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10 Johnny Lee Zamrzla and Jeanette Zamrzla (collectively
11 "Zamrzla's")

12 SUPERIOR COURT OF CALIFORNIA
13 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

14 Coordinated Proceeding,
15 Special Title (Rule 1550(b))

16 ANTELOPE VALLEY
17 GROUNDWATER CASES.

Judicial Council Coordination
Proceeding No. 4408

LASC Case No. BC 32501

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

**SUPPLEMENTAL STATUS UPDATE BY
ZAMRZLA'S RE RESOLUTION OF THE
WATERMASTER'S MOTION FOR
MONETARY, DECLARATORY AND
INJUNCTIVE RELIEF AGAINST
ZAMRZLA'S**

Date: March 4, 2022
Time: 9:00 a.m.
Dept.: By Court call

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24 COMES NOW Johnny Zamrzla, Pamella Zamrzla, Johnny Lee Zamrzla, and Jeanette
25 Zamrzla (collectively the "Zamrzla's"), through their counsel, Robert H. Brumfield, III, of the
26 Law Offices of Robert H. Brumfield, A Professional Corporation, and submit their Supplemental
27 Status Update Re Resolution of the Antelope Valley Watermaster's ("Watermaster") Motion for
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1 Monetary, Declaratory, and Injunctive Relief Against Zamrzla’s (“Motion”) concerning the
2 upcoming March 4, 2022 hearing.

3 After filing the prior Status Update on March 1, 2022, and at about 10 a.m. on March 1,
4 2022, the Zamrzla’s completed and sent their suggested revisions to the Stipulation proposed by
5 the Watermaster. On the afternoon of March 1, 2022, Mr. Parton rejected virtually all suggested
6 revisions. Accordingly, the Zamrzla’s are now filing their Proposed Order After Hearing on the
7 Motion. See Exhibit A submitted herewith.

8 In light of the fact that the Zamrzla’s and the Watermaster are unable to agree to terms of
9 a stipulation as requested by the Court, and in lieu of the Court adopting either Proposed Order,
10 the Zamrzla’s would be agreeable to an order on the Motion stating, in essence, the following:

- 11 1. Except as ordered herein, the Watermaster’s Motion is denied.
- 12 2. With respect to their ownership interest in the J&P Property and the J&L Property
13 and the Groundwater they Produce therefrom, J&P and J&L are subject to the jurisdiction of the
14 Court and need not intervene in the Judgment in order to be subject to the Court’s jurisdiction.
- 15 3. By no later than 120 days after the date the Court enters an order on the Motion,
16 J&P and J&L shall file an appropriate motion with the Court to acquire a Production Right to
17 Produce Groundwater from the Basin pursuant to the Judgment and litigate said motion to a final
18 determination by the Court.
- 19 4. The Watermaster will withdraw all invoices sent to the Zamrzlas for RWAs and
20 AAs to date.
- 21 5. If J&P and/or J&J fails to adhere to the terms of this Order, the Watermaster may
22 refile the Motion and seek an award of the relief requested therein.

23 Any further assistance the Court can provide to help the parties come to a resolution of the
24 Motion would be appreciated.

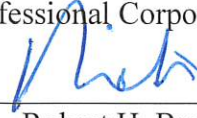
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Dated: March 3, 2022

LAW OFFICES OF ROBERT H. BRUMFIELD
A Professional Corporation

By:  _____

Robert H. Brumfield, III
Attorney for Johnny Zamrzla, Pamela
Zamrzla, Johnny Lee Zamrzla and
Jeanette Zamrzla

EXHIBIT "A"

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9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

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Proceeding No. 4408

LASC Case No. BC 32501

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

17 **[PROPOSED] ORDER AFTER HEARING**
18 **ON WATERMASTER'S MOTION FOR**
19 **MONETARY, DECLARATORY AND**
20 **INJUNCTIVE RELIEF AGAINST**
21 **ZAMRZLA'S**

Date: March 4, 2022

Time: 9:00 a.m.

Dept.: By Court call

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23 There came on regularly for hearing on December 10, 2021, January 25, 2022, February
24 18, 2022 and March 4, 2022, before the Hon. Jack Komar, Judge, presiding, the motion by the
25 Antelope Valley Watermaster ("Watermaster") for monetary, declaratory and injunctive relief
26 against Johnny Zamrzla and Pamela Zamarzla, individually and as Trustees of the Johnny and
27 Pamella Zamrzla 1999 Family Trust created u/d/t dated April 30, 1999 ("J&P"), and John Lee

1 Zamrzla and Jeanette Zamrzla (“J&J”, and collectively with J&P, the “Zamrzlas”).

2 Based upon the Watermaster’s Motion, the Opposition filed by the Zamrzla’s, the
3 arguments of counsel, and good cause appearing therefor, the Court finds and orders as follows:

4 1. J&P own real property identified by the following Los Angeles County Assessor’s
5 Parcel Numbers: 3220-006-026 (40 acres improved with 1 house and 1 well), 3220-006-002 (39.2
6 acres completely unimproved) and 3220-006-003 (40 acres improved with 1 well and no houses)
7 (collectively, the “J&P Property”).

8 2. J&J own real property identified by the following Los Angeles County Assessor’s
9 Parcel Numbers: 3220-001-028 (10 acres improved with 1 house and 1 well) and 3220-001-027
10 (10 acres completely unimproved) (collectively, the “J&J Property”).

11 3. On or about September 29, 2021, the Watermaster filed a motion against the
12 Zamrzlas (the “Motion”) pursuant to the December 23, 2015 Judgment and Physical Solution
13 (“Judgment”),¹ seeking monetary, declaratory and injunctive relief in favor of the Watermaster
14 and against the Zamrzlas as follows: (1) as to J&P, \$28,755.35 in delinquent Replacement Water
15 Assessments (“RWAs”) for the year 2018, plus accrued interest of \$2,875.54; (2) as to J&J,
16 \$6,415.90 in delinquent RWAs for the year 2018, plus accrued interest of \$641.59; (3) as to the
17 Zamrzlas jointly and severally, attorneys’ fees of \$7,437; and (4) for such declaratory and
18 injunctive relief as is necessary to prohibit the Zamrzlas from Producing any further Groundwater
19 from the Antelope Valley Adjudicated Basin (“Basin”) until: (a) all such delinquent 2018 RWAs
20 with interest and fees are paid in full, (b) the Zamrzlas each install water flow meters on all of
21 their respective wells, (c) the Zamrzlas each submit Annual Water Production Reports for years
22 2016 through 2020, and (d) the Zamrzlas each pay RWAs and Administrative Assessments for
23 their respective annual production for the years 2016 through 2020, plus accrued interest thereon.

24 4. In the Motion, Watermaster alleges that J&P are Small Pumper Class Members as
25 identified in Exhibit C to the Judgment, and that J&J are Unknown Small Pumper Class Members

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27 ¹ All capitalized terms not defined herein shall have the same meaning as set forth in the Judgment.

1 the Basin pursuant to the Judgment and will expeditiously litigate said motion to
2 a final determination by the Court.

3 8. If J&P fails to perform as agreed in Paragraph 7(b) above, J&P nonetheless agrees
4 and submits to the Court's jurisdiction and the Watermaster may refile the Motion and seek an
5 award of the relief requested therein.

6 9. In addition, and to resolve the Motion, and as represented to the Court by counsel,
7 J&J hereby stipulate and agree as follows:

8 (a) With respect to their ownership interest in the J&J Property and the Groundwater
9 they Produce therefrom, J&J are subject to the jurisdiction of the Court and need
10 not intervene in the Judgment in order to be subject to the Court's jurisdiction;
11 and,

12 (b) No later than 120 days after the date the Court enters this Order and the Zamrzlas
13 counsel is served with Notice of Entry of the Order, J&J shall file an appropriate
14 motion with the Court to acquire a Production Right to Produce Groundwater from
15 the Basin pursuant to the Judgment and will expeditiously litigate said motion to
16 a final determination by the Court.

17 10. If J&J fails to perform as agreed in Paragraph 7(b) above, J&J nonetheless agrees
18 and submits to the Court's jurisdiction and the Watermaster may refile the Motion and seek an
19 award of the relief requested therein.

20 11. In connection with the hearings on the Motion, and the Court's directive for the
21 Parties to reach agreement on the Zamrzlas water entitlement, the Watermaster claims that it lacks
22 any authority to grant, or stipulate to, any amount of Production Right that may be claimed by
23 either J&P and/or J&J. Accordingly, the Watermaster makes no representations, warranties, or
24 agreements whatsoever as to whether J&P and/or J&J are entitled to claim any Production Rights
25 beyond the rights conferred upon Small Pumper Class Members under the Judgment, or as to the
26 amount of Production Rights J&P and/or J&J may eventually succeed in establishing with the
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1 Court pursuant to any motion filed by either party in accordance with Paragraphs 7(b) and 9(b),
2 above. As such, the Watermaster shall take no position on any such motion filed by either J&P
3 or J&J in accordance with Paragraphs 7(b) and 9(b), above. The parties acknowledge, understand,
4 and agree that J&P's and J&J's classification as Parties to the Judgment - whether as Small
5 Pumper Class Members, Overlying Producers, Non-Stipulating Parties, or otherwise - shall be
6 determined by the Court after a final ruling on the merits is obtained by either party in accordance
7 with Paragraphs 7(b) and 9(b), above.

8 12. J&P and J&J each acknowledge and understand that any motion filed by either of
9 them in accordance with Paragraphs 7(b) or 9(b) above, as applicable, may be subject to comment
10 or opposition by other Parties to the Judgment.

11 13. The parties hereto shall bear their own fees and costs incurred and otherwise
12 associated with the Motion and the proceedings on the same to date.

13 **ORDER**

14 Based upon for foregoing findings, and good cause appearing therefor, **IT IS HEREBY**
15 **ORDERED** that:

16 1. Except as ordered herein, the Watermaster's Motion is denied.

17 2. With respect to their ownership interest in the J&P Property and the J&L Property
18 and the Groundwater they Produce therefrom, J&P and J&L are subject to the jurisdiction of the
19 Court and need not intervene in the Judgment in order to be subject to the Court's jurisdiction.

20 3. By no later than 120 days after the date the Court enters an order on the Motion,
21 J&P and J&L shall file an appropriate motion with the Court to acquire a Production Right to
22 Produce Groundwater from the Basin pursuant to the Judgment and litigate said motion to a final
23 determination by the Court.

24 4. The Watermaster will withdraw all invoices sent to the Zamrzlas for RWAs and
25 AAs to date.

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5. If J&P and/or J&J fails to adhere to the terms of this Order, the Watermaster may refile the Motion and seek an award of the relief requested therein.

Date: _____

HON. JACK KOMAR,
Judge of the Superior Court

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PROOF OF SERVICE (C.C.P. §1013a, 2015.5)

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 1810 Westwind Drive, Bakersfield, CA 93301.

On March 3, 2022, I served the foregoing document(s) entitled:

SUPPLEMENTAL STATUS UPDATE BY ZAMRZLA’S RE RESOLUTION OF THE WATERMASTER’S MOTION FOR MONETARY, DECLARATORY AND INJUNCTIVE RELIEF AGAINST ZAMRZLA’S

X by placing the original, X a true copy thereof on all interested parties.

X **BY ELECTRONIC MAIL**
I posted the document(s) listed above to the Santa Clara Superior Court Website @ www.scefilings.org and Glotrans website in the action of the Antelope Valley Groundwater Cases.

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 3, 2022, at Bakersfield, California.


SERENA BRAVO