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Exempt from Filing Fees  
Government Code § 6103

5 Attorneys for  
6 Antelope Valley Watermaster

7  
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

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

15  
16  
17  
18 **AND ALL RELATED ACTIONS**

**DECLARATION OF PATRICIA ROSE IN  
SUPPORT OF ANTELOPE VALLEY  
WATERMASTER'S OPPOSITION TO  
PHELAN PIÑON HILLS COMMUNITY  
SERVICES DISTRICT'S MOTION FOR  
DECLARATORY RELIEF RE  
WATERMASTER RESOLUTION NO. R-  
19-27 AND NOTICE OF ASSESSMENT  
OF REPLACEMENT WATER  
ASSESSMENTS FOR 2016, 2017 AND 2018**

*[Opposition to District's Motion for  
Declaratory Relief and Declaration of  
Matthew Kundson filed concurrently herewith]*

20  
21  
22  
23 Date: November 7, 2019  
24 Time: 9:00 a.m.  
25 Dept: Courtcall

1 I, PATRICIA ROSE, declare as follows:

2 1. I have personal knowledge of the matters set forth below and if called as a witness  
3 I could and would testify competently thereto.

4 2. I serve as Secretary to the Board of the Antelope Valley Watermaster (the  
5 “Watermaster”). I work with Watermaster staff on a daily basis, and I am familiar with the  
6 process whereby Watermaster staff prepared, finalized, and sent notices of Replacement Water  
7 Assessments (“RWAs”) in 2019.

8 3. Beginning on or about July 10, 2019, Watermaster staff began drafting invoices for  
9 collecting 2016, 2017, and/or 2018 RWAs. Template invoices were prepared with blanks in the  
10 columns for yearly total acre-feet, RWA rate, and RWA amount, as well as the total amount due.  
11 These template invoices were dated July 15, 2019, with a due date of August 14, 2019, and saved  
12 in the Watermaster files for later completion after Watermaster Board approval of the applicable  
13 RWAs. Watermaster staff began drafting these invoices in July in anticipation of a staff member’s  
14 planned leave in August, and in order to ensure invoices could be efficiently and expeditiously  
15 finalized upon Watermaster Board approval of the applicable RWAs.

16 4. On or about September 3, 2019, final Watermaster Board approval of the RWAs  
17 applicable to Phelan, Watermaster staff entered the yearly total acre-feet, applicable RWA rate,  
18 and final RWA amount, as well as the total amount due, into the template invoice for Phelan.  
19 Watermaster staff then mailed the final invoice to Phelan on September 5, 2019, but without  
20 updating the invoicing date of July 15, 2019 or the due date of August 14, 2019. A true and  
21 correct copy of the September 5, 2019 invoice that was sent to Phelan is attached hereto as  
22 Exhibit 13.

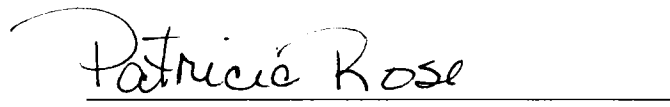
23 5. On or about September 13, 2019, a Phelan representative contacted the  
24 Watermaster to point out that the invoice erroneously stated Phelan’s total acre-feet for 2018 as  
25 385.18, when Phelan’s Production in 2018 was actually 176.83 acre-feet. On or about September  
26 26, 2019, Watermaster staff updated and re-sent the invoice to Phelan, again failing to update the  
27 July 15, 2019 invoicing date or the August 14, 2019 due date. A true and correct copy of the  
28 September 26, 2019 invoice that was sent to Phelan is attached hereto as Exhibit 14.

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6. The Watermaster has received no further correspondence from Phelan regarding the RWA invoice referenced herein.

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

Executed this 23<sup>rd</sup> day of October, 2019, at Palmdale, California.



PATRICIA ROSE

# EXHIBIT 13

Antelope Valley Watermaster  
P.O. Box 3025  
Quartz Hill, CA 93586  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**  
Phelan Pinon Hills CSD  
4176 Warbler Rd.  
Phelan, CA 92371

**INVOICE 1650CY19-1RWA**

**DATE 07/15/2019**

**DUE DATE 08/14/2019**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
RWA	2016 Replacement Water Assessment within Adjudicated Boundaries	770.63	888.00	684,319.44
RWA	2017 Replacement Water Assessment within Adjudicated Boundaries	385.18	896.00	345,121.28
RWA	2018 Replacement Water Assessment within Adjudicated Boundaries	385.18	914.00	352,054.52

Charges are based on being outside the AVSWCA Boundaries.

Please include invoice number on check payment.

PLEASE NOTE: Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$1,381,495.24**

Per Resolution No. R-19-27 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held August 28, 2019, in Palmdale, California

and

Judicial Council Coordination Proceeding No. 4408 Santa Clara Case No.: 1-05-CV-049053

PLEASE REMIT PAYMENT TO:  
Antelope Valley Watermaster  
P.O. Box 3025  
Quartz Hill, CA 93586

EXHIBIT 13

**EXHIBIT 14**

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RWA	2016 Replacement Water Assessment within Adjudicated Boundaries	770.63	888.00	684,319.44
RWA	2017 Replacement Water Assessment within Adjudicated Boundaries	385.18	896.00	345,121.28
RWA	2018 Replacement Water Assessment within Adjudicated Boundaries	176.83	914.00	161,622.62

Charges are based on being outside the AVSWCA Boundaries.

Please include invoice number on check payment.

PLEASE NOTE: Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$1,191,063.34**

Per Resolution No. R-19-27 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held August 28, 2019, in Palmdale, California

and

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PLEASE REMIT PAYMENT TO:  
Antelope Valley Watermaster  
P.O. Box 3025  
Quartz Hill, CA 93586

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

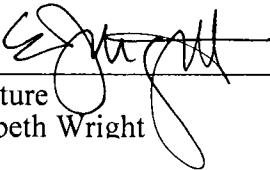
3 I am employed in the County of Santa Barbara, State of California. I am over the age of  
4 eighteen (18) and not a party to the within action. My business address is 200 East Carrillo Street,  
4 Fourth Floor, Santa Barbara, California 93101.

5 On October 25, 2019, I served the foregoing document described as **DECLARATION**  
6 **OF PATRICIA ROSE IN SUPPORT OF ANTELOPE VALLEY WATERMASTER'S**  
7 **OPPOSITION TO PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT'S**  
8 **MOTION FOR DECLARATORY RELIEF RE WATERMASTER RESOLUTION NO. R-**  
9 **19-27 AND NOTICE OF ASSESSMENT OF REPLACEMENT WATER ASSESSMENTS**  
10 **FOR 2016, 2017 AND 2018** on all interested parties in this action by the following manner:

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

18 Executed on October 25, 2019, at Santa Barbara, California.

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Signature   
Elizabeth Wright