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a California corporation dba Joshua Memorial Park
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF LOS ANGELES**

10 Coordination Proceeding) Judicial Council Coordination
11 Special Title (Rule 1550(b))) Proceeding No. 4408
12)
12 **ANTELOPE VALLEY**) Santa Clara Case No. 1-05-CV-049053
13 **GROUNDWATER CASES**) Assigned to the Honorable Jack Komar
13) Department 17C
14 Including Consolidated Actions:)
14) **DECLARATION OF DEREK R. HOFFMAN**
15 **Los Angeles County Waterworks District**) **IN SUPPORT OF SCI CALIFORNIA**
15 **No. 40 v. Diamond Farming Co.**) **FUNERAL SERVICES, INC., A**
16 Superior Court of California, County of Los) **CALIFORNIA CORPORATION DBA**
16 Angeles, Case No. BC 325 201) **JOSHUA MEMORIAL PARK'S MOTION**
17) **TO INTERVENE IN JUDGMENT**
17 **Los Angeles County Waterworks District**)
18 **No. 40 v. Diamond Farming Co.**) [Notice of Motion and Motion for Leave to
18 Superior Court of California, County of) Intervene; Declaration of Christopher Twitchell;
18 Kern, Case No. S-1500-CV-254-348) Declaration of Jason Coleman, P.E.; and
19) [Proposed] Order filed concurrently]
19 **Wm. Bolthouse Farms, Inc. v. City of**)
20 **Lancaster**) Date: November 7, 2019
20 **Diamond Farming Co. v. City of**) Time: 9:00 a.m.
21 **Lancaster**) Judge: Hon. Jack Komar, Judge
21 **Diamond Farming Co. v. Palmdale**)
22 **Water Dist.**) **[Hearing to be conducted by Courtcall]**
22 Superior Court of California, County of)
23 Riverside, consolidated actions, Case Nos.)
23 RIC 353 840, RIC 344 436, RIC 344 668)
24)
24 **AND RELATED ACTIONS.**)
25)

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1 I, Derek R. Hoffman, declare as follows:

2 1. I am an attorney at law duly admitted to practice before all the courts of the State
3 of California, and am a senior associate with the law firm of Gresham Savage Nolan & Tilden, a
4 Professional Corporation (“Gresham|Savage”). I give this Declaration in Support of SCI
5 California Funeral Services, Inc., a California corporation dba Joshua Memorial Park’s (“Joshua
6 Memorial”) Motion to Intervene in Judgment (“Motion”) filed concurrently herewith. If called
7 and sworn as a witness, I could and would competently testify to the following facts, having
8 personal knowledge thereof.

9 2. Gresham|Savage is counsel for Joshua Memorial for which this Motion is filed.
10 Joshua Memorial Park seeks to intervene in and become a party to the December 23, 2015
11 Judgment and Physical Solution entered by this Court (“Judgment”) in the above-captioned
12 Antelope Valley Groundwater Adjudication (“Adjudication”).

13 3. The Judgment reflects that neither Joshua Memorial nor SCI California Funeral
14 Services, Inc. was named or served or otherwise joined in the Adjudication. Neither Joshua
15 Memorial nor SCI is listed as a Defaulting Party in Exhibit 1 to the Judgment, nor is either listed as
16 a Small Pumper Class Member in Judgment Exhibit C, nor is either listed as a Willis Class
17 Member in Judgment Appendix A, nor is either listed among the Non-Appearing Parties in
18 Judgment Exhibits B and D. Watermaster staff has also confirmed that it has no record of Joshua
19 Memorial being named, served or appearing among the listed members of the afore-stated groups
20 of Parties.

21 4. On June 12, 2019, Joshua Memorial submitted to the Watermaster, Watermaster
22 Engineer and Watermaster General Counsel, a 345-page “Production Application” comprising a
23 detailed letter with supporting evidence and analysis. A true and correct copy of the Production
24 Application and its accompanying exhibits is attached hereto as *Exhibit “1”*. The Production
25 Application package included:

26 a. A Production Application letter from Gresham|Savage and signed by
27 representatives of Joshua Memorial Park (comprising Exhibit “1” at pages 2 – 11);

1 b. A Technical Memorandum comprising a groundwater system and groundwater
2 production analysis prepared by Luhdorff & Scalmanini Consulting Engineers (“LSCE”) entitled,
3 “SCI California Funeral Services, Inc. dba Joshua Memorial Park Irrigation Water Use Estimate”
4 (“LSCE Report”), estimating Joshua Memorial’s average groundwater production to be up to 122
5 acre-feet-year (“AFY”) (comprising Exhibit “1” at pages 13-266);

6 c. A copy of the Public Water Suppliers’ Phase 6 (Judgment “Prove-Up”) Trial
7 Brief (comprising Exhibit “1” at pages 268 – 340); and

8 d. A Watermaster Replacement Well Application package (comprising Exhibit “1”
9 at pages 342 – 346).

10 5. The Production Application was presented to the Watermaster Advisory
11 Committee, in accordance with Judgment Section 19.3. Following its review, the Advisory
12 Committee submitted a short list of questions to the Watermaster Board. On July 11, 2019, Joshua
13 Memorial submitted a further, 30-page detailed letter responsive to those questions, along with
14 supporting evidence and analysis, to the Watermaster Board addressing the Advisory Committee
15 questions (“Supplement to Production Application”). A true and correct copy of the Production
16 Application Supplement and its accompanying attachments is attached hereto as *Exhibit “2”*. The
17 Production Application Supplement included:

18 a. A letter to the Watermaster responding to the specific questions posed by the
19 Advisory Committee (Exhibit “2” at pages 2-6);

20 b. A true and correct copy of the grant deed conveying the property to Joshua
21 Memorial Park, Inc., a corporation, which was recorded in the Official Records of Los Angeles
22 County on December 19, 1949, and which describes the property as the Northeast quarter of the
23 Southeast quarter of Section 14, Township 7 North, Range 12 West, SBBM, in the County of Los
24 Angeles, and State of California (comprising Exhibit “2” at pages 8-10);

25 c. A true and correct copy of a property profile report identifying Joshua Memorial
26 Park as the owner of record of the subject property and identifying APN 3146-009-929 and APN
27 3146-009-053 (comprising Exhibit “2” at pages 12-19);

1 d. True and correct copies of Certificates of Ownership filed with the California
2 Secretary of State on April 9, 1997, Document No. A491039 and Document No. D543554
3 (comprising Exhibit “2” at pages 21-25);

4 e. A true and correct copy of the California Secretary of State Limited Liability
5 Company Articles of Organization – Conversion, filed with the Secretary of State on December 31,
6 2016, Document No. 201636610017, reflecting SCI California Funeral Services, Inc. was
7 converted to SCI California Funeral Services, LLC (comprising Exhibit “2” at pages 27-28); and,

8 f. A true and correct copy of the Articles of Incorporation with Statement of
9 Conversion filed with the Secretary of State on January 14, 2017, Document No. 3974617,
10 reflecting SCI California Funeral Services, LLC was converted into SCI California Funeral
11 Services, Inc. (comprising Exhibit “2” at pages 30-31).

12 6. At its regular meeting of July 24, 2019, the Watermaster Board unanimously
13 adopted Resolution No. R-19-21, “*Approving Request for Stipulation to Allow Intervention Into the*
14 *Judgment to Obtain a Production Right and for Approval of Replacement Well Application*
15 *Pursuant to the Terms of the Judgment.*” A true and correct copy of the Watermaster’s signed
16 Resolution No. R-19-21 is attached hereto as **Exhibit “3”**.

17 7. The Resolution found, in accordance with the Watermaster General Counsel’s
18 Memorandum of June 13, 2019, that a Non-Party may seek to intervene and become a
19 Non-Stipulating Party under Section 5.1.10. A true and correct copy of the Watermaster General
20 Counsel’s Memorandum is attached hereto as **Exhibit “4”**.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. Dated this 11th day of October, 2019 at San Bernardino, CA.

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25 Derek R. Hoffman
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1 **PROOF OF SERVICE**
2 **STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO**

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


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

9 On October 11, 2019, I served the foregoing document(s) described **DECLARATION OF
10 DEREK R. HOFFMAN IN SUPPORT OF SCI CALIFORNIA FUNERAL SERVICES,
11 INC., A CALIFORNIA CORPORATION DBA JOSHUA MEMORIAL PARK'S
12 MOTION TO INTERVENE IN JUDGMENT** on the interested parties in this action in the
13 following manner:

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

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

23 Executed on October 11, 2019 at San Bernardino, California.

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DINA M. SNIDER