

May 28, 2015

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VIA E-MAIL AND FIRST CLASS MAIL

President Mel Levine  
Board of Water and Power Commissioners  
Los Angeles Department of Water and Power  
Room 1555-H, 15<sup>th</sup> Floor  
111 North Hope Street  
Los Angeles, CA 90012

Honorable Board of Water and Power  
Commissioners  
Los Angeles Department of Water and  
Power  
Room 1555-H, 15<sup>th</sup> Floor  
111 North Hope Street  
Los Angeles, CA 90012

Re: Resolution of Necessity to Acquire by Eminent Domain 33 Interests in Mineral Rights at the Beacon Solar Project in the Vicinity of Cantil in Kern County, California

Honorable President and Board of Water and Power Commissioners:

On May 15, 2015 a Notice of Public Hearing was issued to Miriam Stull at 406 Vista Verde Way, Bakersfield, CA 93309 which states, in part, that a public hearing will be held on June 2<sup>nd</sup>, 2015 concerning the above-referenced matter.

We are writing on behalf of Bob Rudnick, Manager at GeoSpatial Agriculture Solutions, LLC, who owns and controls a portion of an approximately 85 acre property, which is within the affected area and subject to your Resolution.

This letter serves as notice to the Board of Water and Power Commissioners and the Department of Water and Power that Mr. Rudnick objects to the adoption of the Resolution of Necessity and expressly reserves any and all rights and arguments regarding this matter including, but not limited to, whether:

- a) the public interest and necessity require the Project;
- b) the Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- c) the properties (identified in Attachment A) sought to be acquired are necessary for the Project

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- d) offers required by California Government Code section 7267.2 have been made to the owners of record or offers have not been made because the owner(s) cannot be located with reasonable diligence; and
- e) the requisite environmental review for the Project has been conducted consistent with the California Environmental Quality Act (CEQA).

Nothing contained in this letter is intended as, nor should it be deemed to constitute, a waiver or relinquishment of any of Mr. Rudnick's rights or remedies, whether legal or equitable, all of which are hereby expressly reserved.

Sincerely yours,



TIMOTHY B. MCOSKER  
of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

TBM:ms

cc: Bob Rudnick, Manager, GeoSpatial Agriculture Solutions, LLC  
James O'Callahan, Attorney, Girardi Keese  
Craig Luna, LADWP