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Exempt from Filing Fees
Government Code § 6103

6 Attorneys for
7 Antelope Valley Watermaster

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

10
11 Coordination Proceeding,
Special Title (Rule 1550(b))

Judicial Council Coordination
Proceeding No. 4408

12 LASC Case No.: BC 325201

13 **ANTELOPE VALLEY**
14 **GROUNDWATER CASES**

Santa Clara Court Case No. 1-05-CV-049053
Assigned to the Hon. Jack Komar, Judge of
the Santa Clara Superior Court

15 **FIRST AMENDED DECLARATION OF**
16 **CRAIG A. PARTON IN SUPPORT OF**
17 **OPPOSITIONS TO THE MOTIONS TO**
18 **SET ASIDE OR MODIFY JUDGMENT**
19 **BY JOHNNY AND PAMELLA**
20 **ZAMRZLA AND JOHNNY LEE AND**
21 **JEANNETTE ZAMRZLA; EXHIBIT A**

22 **AND ALL RELATED ACTIONS**

Date: December 13-14, 2022
Time: 9:00 a.m.
Dept: 17

23 I, CRAIG A. PARTON, declare and state as follows:

24 1. I make this FIRST AMENDED declaration in support of the Antelope Valley
25 Watermaster's ("Watermaster") Oppositions to the Motions to Set Aside or Modify Judgment filed
26 by Johnny and Pamella Zamrzla and Johnny Lee and Jeanette Zamrzla. This First Amended
27 declaration replaces in full my declaration and Exhibit A attached thereto which were filed on
28 October 12, 2022. This First Amended declaration and Exhibit A should be considered the

1 operative declaration and Exhibit A for purposes of the hearing on these motions on December 13-
2 14, 2022.

3 2. I am a partner with the law firm of PRICE, POSTEL & PARMAL LLP, counsel of
4 record for the Watermaster, and am duly licensed to practice law in California. I have personal
5 knowledge of the facts stated herein and, if called upon to do so, I could testify to these facts.

6 3. On, June 3, 2022, from 8:59 a.m. - 5:43 p.m., the deposition of Johnny Zamrzla was
7 taken at 1331 Garden Highway, 2nd Floor in Sacramento, California. I personally attended the
8 deposition of Johnny Zamrzla on that date and time.

9 4. Attached hereto as Exhibit "A" are true and correct copies of excerpts from the
10 transcript of the deposition of Johnny Zamrzla reported by Ingrid Skorobohaty, CSR No. 11669,
11 which transcript excerpts are relevant to the Watermaster's Oppositions and referenced in those
12 Oppositions.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct, and that this declaration is executed on October 17, 2022, at Santa
15 Barbara, California.

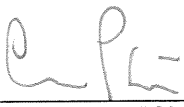
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19 _____
20 CRAIG A. PARTON
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Exhibit A

Johnny Zamrzla
June 03, 2022

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Coordination Proceeding

Judicial Council
Coordination

ANTELOPE VALLEY GROUNDWATER
CASES,

Proceeding No. 4408

Los Angeles County Waterworks
District No. 40 v. Diamond Farming
Co.

Los Angeles County Waterworks
District No. 40 v. Diamond Farming
Co.

Wm Bolthouse Farms, Inc. v. City
of Lancaster

Diamond Farming Co. v. City of
Lancaster

Diamond Farming Co. v. Palmdale
Water District,

AND RELATED ACTIONS

DEPOSITION OF JOHNNY ZAMRZLA

Friday, June 3, 2022

8:59 a.m. - 5:43 p.m.

1331 Garden Highway, 2nd Floor

SACRAMENTO, CALIFORNIA

REPORTED BY:

Ingrid Skorobohaty

CSR No. 11669

1 APPEARANCES:

2

3 For Deponent Johnny Zamrzla:

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10 For City of Los Angeles and Los Angeles World
11 Airports:

12 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
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County Sanitation District of Los Angeles:

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24

25

1 APPEARANCES (continued):

2

3 For Antelope Valley Watermaster:

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5 CRAIG A. PARTON, ATTORNEY AT LAW
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7 Santa Barbara, California 93101
8 (805) 962-0011
9 cap@ppplaw.com

8

Also present (appearing via videoconference):

9

10 STAN POWELL
11 JEFF DUNN
12 JOHN UKKESTAD
13 WILLIAM SLOAN
14 ALEXANDER LEMIEUX

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WITNESS: JOHNNY ZAMRZLA

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1 so 50-some -- well, he died in 2014, so knew him best
2 part of a lifetime.

3 Q. Did he own did he live in Antelope Valley?

4 A. Yes.

5 Q. Did he own property?

6 A. High Desert Dairy.

7 Q. High Desert Dairy.

8 Where is High Desert Dairy?

9 A. East side.

10 Q. East side of -- can you give me a specific
11 city?

12 A. I'm on the west side; he was on the east side.

13 Q. Of Lancaster, or --

14 A. Antelope Valley. Yeah. Lancaster.

15 Q. Did you ever talk to Delmar Van Dam about the
16 adjudication?

17 A. Yes.

18 Q. What did you discuss?

19 A. You know, not a lot directly, other than I
20 understood from him it was the big boys that were
21 involved, the big farmers, and I remember, early on, he
22 said, "This is not your gig. You got -- you're not a
23 big farmer." And I agreed. And he said, "It's gonna
24 cost a lotta money," and he reiterated that several
25 times over the years, that, "Not only did I tell you it

1 was gonna cost a lot of money, it is costing a lot of
2 money." And, at some point, "Don't quit doing the
3 farming you're doing. You'll always be allocated some
4 water." I said, "Okay."

5 Q. When did you have conversations with Delmar
6 Van Dam about the adjudication?

7 A. When exactly? Couldn't tell you.

8 Q. What about an estimate?

9 A. We were together an awful lot. I mean, we
10 went to every banquet together, Ducks Unlimited,
11 Pheasants, Friends of the National Rifle Association.
12 We were -- we went and took our sons with us. We were
13 community involved.

14 Q. So those times together, were they before
15 2015?

16 A. Been going on over 30 years.

17 Q. Would you have conversations about the
18 adjudication between 2000 and 2015?

19 A. Very limited. Never got personal about it.

20 Q. You said you spoke to him directly. You said
21 your conversations directly about the adjudication. Did
22 you have any indirect conversations about the
23 adjudication?

24 A. I just told you: Very costly. All the big
25 farmers are fighting for water rights. Just keep doing

1 what you're doing.

2 Q. Was Delmar Van Dam a party to the litigation?

3 A. He told me he was. I saw his name in there
4 recently. Him and Gert were both in there, and the
5 boys.

6 Q. So at no point Delmar Van Dam ever said you
7 should consider joining the adjudication?

8 A. No. The opposite. No.

9 Q. You said -- what were the discussions that you
10 had prior to the 2015 adjudication?

11 A. I think I've told you what they were, the
12 generalities. I don't remember any specific times or
13 places other than -- when we were at social events, we
14 didn't really talk about it. He might say, "This thing
15 is costing me a bundle" or something. When we were
16 together in South Dakota, we might talk about, you know,
17 how the changes were taking place in the adjudication.
18 There was -- big farmers were fighting for their water
19 rights, and his recommendation was, to me, "Just keep
20 doing what you're doing, using your water, keeping track
21 of it, and you'll always be able to get some of your
22 overlying water rights and -- since farming's not your
23 business."

24 Q. Was Delmar Van Dam a big farmer?

25 A. He owned the only dairy left in the -- in the

1 Los Angeles County, and, yeah, they farmed quite a few
2 acres.

3 Q. So you would classify him as a big farmer?

4 A. Well, if you look at what I recently looked
5 at, I never knew before -- never paid any attention to
6 anybody's actual -- what they were using in acre-feet or
7 what they were gonna get, but I now know more about that
8 for Gary and Craig and Delmar.

9 Q. But at the time Delmar told you it was big
10 farmers, would you -- did you consider Delmar a big
11 farmer as well?

12 A. I did.

13 Q. Did you talk to Greg Van Dam about the
14 adjudication -- Craig Van Dam?

15 A. I don't recall any detail.

16 Q. So is it your testimony that you've never
17 talked to Craig Van Dam about the adjudication?

18 A. I didn't say that. I don't remember any
19 details.

20 Q. So if you had talked to him about the
21 adjudication -- when -- you don't recall details. Do
22 you recall when you've talked to him about the
23 adjudication?

24 A. I don't really.

25 Q. If Craig Van Dam said he talked to you about

1 the adjudication before 2015, would you agree?

2 A. Depends on what he said he talked to me about.

3 I know Craig very well. I trust he would be
4 truthful, but if he told you something that wasn't true,
5 I'd have to read what he said.

6 Q. If Craig Van Dam said he talked to you about
7 joining the -- as an overlying land owner to the
8 litigation before 2015, would you agree?

9 A. I don't recall that.

10 Q. Would anything refresh your recollection of
11 that conversation happening?

12 A. Not that I can think of.

13 Q. No documents?

14 A. Can't think of anything. No.

15 Q. No e-mails?

16 A. E-mails? I don't think you can find an e-mail
17 from Craig. He's not an e-mailer. But maybe you have
18 one.

19 Q. And did you ever talk to Marta Van Dam about
20 the adjudication?

21 A. Definitely not.

22 Q. Why definitely not?

23 A. Well, if I didn't talk to Craig much, I
24 certainly wouldn't be talking to Marta either. I
25 wouldn't talk to Gert either -- Delmar's wife. So, no,

1 MR. SHEPARD: Are you talking about his
2 current understanding?

3 MS. RYAN: We'll start with your current
4 understanding.

5 THE WITNESS: What do you wanna know? If I
6 understand there was such a company?

7 BY MS. RYAN:

8 Q. So your current understanding is that there
9 was an Antelope Valley groundwater adjudication that
10 lasted from approximately 2000 to 2016, correct?

11 A. Right.

12 Q. Before 2016, did you understand that -- you
13 understood that there was an adjudication for a
14 comprehensive action to determine all water rights in
15 the Antelope Valley?

16 A. I don't think so.

17 Q. So, yes or no, before 2016, did you understand
18 that there was a comprehensive adjudication to determine
19 all water rights in the Antelope Valley?

20 A. No.

21 Q. When did you first retain counsel with regard
22 to the adjudication?

23 A. Well, I retained counsel when I got a letter
24 telling me that I was illegally pumping. I didn't do
25 that because of adjudication. I got a letter.

1 MR. SHEPARD: -- for speculation,
2 argumentative.

3 THE WITNESS: I've looked at the list of what
4 people were using and what they've been rolled back to.

5 BY MR. PARTON:

6 Q. All right.

7 Have you found people pumping less than 500
8 acre-feet a year on that list?

9 A. Yeah, I believe we have.

10 Q. None of your -- of the wells that you own on
11 your property, on Parcel 26 and 2 and 3, have meters,
12 right?

13 A. No.

14 Q. Do you plan to put them on?

15 A. When we were to work out the entire matter,
16 yes, we thought that would be part of our agreement when
17 we completed arrangements.

18 Q. Do you know how long it's been that you've
19 been requested to put meters on your wells?

20 A. It's been about as long as I've been
21 requesting you to withdraw the phony bill.

22 Q. Do you know how long it's been?

23 A. Four years.

24 Q. Four years.

25 And no meters have been installed in four

1 years; is that correct?

2 A. That's correct.

3 Q. And there's been no payment of administrative
4 assessments ever to the Watermaster, correct?

5 MR. SHEPARD: Outside the scope.

6 THE WITNESS: No, there has not.

7 BY MR. PARTON:

8 Q. And no replacement water assessments paid,
9 right?

10 MR. SHEPARD: Outside the scope.

11 THE WITNESS: No.

12 BY MR. PARTON:

13 Q. Is that right?

14 Have you ever had mail forwarded to a
15 P.O. Box 2468 in Lancaster?

16 A. Doesn't ring a bell.

17 Q. You don't recall owning a -- leasing a
18 post-office box with those numbers ever in the past,
19 right?

20 A. Not that I know of.

21 MR. PARTON: That's all I have. Thank you.

22 THE WITNESS: You're welcome.

23 EXAMINATION

24 BY MR. SANDERS:

25 Q. Do you know how many Southern Cal Edison

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PROOF OF SERVICE

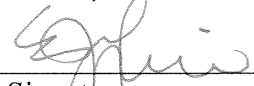
STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

I am employed in the County of Santa Barbara, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 200 East Carrillo Street, Fourth Floor, Santa Barbara, California 93101.

On October 17, 2022, I served the foregoing document described **FIRST AMENDED DECLARATION OF CRAIG A. PARTON IN SUPPORT OF OPPOSITIONS TO THE MOTIONS TO SET ASIDE OR MODIFY JUDGMENT BY JOHNNY AND PAMELLA ZAMRZLA AND JOHNNY LEE AND JEANNETTE ZAMRZLA; EXHIBIT A** on all interested parties in this action by placing the original and/or true copy.

- BY ELECTRONIC SERVICE:** I posted the document(s) listed above to the Santa Clara County Superior Court Website @ www.scefilng.org and Glotrans website in the action of the Antelope Valley Groundwater Cases.
- (*STATE*) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- (*FEDERAL*) I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on October 17, 2022, at Santa Barbara, California.



Signature
Elizabeth Wright