Lieu of Foreclosure

11 hereby designate _____

12 _____ whose address is _____

13 _____, whose

14 electronic address (e-mail) is _____ and whose

15 telephone number is (____) _____ as said intervenors Designee to receive

16 service of all future notices, determinations, requests, demands, objections, reports and other papers and

17 processes to be served upon said intervenor(s) or delivered to said intervenor(s) herein.

18 Intervenor(s) elect(s) to receive service indicated above by one of the following methods (choose one):

19 ☐ First Class Mail postage prepaid to the address indicated above

20 ☐ Electronic Mail (e-mail) to the address indicated above

21 ☐ I/we hereby waive notice and service requirements

22 A copy hereof has been served upon the Watermaster herein, by mail, on _____,

20 ____.

23 Executed under penalty of perjury at _____, State

24 of _____, this _____ day of _____, 20 ____.

25
26 _____
27 Intervenor, Purchaser by Grant Deed and/or
Quitclaim Deed in Lieu of Foreclosure

1 Attorney for Watermaster

2 SUPERIOR COURT OF THE STATE OF CALIFORNIA

3 FOR THE COUNTY OF RIVERSIDE

4 CITY OF BARSTOW, ET AL)

5 Plaintiff,)

6 v.)

7 CITY OF ADELANTO, ET AL)

8 Defendants.)

NO. 208568

STIPULATION RE INTERVENTION
AFTER STIPULATED JUDGMENT
BY PURCHASER AFTER ACCEPTING
DEED IN LIEU OF FORECLOSURE
OF _____

as Defendant(s)

10
11 IT IS HEREBY STIPULATED by and between the Mojave Basin Area Watermaster for
12 and on behalf of all parties to the instant action and _____
13 _____ the Purchaser After Accepting Grant Deed and/or Quitclaim Deed in Lieu of Foreclosure
14 and proposed Intervenor(s) herein, that said proposed Intervenor(s) may intervene in the instant action
15 and become entitled to all of the benefits and bound by all the burdens of the Stipulated Judgment herein.

16 The Court will consider the attached proposed Order confirming said Intervention at _____
17 _____ o'clock _____ M on _____, 20____, in Department _____ located
18 at _____

19
20 Watermaster shall give at least thirty (30) days notice to the parties herein of said hearing.

21 Watermaster

22 Dated: _____, 20____.

23 By: _____
Chairman

24 Attest: _____
25 Secretary

Intervenor(s)

Dated: _____, 20____.

Name of Intervenor(s) Designee to receive
further notices:

Address:_____

Telephone No.:_____

Name of Designee

Prior Trustor(s)

Address:_____

Telephone No.:_____

Address:_____

Telephone No.:_____