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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

LASC Case No.: BC 325201

12
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 **DECLARATION OF JOSHUA**
16 **MONTOYA IN SUPPORT OF**
17 **WATERMASTER'S OPPOSITION TO**
18 **THE PEOPLE CONCERN, INC'S**
MOTION FOR ACTION AND
IMPLEMENTATION; EXHIBITS 1-2

19 **AND ALL RELATED ACTIONS**

Date: August 24, 2023
Time: 2:00 p.m.
Dept: Courtcall

20
21 I, JOSHUA MONTOYA, declare and state as follows:

22 1. I make this declaration in support of the Antelope Valley Watermaster's Opposition
23 to the Motion for Action and Implementation filed by The People Concern, Inc. as agent for Barrel
24 Springs Properties, LLC (the "Opposition"). All capitalized terms not defined herein have the same
25 definitions as set forth in the Opposition.

26 2. I am a Project Coordinator with Hallmark Group, the Watermaster Administrator. I
27 have personal knowledge of the facts stated herein and, if called upon to do so, I could testify to
28 these facts.

3. The Watermaster Engineer's Findings on the Application were considered by the Watermaster Board at its January 25, 2023 regular meeting, at which time members of the Advisory Committee requested additional time to review and provide input on the Application, and the Watermaster Board directed the Watermaster Engineer and the General Counsel to work with Barrel Springs to gather the pertinent information to answer open questions regarding the Application, and continued to matter until the February Board meeting. Attached hereto as Exhibit 1 is a true and correct copy of the minutes of the January 25, 2023 Watermaster Board regular meeting.

4. On February 10, 2023, I was contacted by a Barrel Springs representative who requested that the Application be removed from the agendas for the February Watermaster Board and Advisory Committee meetings.

5. Thereafter, I contacted Barrel Springs towards the beginning of each month, at (661) 816-5179, to inquire whether and when they wanted the Application back on the agendas for the Watermaster Board and Advisory Committee meetings. It was not until early April 2023 that Barrel Springs confirmed they wanted the Application back on the agendas for consideration by the Watermaster Board and Advisory Committee that month.

6. Attached hereto as Exhibit 2 is a true and correct copy of the minutes of the April 19, 2023 Advisory Committee meeting.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on August 8, 2023, at Palmdale, California.

Joshua Montoya

JOSHUA MONTAYA

Exhibit 1

Antelope Valley Watermaster Board
Meeting Minutes
Wednesday, January 25, 2023 – 10:00 a.m.
Location: Antelope Valley – East Kern Water Agency
6450 West Avenue N, Palmdale, CA 93551

1) Call to Order 10:00am

2) Roll Call

BOARD OF DIRECTORS

Robert Parris, AVEK Representative – Chairperson
Kathy MacLaren, Public Water Supplier Representative – Vice-Chairperson
Russ Bryden, Los Angeles County Waterworks District 40 Representative
Brandon Calandri, Landowner Representative
Derek Yurosek, Landowner Representative
Phyllis Stanin, Todd Groundwater – Watermaster Engineer
Arden Wells, Todd Groundwater – Watermaster Engineer
Craig Parton, Price, Postel & Parma LLP – General Counsel
James Beck, Hallmark Group – Watermaster Administrator
Jessica Alwan, Hallmark Group – Watermaster Administrator
Joshua Montoya, Hallmark Group – Watermaster Administrator

3) Adoption of the Agenda

A motion was made by Vice Chair MacLaren, seconded by Director Calandri, and unanimously carried to adopt the agenda.

Roll Call Vote:

Ayes: Vice Chair McLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

4) Introduction of new Director

5) Public comments for non-agenda items – None

6) Special Presentations – None

7) Annual Election

A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to elect Director Parris as the Board Chair for 2023.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to elect Director MacLaren as the Vice Chair for 2023.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

A motion was made by Director Yurosek, seconded by Vice Chair MacLaren, and unanimously carried to elect Jessica Alwan of the Watermaster Administrator staff as the Board Secretary/Treasurer for 2023.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

8) Consent Agenda

Item	Description	Page
a.	Financial Report and Payment of bills through December 31, 2022	5
b.	Minutes of December 7, 2022, Special Meeting	24
c.	Resolution No. R-23-01; Resolution proclaiming that a local emergency persists, re-ratifying the Governor's proclamation of a state of emergency, and authorizing remote teleconference meetings for a period of 30 days pursuant to the Brown Act	29

A motion was made by Vice Chair MacLaren, seconded by Director Calandri, and unanimously carried to adopt the Consent Agenda.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

9) Advisory Committee Report

Item	Description	Page
a.	Advisory Committee Written Report	32

10) Administrative Committee Report

Item	Description
a.	Administrative Committee Report Chair Parris appointed Director Bryden to the Administrative Committee as replacement for former Director Ariki.

11) Public Hearing to consider adopting the 2023 Fee Schedule

Item	Description	Page
a.	Opening of the Public Hearing A motion was made by Vice Chair MacLaren, seconded by Director Calandri, and unanimously carried to open the public hearing. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	37
	(i) Present 2023 Fee Schedule	
	(ii) Public Comments	
b.	Closing of Public Hearing A motion was made by Director Calandri, seconded by Director MacLaren, and unanimously carried to close the public hearing. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	

12) Consideration and possible action to approve the 2023 Fee Schedule

A motion was made by Director Yurosek, seconded by Vice Chair MacLaren, and unanimously carried to approve the 2023 Fee Schedule.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

13) Authorize specified individuals to transact business with Citizens Business Bank

A motion was made by Director Yurosek, seconded by Vice Chair MacLaren, and unanimously carried to authorize the new Watermaster Administrators as signatories with Citizens Business Bank.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

14) Consideration and possible action on Hallmark Group's Amendment No. 2

No action. Chair Parris directed the scope be revisited with the Administrative Committee and brought back to the February Advisory meeting and February Board of Directors meeting.

15) Consideration and possible action on New Production application (Staff Report: Engineer)

Item	Resolution No.	Description	Page
a.	R-23-04	Barrel Springs (120 AF) Chair Parris directed the Watermaster Engineer and General Counsel to work with applicant for additional information needs and for the application to be reviewed by the Advisory Committee for recommendation and brought back before the February Board of Directors meeting.	49
b.	R-23-06	Long Valley Rd (300 AF) Chair Parris directed the Watermaster Engineer and General Counsel to develop language in the resolution that the approved application is not a guarantee of water availability.	87
c.	R-23-07	West Dony (2 AF) A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to approve Resolution No. R-23-07 New Production application for West Dony. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	160
d.	R-23-08	Galdamez Amado (2 AF) A motion was made by Vice Chair MacLaren, seconded by Director Calandri, and unanimously carried to approve Resolution No. R-23-08 New Production application for Galdamez Amado. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	174

16) Consideration and possible action on New Point of Extraction (Staff Report: Engineering)

Item	Resolution No.	Description	Page
a.	R-23-09	Frankenberg – New Point of Extraction Application A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to approve Resolution No. R-23-09 New Point of Extraction for Frankenberg. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	189

17) Consideration and possible action on Transfer application (Staff Report: Engineering)

Item	Resolution No.	Description	Page
a.	R-23-10	Craig and Marta Van Dam to AVCC (1 AF) A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to approve Resolution No. R-23-10 Transfer Application for Craig and Marta Van Dam. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	211

18) Consideration and possible action on Settlement agreement (Staff Report: General Counsel)

Item	Resolution No.	Description	Page
a.	R-23-13	Piute Mutual Water Company A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to approve Resolution No. R-23-13 Settlement Agreement for Piute Mutual Water Company. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	224

19) Consideration and possible action on Well application (Staff Report: Administrative Staff)

Item	Resolution No.	Description	Page
a.	R-23-14	Alfonso Torres – Replacement Well Application A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to approve Resolution No. R-23-14 Replacement Well Application for Alfonso Torres. Roll Call Vote: Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris Noes: Abstained:	230

20) Administrator's Report

Item	Description	Page
a.	Update on Administration Activities	244

21) Watermaster Engineer's Report

Item	Description	Page
a.	Summary of New Production and Qualified Small Pumpers	245
b.	Model Update	
c.	Change of Email Address for Antelope Meter Reporting	

[Recess 12:30PM-12:35PM]

22) General Counsel's Report

Item	Description	Page
a.	Update on Court Proceedings	247
b.	Consideration of Policy on Delinquent RWAs	

23) Board Members Request for Future Agenda Items

- Provide update on delinquency reporting
- Propose adjustment to RWA's

24) Closed Session, Conference with Legal Counsel General Counsel's Report

A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to enter into Closed Session.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

Item	Description
a.	CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)] Watermaster Motion against Zamrzla Parties
b.	CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)] Watermaster Motion against Rancho Sierra Properties, LLC
c.	CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Government Code Section 54956.9(d)(1)] Watermaster Motion against Antelope Valley Resource Conservation District

A motion was made by Director Calandri, seconded by Vice Chair MacLaren, and unanimously carried to exit Closed Session.

Roll Call Vote:

Ayes: Vice Chair MacLaren, Director Bryden, Director Calandri, Director Yurosek, Chair Parris

Noes: Abstained:

25) Closed Session Report

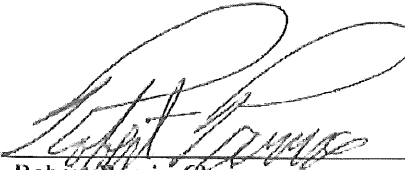
No reportable action.

26) Adjournment

Wednesday January 25, 2023 at 1:15pm



Jessica Alwan, Secretary



Robert Parris, Chairperson

4/22/23

Date

Exhibit 2

ANTELOPE VALLEY WATERMASTER ADVISORY COMMITTEE
MEETING MINUTES

April 19, 2023

CONFERENCE LINE MEETING ONLY

1-669-444-9171 Meeting ID: 883 3489 9317 Password: 123456

1. Introductions

The Advisory Committee met telephonically on April 19, 2023, at 10:00 AM to discuss action items for the AVWM meeting on April 26, 2023, based on the draft AVWB agenda received on April 13, 2023. Nine (9) of thirteen (13) voting members or their alternates attended the conference line meeting, Watermaster Staff and Twelve (12) member from the public. The Committee discussed and took the following positions on action items before the AVWB.

2. Approval of February and March 2023, meeting minutes.

- The Committee voted to approve the minutes. (9-Yes. 0-No, 0-Abstain)

3. Discussion of Potential Watermaster Board Action Items as Shown on the Draft April 26, 2023, Agenda

The committee had no comments or discussion.

4. Subarea discussion with Todd Groundwater and The Hallmark Group

- Joshua Montoya (Hallmark Group) provided background information on the subarea committee.
- Arden (Todd Groundwater) mentioned that the analysis for the subareas will be available in the upcoming annual report.

5. Consideration and possible action on Transfer Application

a. R-23-27 High Dessert Dairy to Craig Van Dam

- There was a request from Gary VanDam to table the application. No vote was taken.

b. R-23-30 AV Water Trust to Perini

- The Committee discussed and recommended approval of the application. (9-Yes, 0-No, 0-Abstain)

c. R-23-31 Caruso to Perini

- The Committee discussed and recommended approval of the application. (9-Yes, 0-No, 0-Abstain)

d. R-23-32 PWD to LCID

- The Committee discussed and recommended approval of the application. (9-Yes, 0-No, 0-Abstain)

6. Consideration and Possible Action on New Production Application

a. R-23-04 Barrel Springs (120 AF)

- The Committee discussed and had a lengthy discussion on the application. The committee could not decide. It was recommended that Committee members and other parties voice their concerns at the Watermaster meeting. There was a motion and a second and a vote taken. (3-Yes, 1-No, 5-Abstain)

7. Consideration and Possible Action on Replacement Well Application

a. R-23-33 Bolthouse Properties, LLC

b. R-23-34 Bolthouse Properties, LLC

- The Committee discussed and recommended approval of the applications together. (9-Yes, 0-No, 0-Abstain)

8. Future Agenda Item Requested by Committee Members

- The Committee would like Watermaster to send out an RFP for the 2024 Watermaster Administrator

9. Next Meeting

- May 17, 2023, 10AM

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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 August 10, 2023, I served the foregoing document described **DECLARATION OF JOSHUA MONTOYA IN SUPPORT OF WATERMASTER'S OPPOSITION TO THE PEOPLE CONCERN, INC'S MOTION FOR ACTION AND IMPLEMENTATION** 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 August 10, 2023, at Santa Barbara, California.

Signature
Elizabeth Wright