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

LASC Case No.: BC 325201

Assigned to the Hon. Jack Komar, Judge of the
Santa Clara Superior Court

Santa Clara Court Case No. 1-05-CV-049053

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16 **NOTICE OF MOTION AND MOTION**
17 **FOR APPROVAL OF AMENDMENTS TO**
18 **ANTELOPE VALLEY WATERMASTER**
RULES AND REGULATIONS;
DECLARATION OF ANGEL
FITZPATRICK; EXHIBITS A-B

19
20 Date: To Be Determined
Time: To Be Determined
21 Dept: By Courtcall

22 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

23 PLEASE TAKE NOTICE that on a date and time determined by the Court, the Antelope
24 Valley Watermaster (“Watermaster”) will and hereby does move for an order of the Court
25 approving amendments to the Antelope Valley Watermaster Rules and Regulations Section 14.o.

26 The Watermaster has both the power and the duty to adopt rules and regulations after
27 noticed public hearing and unanimous consent of the Watermaster Board. Having now held such
28 public hearing and having obtained the unanimous consent of the Board, the Watermaster moves

1 this Court to approve the amendments to Rules and Regulations Section 14.o as set forth in
2 Exhibit B to this motion.

3 This motion is based on the notice, the memorandum of points and authorities in support
4 thereof, the declaration of Angel Fitzpatrick and Exhibits A and B, and all pleadings, documents
5 and evidence on file in this action, and on such oral and documentary evidence as may be
6 presented at the hearing on this motion, and on other matters as are properly before the Court.

7 Respectfully submitted,

8 Dated: June 15, 2026

PRICE, POSTEL & PARMA LLP

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10 By: Craig A. Parton
11 CRAIG A. PARTON
12 Attorneys for
13 Antelope Valley Watermaster
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. INTRODUCTION**

3 The Antelope Valley Watermaster (“Watermaster”) has both the power and the duty to
4 adopt rules and regulations and to obtain their approval by this Court consistent with the terms of
5 the Antelope Valley Judgment and Physical Solution (“Judgment”). The Court previously
6 approved final comprehensive Antelope Valley Watermaster Rules and Regulations (the “Rules
7 and Regulations”) by Order dated September 29, 2020.

8 By Order dated September 8, 2023, the Court approved an amendment to the Watermaster
9 Rules and Regulations by adding Section 14.o, which imposes certain penalties on Parties with
10 New Production Rights who fail to submit annual Production Reports, including the requirement
11 that such non-reporting Parties will automatically be invoiced for the full amount of approved
12 New Production rights, and further that such non-reporting Parties’ New Production application
13 will automatically be suspended.

14 The Watermaster Board properly noticed a public hearing with respect to a proposed
15 amendment to Section 14.o to: (1) impose a flat fee as opposed to invoicing for the full amount of
16 approved New Production for any non-reporting New Production Parties; and (2) revoke, rather
17 than suspend, approval of any such non-reporting Party’s New Production application. The
18 Watermaster conducted such public hearing, and then voted unanimously to amend Section 14.o
19 accordingly. (See Declaration of Angel Fitzpatrick, Exhibits A and B.) By this motion the
20 Watermaster further seeks the Court’s approval of the aforementioned amendment to the Rules
21 and Regulations pursuant to the Judgment.

22 **II. THE AMENDMENTS TO THE RULES AND REGULATIONS HAVE BEEN**
23 **PROPOSED AND DISCUSSED AT PUBLIC HEARINGS, UNANIMOUSLY**
24 **ADOPTED BY THE BOARD, AND ARE NOW SUBJECT TO APPROVAL BY**
25 **THIS COURT**

26 Pursuant to the Judgment, the Watermaster has the express power and duty to adopt rules
27 and regulations. (See Paragraphs 18.4 and 18.4.2 of the Judgment.) The Judgment explicitly
28 provides that the Court may approve rules and regulations prepared by the Watermaster Engineer

1 and adopted by the Watermaster. (Judgment Paragraph 18.4.2.)

2 In accordance with these requirements, the proposed amendments to Rules and
3 Regulations Section 14.o were considered at properly noticed public hearings. (See Judgment
4 Paragraph 18.4.2; Declaration of Angel Fitzpatrick, Exhibits A and B.) After the appropriate
5 noticed public hearings, and after discussion, the Watermaster unanimously adopted the proposed
6 amendments to Rules and Regulations Section 14.o. (See attached Exhibits A and B.)

7 Since the Rules and Regulations are critical to the functioning and sustainability of the
8 Judgment and Physical Solution, and since the proposed amendments to the Rules and
9 Regulations have been properly considered in the public forum and unanimously adopted by the
10 Watermaster Board at a public hearing held on June 25, 2025, this Court should approve the
11 amendments to the Rules and Regulations contained in Exhibit B.

12 **III. CONCLUSION**

13 For all the foregoing reasons, the Watermaster's motion requesting this Court to approve
14 the amendments to Rules and Regulations Section 14.o should be granted.

15 Respectfully submitted,

16 Dated: June 15, 2026

PRICE, POSTEL & PARMA LLP

17
18 By: Craig A. Parton
19 CRAIG A. PARTON
20 Attorneys for
21 Antelope Valley Watermaster
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DECLARATION OF ANGEL FITZPATRICK

I, ANGEL FITZPATRICK, have personal knowledge of the matters stated in this declaration and if called to testify could and would competently do so.

1. I am employed by the Antelope Valley East Kern Water Agency and serve as the Antelope Valley Watermaster Administrator.

2. At its regular meeting on May 28, 2025, the Watermaster Board considered proposed amendments to the Watermaster Rules and Regulations by amending Section 14.o to: (1) impose a flat fee as opposed to invoicing for the full amount of approved New Production for any non-reporting New Production Parties; and (2) revoke, rather than suspend, approval of any such non-reporting Party's New Production application.

3. At its regular meeting on May 28, 2025, the Watermaster Board directed that the proposed amendment to Rules and Regulations Section 14.o be circulated for public comment for consideration and adoption.

4. On May 29, 2025, Watermaster Administrator staff posted on the Watermaster's website the language of the proposed amendment to Rules and Regulations Section 14.o for a public comment period ahead of the next regular meeting, and also a notice of a public hearing on adoption of said amendment to occur on June 25, 2025. A true and correct copy of the notice of public hearing is attached hereto as Exhibit A.

5. At the June 25, 2025 public hearing, after a presentation by the Watermaster Staff and Watermaster General Counsel, and comments by the Advisory Committee and the public, the Watermaster Board voted unanimously to approve the proposed amendment to Rules and Regulations Section 14.o. Attached hereto as Exhibit B is a true and correct copy of Resolution No. R-25-29, which is the resolution adopted by the Watermaster Board at its June 25, 2025 meeting to unanimously adopt the proposed amendment to Rules and Regulations Section 14.o.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 15th day of June, 2026, at Palmdale, California.

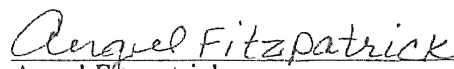

Angel Fitzpatrick

Exhibit A

Betsy Wright

From: Angel Fitzpatrick <afitzpatrick@avek.org>
Sent: Thursday, May 29, 2025 8:49 AM
Cc: info_avwatermaster
Subject: AV Watermaster Public Hearing Notice

Caution: This email originated from outside of the office. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you have any concern about the email, please contact the IT Department.

ANTELOPE VALLEY WATERMASTER PUBLIC HEARING

Antelope Valley Watermaster Amendment to Rules & Regulations

TO: ANTELOPE VALLEY GROUNDWATER PRODUCERS

The ANTELOPE VALLEY WATERMASTER set 10:00 a.m. on Wednesday, June 25, 2025, at Antelope Valley-East Kern Water Agency, 6450 W Avenue N, Palmdale, CA 93551, as the time and place for a Public Hearing on the proposed amendment to the Antelope Valley Watermaster Rules & Regulations. A copy of the proposed amendment will be available at www.avwatermaster.net.

At that hearing, the Watermaster will consider public comments on the Antelope Valley Watermasters proposed change to the Rules & Regulations. Written comments may be made in advance of the public hearing to the Watermaster Administrator, Peter Thompson at info@avwatermaster.net or by mail at Antelope Valley Watermaster, 5022 West Avenue N Suite 102, Box 195 Palmdale, CA 93551

The proposed revisions to the existing language of Rules & Regulations Section 14.o are shown in bold and ~~strikethrough~~ below:

"o. Failure to Comply With New Production Reporting Requirements. Consistent with the Production reporting requirements set forth in Paragraph 18.5.12 of the Judgment and Sections 7.b.x and 15.l of these Rules & Regulations, all Parties with New Production rights must submit an annual Production report to the Watermaster Engineer. In the event a Party with approved New Production rights fails to timely submit an annual Production report, then: (i) such Party will automatically be invoiced ~~for the full amount of approved New Production rights~~ a fee in the amount of \$150 to cover the Watermaster's administrative costs associated with such Party's failure to comply with its obligations under the Judgment and the Rules & Regulations; and (ii) approval of the Party's New Production application will automatically be ~~suspended unless and until~~ revoked if such Party ~~submits~~ fails to submit all past-due annual Production reports and pays all past-due Replacement Water Assessments. If a Party with approved New Production rights has not yet drilled the well associated with such New Production Rights or does not produce water from such well, such Party must still submit an annual Production report providing an update to the Watermaster regarding the status of the well."

Angel Fitzpatrick | Executive Assistant
Antelope Valley-East Kern Water Agency
6500 West Avenue N, Palmdale, CA 93551
p. 661.943.3201 | f. 661.943.3204 | d. 661.365.0285

Exhibit B

RESOLUTION NO. R-25-29

AMENDING RULES AND REGULATIONS SECTION 14.o
RELATING TO NEW PRODUCTION REPORTING REQUIREMENTS

WHEREAS, the Antelope Valley Watermaster, formed by the Antelope Valley Groundwater Cases Final Judgment (“Judgment”), Santa Clara Case No. 1-05-CV-049053 signed December 23, 2015, is to administer the Judgment; and

WHEREAS, the Judgment provides that the Watermaster Engineer shall prepare rules and regulations on various subjects in order to further the objectives of the Judgment; and

WHEREAS, at its regular meeting on June 24, 2020, the Watermaster Board unanimously adopted the final comprehensive rules and regulations reflected in the April 27, 2020 draft posted on the Watermaster website with modifications, with the exception of Section 9 relating to Storage Agreements, which was subsequently unanimously adopted by the Watermaster Board at its July 23, 2020 regular meeting; and

WHEREAS, the final comprehensive rules and regulations were approved by order of the Court dated September 29, 2020; and

WHEREAS, at its May 2025 regular meeting, the Watermaster Board directed General Counsel to provide proposed revisions to Section 14.o of the Rules and Regulations to revise the existing language of Section 14.o Failure to Comply With New Production Reporting Requirements as follows:

“o. Failure to Comply With New Production Reporting Requirements. Consistent with the Production reporting requirements set forth in Paragraph 18.5.12 of the Judgment and Sections 7.b.x and 15.1 of these Rules & Regulations, all Parties with New Production rights must submit an annual Production report to the Watermaster Engineer. In the event a Party with approved New Production rights fails to timely submit an annual Production report, then; (i) such Party will automatically be invoiced ~~for the full amount of approved New Production rights-a fee in the amount of \$150 to cover the Watermaster’s administrative costs associated with such Party’s failure to comply with its obligations under the Judgment and the Rules & Regulations;~~ and (ii) approval of the Party’s New Production application will automatically be ~~suspended unless and until revoked if such Party submits~~ **fails to submit** all past-due annual Production reports and pays all past-due Replacement Water Assessments. If a Party with approved New Production rights has not yet drilled the well associated with such New Production Rights or does not produce water from such well, such Party must still submit an annual Production report providing an update to the Watermaster regarding the status of the well.”

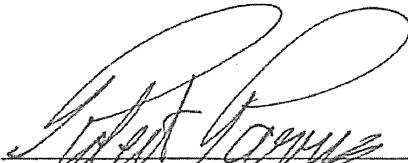
WHEREAS, the Watermaster Board held a public hearing at its regular meeting on June 25, 2025, where it received and considered public comment on the proposed revision to Section 14.o set forth above, and wishes now to adopt said revision to Section 14.o into the previously adopted Rules and Regulations, and to seek approval by the Court of such addition to the rules and regulations pursuant to the terms of the Judgment.

NOW, THEREFORE, BE IT RESOLVED, the Watermaster Board unanimously adopts the revision to Section 14.o of the Rules and Regulations as set forth above, with modifications, if any, as directed by the Board after the public hearing, and directs the Watermaster General

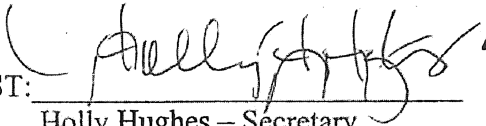
Counsel to bring a motion before the Court, seeking the Court's approval of said amendment to the Rules and Regulations pursuant to the terms of the Judgment.

I certify that this is a true copy of Resolution No. R-25-29 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held on June 25, 2025, in Palmdale, California.

Date: June 25, 2025



Robert Parris, Chairman

ATTEST: 

Holly Hughes – Secretary

PROOF OF SERVICE

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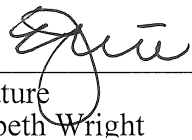
STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

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 June 15, 2026, I served the foregoing document described **NOTICE OF MOTION AND MOTION FOR APPROVAL OF AMENDMENTS TO ANTELOPE VALLEY WATERMASTER RULES AND REGULATIONS; DECLARATION OF ANGEL FITZPATRICK; EXHIBIT A-B** 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.scefilling.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 June 15, 2026, at Santa Barbara, California.



Signature
Elizabeth Wright