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7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF LOS ANGELES**
10

11 Coordination Proceeding
Special Title (Rule 1550(b))

) Judicial Council Coordination
) Proceeding No. 4408

12 **ANTELOPE VALLEY**
13 **GROUNDWATER CASES**

) Santa Clara Case No. 1-05-CV-049053
) Assigned to the Honorable Jack Komar
) Department 17C

14 Including Consolidated Actions:

) **DECLARATION OF BENITO ROJAS**
) **BARRON IN SUPPORT OF LA COSEPA'S**
) **MOTION FOR LEAVE TO INTERVENE IN**
) **JUDGMENT**

15 **Los Angeles County Waterworks District**
16 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of Los
17 Angeles, Case No. BC 325 201

) [Notice of Motion and Motion for Leave to
) Intervene; Declaration of Michael Duane Davis;
) and [Proposed] Order filed concurrently]

18 **Los Angeles County Waterworks District**
19 **No. 40 v. Diamond Farming Co.**
Superior Court of California, County of
Kern, Case No. S-1500-CV-254-348

) Date: August 9, 2018
) Time: 9:00 a.m.
) Dept.: 1 - Appearance by CourtCall
) Judge: Hon. Jack Komar, Judge

20 **Wm. Bolthouse Farms, Inc. v. City of**
21 **Lancaster**
22 **Diamond Farming Co. v. City of**
23 **Lancaster**
24 **Diamond Farming Co. v. Palmdale**
25 **Water Dist.**

) **[Hearing to be conducted by CourtCall]**

26 Superior Court of California, County of
27 Riverside, consolidated actions, Case Nos.
28 RIC 353 840, RIC 344 436, RIC 344 668

AND RELATED ACTIONS.

I, Benito Rojas Barron, declare as follows:

1 1. I am the President of La Cosepa, a non-profit Religious Corporation ("La
2 Cosepa"). I give this Declaration in Support of La Cosepa's Motion for Leave to Intervene in
3 Judgment ("Motion"). If called and sworn as a witness, I could and would competently testify to
4 the following facts, having personal knowledge thereof.

5 2. La Cosepa is the owner of approximately 148 acres of real property located at
6 39000 170th Street East in the unincorporated community of Lake Los Angeles, CA ("Property"),
7 which bears Los Angeles County Assessor's Parcel Number 3075-003-008. La Cosepa has
8 planned for the development of a religious project on the Property to be known as "Christ of the
9 Desert" ("Project") on the Property. Project Assistant, Lucino Gopar, made most of the
10 arrangement for the Project that I have described in this Declaration.

11 3. When the Property was acquired by La Cosepa, it was served by an existing well
12 that had an annual production of approximately one (1) acre foot of water. As the existing well
13 was determined to be insufficient for the Project, La Cosepa developed plans to drill a
14 replacement well. La Cosepa also planned to become a party to the December 23, 2015
15 Judgment and Physical Solution entered by this Court ("Judgment") in the above-encaptioned
16 Antelope Valley Groundwater Adjudication ("Adjudication").

17 4. La Cosepa's phased plans for the Project call for the construction of multiple
18 buildings that will serve a variety of religious purposes including, chapels, living
19 accommodations, an auditorium, classroom facilities, kitchens, restrooms, and related support
20 facilities, which buildings will comprise approximately 77,600 square feet. The Project plans
21 also call for the paving of roadways the development of approximately 463 parking spaces, the
22 installation of low water consumptive landscaping on approximately 18,700 square feet of the
23 Property, and leave approximately 14,200 square feet of the Property in its natural condition.

24 5. In preparation for this Project, Project Assistant Gopar contacted the Antelope Valley
25 Watermaster ("Watermaster") and Watermaster Engineer ("Engineer"), to begin the process of
26 applying for new groundwater production pursuant to the Judgment.

27 6. On April 26, 2016, La Cosepa applied for and secured a Los Angeles County Well
28 Permit [SR0097443] for a new production well on the Property.

1 7. On March 13, 2017, La Cosepa secured a Geotechnical Report for the Property from
2 AZ Geo Technics, Inc.

3 8. On April 10, 2017, La Cosepa commenced construction of the replacement well, which
4 was completed on April 14, 2017.

5 9. On March 7, 2018, La Cosepa submitted a *Preliminary Draft Water Conservation*
6 *Practices* [form] for Single Family Home and a *Draft New Production Application* form to the
7 Watermaster.

8 10. On March 29, 2018, La Cosepa obtained and supplemented the *Draft New Production*
9 *Application* with Project square footage information.

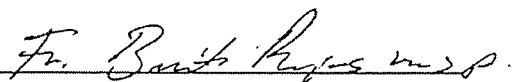
10 11. On May 14, 2018, La Cosepa's engineer, Antelope Valley Engineering, Inc., submitted
11 an Estimate of Annual Water Demands for the Project, which demands are projected to be 14.16
12 acre feet.

13 12. In order to ensure that this Project does not cause a material injury to the Basin, La
14 Cosepa agreed to meter the well, pay replacement assessments, abandon the existing well on the
15 Property, and abide by the terms of the Judgment applicable to the Property and the Project.
16 Project Assistant Gopar memorialized La Cosepa's agreements to these measures in a transmittal
17 letter that accompanied the submission of the *Draft New Production Application*.

18 13. On May 16, 2018, I was informed that the Engineer had recommended that the
19 Watermaster Board approve La Cosepa's *New Production Application*.

20 14. On May 23, 2018, I was informed that the Watermaster Board had approved La
21 Cosepa's *New Production Application*. I subsequently received notice of the Watermaster's
22 approval of the *New Production Application* which approval is memorialized at the bottom of
23 page 2 of the *Draft New Production Application*.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Dated this 18 day of July, 2018 at Redmond, CA.

26
27 
28 Benito Rojas Barron

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DECLARATION OF BENITO ROJAS BARRON IN SUPPORT OF
LA COSEPA'S MOTION FOR LEAVE TO INTERVENE IN JUDGMENT

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO


Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 550 E. Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205. On July 18, 2018 **DECLARATION OF BENITO ROJAS BARRON IN SUPPORT OF LA COSEPA'S MOTION FOR LEAVE TO INTERVENE IN JUDGMENT**, I served copies of the within documents described as on the interested parties in this action in a sealed envelope addressed as follows:

See attached Service List

- ☒ **BY MAIL** - I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. Under that practice, it would be deposited with the United States Postal Service on the same day in the ordinary course of business, with postage thereon fully prepaid at San Bernardino, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY PERSONAL SERVICE** - I caused such envelope to be delivered by hand to the offices of the addressee pursuant to C.C.P. § 1011.
- ☐ **BY EXPRESS MAIL/OVERNIGHT DELIVERY** - I caused such envelope to be delivered by hand to the office of the addressee via overnight delivery pursuant to C.C.P. § 1013(c), with delivery fees fully prepaid or provided for.
- ☐ **BY FACSIMILE** - I caused such document to be delivered to the office of the addressee via facsimile machine pursuant to C.C.P. § 1013(e). Said document was transmitted to the facsimile number of the office of the addressee from the office of Gresham Savage Nolan & Tilden, in San Bernardino, California, on the date set forth above. The facsimile machine I used complied with California Rules of Court, Rule 2003(3) and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2009(i), I caused the machine to print a record of the transmittal, a copy of which is attached to this declaration.
- ☐ **BY ELECTRONIC/EMAIL** - I caused such document to be delivered to the office of the addressee via electronic e-mail pursuant to C.C.P. § 1013(a). Said document was transmitted to the email address of that office which is listed on the above Service List. Said document was served electronically and the transmission was reported as complete and without error.
- ☐ **FEDERAL** - I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 18, 2018, at San Bernardino, California.



Dina Snider

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SERVICE LIST

Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

Benito Rojas Barron, President Lucino Gopar, Project Assistant LA COSEPA 17938 East Foothill Blvd Fontana, CA 92335	
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Re: *ANTELOPE VALLEY GROUNDWATER CASES*
Los Angeles County Superior Court Judicial Council Coordinated
Proceedings No. 4408; Santa Clara County Superior Court Case No. 1-05-CV-049053

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 550 East Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205.

On July 18, 2018, I served the foregoing document(s) described **DECLARATION OF BENITO ROJAS BARRON IN SUPPORT OF LA COSEPA'S MOTION FOR LEAVE TO INTERVENE IN JUDGMENT** on the interested parties in this action in the following manner:

(X) **BY ELECTRONIC SERVICE** – I caused such document(s) listed above to be electronically served, via One Legal, to all parties appearing on the Santa Clara County Superior Court website, <http://www.scefiling.org>, in the action of the Antelope Valley Groundwater Cases; proof of electronic-filing through One Legal is then printed and maintained with the original documents in our office. Electronic service is complete at the time of transmission. My electronic notification email address is dina.snider@greshamsavage.com,

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 18, 2018 at San Bernardino, California.

DINA M. SNIDER